



## CITY COUNCIL REGULAR MEETING

Monday, January 08, 2024 at 6:30 PM  
City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

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### PUBLIC NOTICE OF MEETING

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**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, January 08, 2024 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 items listed.

***[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/81065986491?pwd=c1lYbmIyd2ZhZkg4Z1pUZmZqSExrdz09>

*Meeting ID: 810 6598 6491*

*Passcode: 970759*

*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 December 04, 2023 Special Meeting and Workshop Session
- B. Minutes of December 11, 2023 Regular Meeting
- C. Review of Credit Card Statement
- D. Receive Monthly Financial Highlight Report
- E. Receive Victoria Economic Development Corporation (VEDC) Monthly Report
- F. Ratify City Manager's approval of Change Order No. 1, in the amount of \$29,751.80 for the Chevy Chase St. Improvements and Select Curb & Gutter Replacement and concrete repairs

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

- 1. Receive notification from Allied Waste Services of Texas/Republic Service of Corpus Christi (AW) regarding 4% annual rate increase per Third Amendment to the Solid Waste Collection and Disposal Contract with the City of Port Lavaca, effective February 01, 2024. Presenter is Mike Reeves of Republic Services
- 2. Consider Resolution No. R-010824-1E for establishing provisions for conduct for the City of Port Lavaca General Officers Election held on the uniform date of May 04, 2024 and authorize Mayor to issue Order of Election. Presenter is Mandy Grant
- 3. 3. Consider Resolution No. R-010824-2 of the City of Port Lavaca to nominate a candidate to fulfill the unexpired term of W.H. "Bill" Bauer, Jr. for the Board of Directors of the Calhoun County Appraisal District (CCAD) for the 2024-2025 regular term. Presenter is Jody Weaver
- 4. Consider Resolution No. R-010824-3 authorizing publication of Notice of Intention to issue Combination Tax and Revenue Certificates of Obligation, Series 2024. Presenter is Jody Weaver
- 5. Consider award of Alamo Heights Improvement Project contingent upon receipt of Bond Funds from Combination Tax and Revenue Certificates of Obligation, Series 2024. Presenter is Jody Weaver

6. Consider Resolution No. R-010824-4 of the City of Port Lavaca requesting Financial Assistance from Texas Water Development Board (TWDB) for the Lynn’s Bayou Wastewater Treatment Plant (WWTP) Expansion Project. Presenter is Jody Weaver
7. Consider Interlocal Agreement between the City of Port Lavaca and the Calhoun County Appraisal District (CCAD) for the Assessment and Collection Functions of Taxes. Presenter is Jody Weaver
8. Consider First reading of an Ordinance (G-1-24) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Changes; Chapter 38 Solid Waste Residential Rates; and providing an effective date . Presenter is Jody Weaver
9. Announcement by Mayor that City Council will retire into closed session:  
• For consultation with City Attorney on matters in which the duty of the Attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act (Title 5, Chapter 551, Section 551.071(2) of the Texas Government Code). Presenter is Mayor Whitlow
10. 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, January 08, 2024**, beginning at 6:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Thursday, January 04, 2024**.

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**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.

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# **COMMUNICATION**

**SUBJECT:** Minutes of December 04, 2023 Special Meeting and Workshop Session

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## **INFORMATION:**



# CITY COUNCIL SPECIAL/WORKSHOP MEETING

Monday, December 04, 2023 at 5:30 PM

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

## MINUTES

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

On this the 4<sup>th</sup> day of December, 2023, the City Council of the City of Port Lavaca, Texas, convened in a special and workshop session at 5:30 p.m. at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas, with the following members in attendance:

### I. ROLL CALL

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

\*Councilman District 5 Ward arrived at 6:03 p.m. during the Workshop Items)

And with the following absent: None

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

### CITY COUNCIL SPECIAL MEETING

### II. CALL TO ORDER

- Mayor Whitlow called the special meeting to order at 5:35 p.m. and presided.

### III. COMMENTS FROM THE PUBLIC

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

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

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

**1. Discuss status of the Corporation Ditch culvert replacement project and take any action deemed necessary. 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, this agenda item be passed until the next regular meeting scheduled for Monday, December 11, 2023 beginning at 6:30 p.m.

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 and Councilman District 6 Barr

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

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

Mayor Whitlow announced there would be no closed session.

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

There was no closed session.

**V. ADJOURN SPECIAL MEETING**

Mayor Whitlow asked for motion to adjourn.

Motion made by Councilman District 6 Barr

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 and Councilman District 6 Barr

Special Meeting adjourned at 5:37 p.m.

**WORKSHOP SESSION**

**VI. CALL TO ORDER**

- Mayor Whitlow called the workshop to order at 5:37 p.m. and presided with the following announcement:

**VII. COMMENTS FROM THE PUBLIC**

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

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

**VIII. ITEMS FOR DISCUSSION - Council will discuss the following items**

**1. Discuss Zoning Ordinance. Presenter is Derrick Smith**

Council discussed this agenda item.

No action necessary and none taken.

**IX. ADJOURN WORKSHOP**

Mayor Whitlow asked for motion to adjourn.

Motion made by Councilman District 2 Dent

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 and Councilman District 6 Barr

Workshop adjourned at 7:17 p.m.

ATTEST:

\_\_\_\_\_  
Jack Whitlow, Mayor

\_\_\_\_\_  
Mandy Grant, City Secretary

# **COMMUNICATION**

**SUBJECT:** Minutes of December 11, 2023 Regular Meeting

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## **INFORMATION:**



# CITY COUNCIL REGULAR MEETING

Monday, December 11, 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 11<sup>th</sup> day of December, 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 Tippit     | Councilman, District 3                  |
| Rosie G. Padron* | Councilwoman, District 4, Mayor Pro Tem |
| Jim Ward         | Councilman, District 5                  |
| Ken Barr         | Councilman, District 6                  |

\*Councilwoman Padron arrived at 6:51 p.m. during discussion of agenda item #1.

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 6:38 p.m. and presided.

### III. INVOCATION

- Councilman Ward gave the invocation.

### IV. PLEDGE OF ALLEGIANCE

- Mayor Whitlow – Pledge of Allegiance.

### V. PRESENTATION(S)

- There were no presentations.

**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 November 13, 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 Interim City Manager’s approval of Urban Engineering Task Order 29 and 29A for a total of \$25,250 to prepare design and bid documents for water transmission line repairs at Alcoa and Austin Street

Motion made by Councilman District 5 Ward

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

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

Seconded by Councilman District 6 Barr

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, 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. **Receive and approve presentation and approve presentation of the Calhoun County E-9-1-1 2022 Fiscal Budget in accordance with the Health and Safety Code, Title 9 Safety, Subtitle B Emergencies, Chapter 772 Local Administration of Emergency Communications, Sec 772.309(4) Governing Body of Participating Jurisdiction. Presenter is Rachel Morales**

*Author's Note: 2022 Fiscal Budget is a Typographical error which has been corrected to the 2024 Fiscal Year being presented.*

Rachel Morales, Calhoun County E9-1-1 District Manager, was in attendance to present their 2024 Fiscal Year Budget, in accordance with the Health and Safety Code, Title 9 Safety, Subtitle B Emergencies, Chapter 772 Local Administration of Emergency Communications, Section 772.309(4) Governing Body of Participating Jurisdiction.

Motion made by Councilman District 2 Dent

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

THAT, Council hereby approves presentation of the Calhoun County E9-1-1 Emergency Communication District Proposed 2024 Fiscal Budget in accordance with the Health and Safety Code, Title 9 Safety, Subtitle B Emergencies, Chapter 772 Local Administration of Emergency Communications, Sec 772.309(4) Governing Body of Participating Jurisdiction.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward, Councilman District 6 Barr

2. **Consider approval of a two-year agreement with the Port Lavaca Chamber of Commerce for Events Management/Marketing/Communications Services. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that last year they had approved an amendment for the third year of a 3-year contract with the Chamber of Commerce for Events Management and Marketing to add Communications for an annual fee of \$90,000.00 paid in three (3) equal installments.

Tania and I have looked at the agreement and are proposing no changes except to propose a two-year agreement instead of three years and change the initial installation due date to January instead of February to equal them out. Make note that the agreement stipulates that funding under the agreement is subject to annual appropriations by the City Council via the annual City budget.

This past year some of the events that Tania was instrumental in providing creative social media posts and other communications include:

- Public Works week where introduction posts were created for each segment of the Public Works Department: Administration, Campground host, Wastewater, Utility Maintenance, Parks, and Streets
- “Swing Into Spring ... and make room for summer” clean up event campaign with a series of creative ads
- National Police Week
- Building Safety Month
- A series of congratulations / job well done social media posts highlighting several employees that passed certification exams and/or acquired new licensing levels.
- Clean It and Green It Earth Day event
- Creation of a video message featuring the mayor for Employee Appreciation Day
- Launching the City of Port Lavaca YouTube channel and posting the recordings of all meetings of the City Council and other boards.



The makeup of the Events Committee is as follows:

- Events Coordinator – Chair (Tania French)
- City Finance Director – Vice Chair (Britney Hogan, in an acting capacity)
- Chamber of Commerce Representative – Jasmine Padierna
- Local Hotel/Motel Representative – Christine Pena
- Commercial Business Representative – Desiree Spears, Farmers Insurance
- Commercial Business Representative – Main Street – Schelly Bartels

Staff recommends approval of the Event Management/Marketing/Communications Services Agreement with the Port Lavaca Chamber of Commerce FY 2023-2025.

Motion made by Councilman District 5 Ward

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

THAT, in accordance with the recommendation of staff, Council hereby approves the two-year Agreement between the City of Port Lavaca and the Port Lavaca Chamber of Commerce for Event Management/Marketing/Communications Services for FY 2023-2024 and FY 2024-2025.

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

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

3. **Consider authorization to establish a new bank account at First National Bank (FNB) entitled “Park Donations” for the purpose of receiving donations that will be used specifically for Parks Improvements and Recreation. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that we would like to work with Tania and establish an ongoing “We Love Port Lavaca Parks” campaign to support our City Parks by providing an easy way for people (local citizens and visitors), who especially enjoy the parks and have an interest in seeing new amenities, signage, etc. added, to contribute financially to a fund specific for parks improvements.

We are envisioning signs at the parks that would read something like ... *This park is provided for the enjoyment of those that live, work, play or visit Port Lavaca. There is no fee to use the park, but if you have particularly enjoyed your visit and want to help us bring more improvements to our parks, please consider a contribution to our “We Love Port Lavaca Parks” fund.* A QR code would be scanned in or a text number provided where small (or large) donations can be accepted.

To do this requires us to establish a bank account specifically dedicated to these donated funds. We are proposing to set this special account up at First National Bank and can do so with the Council's approval.

It is hoped that donations to this fund would help in providing more shade structures, benches, picnic tables, special features, trees, irrigation and landscaping, recreation, special parks events, etc. The fund would not be used for routine maintenance that would be funded in the Parks General Fund Budget.

The final details of the campaign will be presented to the Parks Board and City Council prior to implementation.

Staff recommends Council authorize the establishment of a "Parks Donation" bank account with First National Bank.

Motion made by Councilman District 2 Dent

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

THAT, this agenda item be passed until staff presents another Policy for review.

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

4. **Consider approval of Rules and Regulations for Nautical Landings Marina and format of Lease agreement. Presenter is Jody Weaver**

Interim City Manager Weaver and Harbor Master Rudellat advised Council that at the September 25, 2023 Workshop, Council discussed the recommendation of the Port Commission to no longer allow Live-a-board tenants at the Nautical Landings Marina. The general consensus at the workshop was for staff to work with the Port Commission to make improvements to the standard lease agreement for a Marina Boat slip and bring that back to Council for approval at which time the issue of Live-a-boards would be addressed.

Council was presented with the new Nautical Landings Marina Lease for Docking Space with proposed edits for improvement in yellow highlight, a copy which is on file in the office of the City Secretary.

Item 14 of the Lease was approved by the Port Commission at their November meeting, which defines a Live-a-board vessel as one where anyone (owner, guests and other users authorized by Lessee) stays on-board for more than ten (10) nights within a calendar month. It also clarifies that the number of guest/authorized users of the Lessee shall be limited to two (2) persons per each signatory on the lease.

The ten (10) nights was suggested as a way to allow occasional and week-end overnight stays for vessel owners. This is similar to the language the City of Rockport uses. The City of Corpus Christi is also similar but allows fifteen (15) days per month.

The Port Commission recommends Council approval of the new Nautical Landings Lease Agreement for Docking Space as presented.

Motion made by Councilman District 5 Ward

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

THAT, in accordance with recommendation of the Port Commission and staff, Council hereby approval of Rules and Regulations for Nautical Landings Marina and format of Lease agreement with the exception of the current resident, which will be grand-fathered.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute all instruments necessary to affect 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

5. **Consider approval of Amendment Number One to Contract 043 between Matagorda Bay Mitigation Trust and City of Port Lavaca. Presenter is Jody Weaver**

Interim City Manager advised Council that the contract end date for Matagorda Bay Mitigation Trust (MBMT) Contract 043 is December 31, 2023. This is the contract for the \$200,000 Grant to be used toward the preliminary engineering cost should we receive the GLO CEPRa grant application for the Harbor of Refuge Old Landfill Shoreline Erosion Response and Protection – Phase I.

We submitted a request for a one-year contract extension, from March 01, 2023 through December 31, 2024, because we are still waiting to hear back from GLO on whether our CEPRa grant application was accepted. The contract extension request was approved and has been signed by Steven Raabe, Trustee for the Matagorda Bay Mitigation Trust and needs Council approval.

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 Amendment Number One to Contract 043 (Harbor of Refuge Old Landfill Shoreline Erosion Response and Protection – Phase I) between Matagorda Bay Mitigation Trust and City of Port Lavaca which requests a one-year contract extension, from March 01, 2023 through December 31, 2024.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute all instruments necessary to affect 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

- 6. **Consider recommendation of the Planning Board for approval of a request from the Sandcrab Plaza, LLC / YMCA of 713 Hwy 35 South for a Preliminary and Final Plat of the JEMCO Sandcrab Subdivision, being comprised of Lot 2 of the Port Lavaca Square Subdivision (Z/567) and a portion of Lots 1A and 1B of the Replat of the Port Lavaca Square Subdivision (Z/580). Located on Sandcrab Blvd. CAD Pin #13628 & #84732. Legal Description: A0035 MAXIMO SANCHEZ, TRACT PT 24, (PT LTS 1, 2, 3, PL SQ). Presenter is Derrick Smith**

Development Services Director Smith advised Council that the applicant (YMCA) is requesting approval of the replat of a portion of their property as the JEMCO Sandcrab Subdivision for the purpose of selling the property for a new development.

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

Motion made by Councilman District 5 Ward

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

THAT, in accordance with recommendation of the Planning Board and staff, Council hereby approves request from the Sandcrab Plaza, LLC / YMCA of 713 Hwy 35 South for a Preliminary and Final Plat of the JEMCO Sandcrab Subdivision, for the purpose of selling the property for a new development.

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

- 7. **Consider recommendation of the Planning Board for approval of a request from Kevin and Sasha Nevarez of 212 S. Commerce for a variance to City Code of Ordinance Chapter 12 Building and Building Regulation, Article II Building Trade Codes, Section 12-24 Building Setbacks. Presenter is Derrick Smith**

Development Services Director Smith advised Council that the Planning Board has approved a request from Kevin and Sasha Nevarez of 212 S. Commerce (Lots 4 and 5 of the Cottage Cove Subdivision) for a variance to City Code of Ordinance Chapter 12 Building and Building Regulation, Article II Building Trade Codes, Section 12-24 Building Setbacks.

This Variance request is for a second-floor deck on a new mixed-use build that will encroach into the platted front setback 3 foot. The platted front building setback for the Cottage Cove Subdivision is 15 feet.

Since it is for life safety purposes above a commercial avenue, the Planning Board recommends approval of the variance and notes that future developments should strive to provide fire escapes inside the building lines.

Motion made by Councilman District 3 Tippit

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

THAT, in accordance with recommendation of the Planning Board and staff, Council hereby approves request from Kevin and Sasha Nevarez of 212 S. Commerce for a variance to City Code of Ordinance Chapter 12 Building and Building Regulation, Article II Building Trade Codes, Section 12-24 Building Setbacks.

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

- 8. **Consider Resolution No. R-121123-1 to cast votes on the official ballot for the election of members to the Board of Directors for the Calhoun County Appraisal District for a two-year term beginning January 1, 2024 and ending on December 31, 2025. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that there were 345 votes available to be cast from the City of Port Lavaca and they may be distributed in any way they chose among the candidates.

Motion made by Councilman District 2 Dent

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

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

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

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

THAT, Council hereby approves Resolution No. R-121123-1 stipulating that the 345 votes cast from the City of Port Lavaca be distributed equally among the following candidates:

Bauer, William H. Jr.	69
Boone, Benjamin	69
Hill, Kevin	69
Lyssy, Vern	69
Rodriguez, Jessie	69

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

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

- 9. **Discuss status of the Corporation Ditch culvert replacement project and take any action deemed necessary. 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, this agenda item be passed.

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

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

Mayor Whitlow announced that the Council would retire into closed session at 7:26 p.m.

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

Mayor Whitlow announced that Council was back in open session at 7:46 p.m.

No Action taken (see motion under agenda #9 to pass this item).

**IX. ADJOURNMENT**

Mayor asked for motion to adjourn.

Motion made by Councilman District 2 Dent

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

The meeting was adjourned at 7:47 p.m.

These minutes were approved on January 08, 2024.

ATTEST:

Mandy Grant, City Secretary

Jack Whitlow, Mayor

# **COMMUNICATION**

**SUBJECT:** Review of Credit Card Statement

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**INFORMATION:**





Section VII. Item #C.

CITY OF  
Account Number: XXXX XXXX XXXX 0305

**Billing Questions:**  
800-367-7576

**Website:**  
www.cardaccount.net

**Send Billing Inquiries To:**  
Card Service Center, PO Box 569120, Dallas, TX 75356

**FIRST NATIONAL BANK IN PORT LAVACA Credit Card Account Statement**  
November 8, 2023 to December 8, 2023

**SUMMARY OF ACCOUNT ACTIVITY**

Previous Balance	\$9,493.65
- Payments	\$9,493.65
- Other Credits	\$76.04
+ Purchases	\$12,320.74
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$12,244.70

Account Number XXXX XXXX XXXX 0305  
 Credit Limit \$26,500.00  
 Available Credit \$13,389.00  
 Statement Closing Date December 8, 2023  
 Days in Billing Cycle 31

**PAYMENT INFORMATION**

New Balance: \$12,244.70  
 Minimum Payment Due: \$367.35  
**Payment Due Date: January 2, 2024**

**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
11/20	11/20	8543189A400XSVDHH	PAYMENT - THANK YOU	\$9,493.65-

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: \$12,244.70  
 Minimum Payment Due: \$367.35  
**Payment Due Date: January 2, 2024**

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



**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 XXXXXXXXXXXXX0305	\$9,493.65-
11/08	11/09	55436879T4PXY8MK8	LA QUINTA MOTOR INNS SAN ANTONIO TX	\$348.30
		CHECK-IN 11/05/23	FOLIO #12419309	
11/13	11/15	52653849Z1YFBM88T	PAYPAL *MASTERPEACE 4029357733 CA	\$127.99
11/14	11/15	55310209Y2E0HKS8V8	AMZN MKTP US*1G2WG4UO3 SEATTLE WA	\$59.95
11/15	11/15	55310209Z2DK3PH6W	AMZN MKTP US*7H56F6WD3 SEATTLE WA	\$285.17
11/15	11/15	55310209Z2E0DPANM	AMZN MKTP US*YG7CT4KL3 SEATTLE WA	\$49.95
11/21	11/22	5543286A55SMJSJXZ	AMAZON.COM*EJ1PA1UW3 AMZN.COM/BILL WA	\$932.34
11/27	11/28	5543286AB5WFQZX60	AMZN MKTP US*Q59IZ1SO3 AMZN.COM/BILL WA	\$344.77
11/29	11/30	5543286AE5X5B8V9M	TEEX RETAIL COLLEGE STATI TX	\$277.00
12/02	12/03	5543286AG5Y1746ZH	AMZN MKTP US*A848H6VW3 AMZN.COM/BILL WA	\$46.83
12/04	12/05	8271116AJ00QDAVJ	HUMANE EDUCATORS OF TX HUTTO TX	\$150.00
12/05	12/06	5542950AKLWN15GHJ	BKGHOTEL AT BOOKING.C 8888503958 NY	\$272.20
12/07	12/08	5543286AM5ZK2PJLN	AMAZON.COM*ES9N77A63 AMZN.COM/BILL WA	\$331.14
			COLIN RANGNOW	
			TOTAL XXXXXXXXXXXXX0727	\$3,225.64
12/05	12/07	5543286AL5Z7Z0XVA	THE HOME DEPOT 6587 VICTORIA TX	\$92.64
			ERIC SALES	
			TOTAL XXXXXXXXXXXXX0776	\$92.64
11/16	11/17	5543286A05VWFJWF8	AMZN MKTP US*971V59VX3 AMZN.COM/BILL WA	\$38.98
11/20	11/21	5543286A45SDXGM48	AMZN MKTP US*S82CG8G23 AMZN.COM/BILL WA	\$6.39
12/06	12/07	8514051ALS66KFAQM	SIRCHIE ACQUISITION CO TMC CLEAN@SIRC NC	\$174.15
			KAREN NEAL	
			TOTAL XXXXXXXXXXXXX0784	\$219.52
11/12	11/13	55263529XBLH7K476	HARBOR FREIGHT TOOLS34 PORT LAVACA TX	\$79.99
11/20	11/20	5543286A45S8KEWQB	AMZN MKTP US*GN3VE9713 AMZN.COM/BILL WA	\$29.97
12/06	12/07	5543286AL5ZAMTQDM	IN *PERFORMANCE SALES VICTORIA TX	\$182.10
			JUAN LUNA	
			TOTAL XXXXXXXXXXXXX0941	\$292.06
11/29	11/29	5543286AD5WW4HL8W	AMZN MKTP US AMZN.COM/BILL WA CREDIT	\$73.99-
11/17	11/19	5543286A15W43VDQX	AMZN MKTP US*6Z4VE0PN3 AMZN.COM/BILL WA	\$31.98
11/18	11/19	5543286A25WAZE0LE	AMZN MKTP US*017ON2AT3 AMZN.COM/BILL WA	\$73.99
11/29	11/30	5543286AD5X3PEQ1DB	AMZN MKTP US*ZH86Y0CS3 AMZN.COM/BILL WA	\$134.98
12/03	12/03	5543286AH5Y4XL5SH	AMZN MKTP US*WW76A24W3 AMZN.COM/BILL WA	\$61.43
			MANDY GRANT	
			TOTAL XXXXXXXXXXXXX1238	\$228.39
11/07	11/09	55207399R919AXSEJ	TYLER TECHNOLOGIES, IN YARMOUTH ME	\$1,425.00
11/08	11/09	55432869R6338YZ8Z	AMZN MKTP US*JD3TZ7453 AMZN.COM/BILL WA	\$58.97
11/10	11/10	55432869S63E1LW3A	AMZN MKTP US*RG7U45QX3 AMZN.COM/BILL WA	\$59.49
11/15	11/16	55432869Z5VMX0MKX	HOTELSCOM7205095924432 HOTELS.COM WA	\$643.56
11/22	11/22	1230202A600BYDFLJ	MICROSOFT*MICROSOFT 36 REDMOND WA	\$108.24
11/22	11/23	5543687A7MAX6JYHA	FORMS FULFILLMENT CENT ELMSFORD NY	\$440.83
11/28	11/29	5543286AQ5WS1Y0TN	AMZN MKTP US*C840H5WC3 AMZN.COM/BILL WA	\$159.00
11/29	11/30	5543286AD5X255AQA	AMZN MKTP US*AL5U31RA3 AMZN.COM/BILL WA	\$9.98
11/30	12/01	5543286AE5XQ45Z6S	AMAZON.COM*OY7ZV8T33 AMZN.COM/BILL WA	\$134.99
11/30	12/01	5543286AE5X8SMG80	AMZN MKTP US*I209W2EK3 AMZN.COM/BILL WA	\$93.98
11/30	12/01	0230096AE8PN0JJ5G	GOVERNMENT FINANCE OFF CHICAGO IL	\$150.00
11/30	12/01	0230096AE8PN0JJ83	GOVERNMENT FINANCE OFF CHICAGO IL	\$150.00
11/30	12/03	5520739AFESZARLFM	TYLER TECHNOLOGIES, IN YARMOUTH ME	\$275.00
12/01	12/03	5513158AF2DVBQEGP	CDW GOVT #NJ55492 800-808-4239 IL	\$399.99
12/05	12/06	5550036AK2E0PQ159	WALMART.COM WALMART.COM AR	\$132.57

Transactions continued on next page



**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				\$4,241.60
11/07	11/08	55432869P62NYJLQP	AMZN MKTP US*OR4E994K3 AMZN.COM/BILL WA	\$16.47
11/11	11/12	55432869V5SE5VGWR	APPLE.COM/BILL 866-712-7753 CA	\$2.99
11/11	11/12	55432869V5SH5JLD0	AMZN MKTP US*QK3M88CH3 AMZN.COM/BILL WA	\$103.97
11/13	11/14	55488729Y2M0QB2HE	TX DEPT OF LICENSING AUSTIN TX	\$150.00
11/14	11/15	55432869Y5VE33QMW	QUIZLET.COM 510-495-6550 CA	\$8.52
11/15	11/16	55432869Z5VJZW85V	AMZN MKTP US*6M3MG5XA3 AMZN.COM/BILL WA	\$199.98
11/27	11/27	5548077AB8AZ149J0	RECONYX HOLMEN WI	\$40.00
11/28	11/29	5548872AD2LY01M8M	TX BRD PLUMBING EXMR AUSTIN TX	\$82.50
11/30	12/01	7533700AFDMP2YLZZ	TRI-STATE CONSULTANTS ARLINGTON TX	\$62.47
12/07	12/07	5543286AM5ZF40F99	AMZN MKTP US*ER6M10643 AMZN.COM/BILL WA	\$87.19
12/07	12/08	5174295AM2DLY8B3L	IDENTOGO - TX FINGERPR 877-512-6962 MA	\$39.05
DERRICK SMITH				
TOTAL XXXXXXXXXXXX3836				\$793.14
12/01	12/04	8535354AHWGNB20GJ	US DRUG TEST CTRS - OR LAS VEGAS NV	\$199.95
12/05	12/06	5543286AK5YXX17VM	SQ *MILLHOUSE FURNITUR EL CAMPO TX	\$175.00
JAMES RUDELLAT				
TOTAL XXXXXXXXXXXX8611				\$374.95
11/07	11/08	55432869P62NYYRGL	SQ *GREATER HOUSTON FI 877-417-4551 TX	\$80.00
11/07	11/08	55263529R1VX5J139	CHILI'S FAIRMONT PARKW PASADENA TX	\$25.17
11/07	11/08	55436879R4PXL2LQT	LA QUINTA MOTOR INNS PASADENA TX	\$196.56
		CHECK-IN 11/07/23	FOLIO #4760463	
11/16	11/19	5543286A15W3RH6Z7	BUC-EE'S 12 PORT LAVACA TX	\$56.51
JOE REYES JR				
TOTAL XXXXXXXXXXXX0215				\$358.24
11/16	11/17	5543286A05VY1S8P1	GOOGLE *GOOGLE STORAGE 650-253- CREDIT	\$2.05-
11/15	11/16	55432869Z5VM16G3B	GOOGLE *GOOGLE STORAGE 650-253-0000 CA	\$2.12
11/17	11/19	8550039A1S66DD1MX	TEXAS SOCIETY OF PROFE 512-4729286 TX	\$45.00
11/20	11/21	7530637A461NWBBBF	CALHOUN COUNTY, TX COU FORT WORTH TX	\$2.00
11/20	11/21	7530637A461NWBBQR	CALHOUN COUNTY, TX COU PORT LAVACA TX	\$74.00
11/23	11/23	5543286A75V39ZABG	AMTEK INFORMATION SERV 281-376-4577 TX	\$99.99
11/30	12/01	5543286AE5XF3B5R6	J2 *EFAX CORPORATE SVC 323-817-1155 CA	\$326.84
12/01	12/03	5520739AG009ZFPJ	AUTHORIZE.NET SAN FRANCISCO CA	\$30.00
12/05	12/05	1527021AK0001QVK0	MSFT * E0200PX2MV MSBILL.INFO WA	\$107.18
JOANNA WEAVER				
TOTAL XXXXXXXXXXXX0249				\$685.08
11/13	11/14	55500369XHS97REGF	K AND K SYSTEMS TUPELO MS	\$591.38
11/14	11/15	65187429Z00016FDD	CALHOUN CO TAX ASSESSO PORT LAVACA TX	\$7.73
11/14	11/15	65187429Z00016FDM	CALHOUN CO TAX ASSESSO PORT LAVACA TX	\$7.73
11/14	11/15	65187429Z00016FE7	CALHOUN CO TAX ASSESSO PORT LAVACA TX	\$7.73
11/15	11/15	55432869Z5VEN3DP1	TEEX ECOMMERCE 979-458-6898 TX	\$470.00
11/15	11/16	55310209Z2DKL2BMS	AMZN MKTP US*UM57O2053 SEATTLE WA	\$245.68
12/03	12/04	5543286AH5YBB6R43	AMZN MKTP US*4B52S57X3 AMZN.COM/BILL WA	\$116.74
12/06	12/07	5543286AL5Z5JKNPL	AMAZON.COM*RQ1U60RK3 AMZN.COM/BILL WA	\$286.45
CYNTHIA HEYSQUIERDO				
TOTAL XXXXXXXXXXXX0264				\$1,733.44



**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](http://www.cardaccount.net) to enroll your credit card account(s) on the newly enhanced website.

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

**CREDITING OF PAYMENTS**

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

**BILLING RIGHTS SUMMARY**

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

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

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

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

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

**Your Rights if You are Dissatisfied with Your Credit Card Purchases**

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

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

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

**EXPLANATION OF INTEREST CHARGES**

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

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

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

**ANNUAL FEE DISCLOSURES**

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

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

**CREDIT BALANCES**

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

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

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## **INFORMATION:**



CITY OF  
**PORT LAVACA**

202 N. Virginia, Port Lavaca, Texas 77979-0105 [www.portlavaca.org](http://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 *BH*  
Subject: FY 23-24 Financial Highlights through **December 31, 2023**  
Date: January 3, 2024

---

Below are the following reports for the period ending **December 31, 2023**, or **25%** of the year:

The major highlights of the Report are as follows:

*Property Tax* collections as reported by CCAD - are **\$2,942,327** for the year as of November. Collections in FY 23-24 are 51.24% of total adjusted tax levy. Total current year Property Taxes Outstanding as of November is **\$3,354,153**.

In the General Fund, revenues through **12/31/23** are **34.5%** of budget. In addition:

1. *Current Property Tax* collections - are **\$2,693,407** for the year as of December. Collections in FY 23-24 are 60% of budget.
2. *Sales Tax* collections through December were **\$936,239** or 25% of budget. Collections through December in FY 22-23 were **\$902,165**.
3. *Licenses & Permits* collections are **\$24,773** for the year, or 9% of budget. Collections through December in FY 22-23 were **\$31,621**.
4. *Bauer Center Rentals* through December are **\$16,850** or 16.8% of budget. Collections through December in FY 22-23 were **\$15,100**.
5. *Court Fines* are **\$12,668** for the year, or 10.5% of budget. Collections through December in FY 22-23 were **\$17,734**.

Expenditures in the General Fund for the year are **21%** of budget.



**Target: 25%**

In the Utility Fund, revenues as of **12/31/23** are **24%** of budget. In addition:

1. *Metered Water* sales through December are **\$704,846** or **27%** of budget.
2. *Residential Sewer* sales through December are **\$352,454** or **22.5%** of budget.
3. *Garbage Billings* through December are **\$231,618** or **25%** of budget.

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

**Summary – FY 2023-2024 through 12/31/23**

<u>Fund</u>	<u>Revenues</u>	<u>% Budget</u>	<u>Expense</u>	<u>% Budget</u>	<u>Revenues Less Expense</u>
General	\$4,009,738	34.5%	\$2,399,040	21%	\$1,610,698
Utility	1,811,791	24%	1,736,111	25.5%	75,680
HOT	7,212	1%	138,106	21.5%	(130,894)
Beach	34,083	14.5%	30,076	14%	4,007
Port	183,491	9.5%	79,338	3.5%	104,153
				<b>Total</b>	<b>1,663,644</b>





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

<b>TAXES DUE AT CERTIFICATION</b>	5,760,674.07
Adjustments to Date	-18,806.48
<b>TOTAL TAX LEVY</b>	5,741,867.59

**2022 Tax Collections**

	<b>Base</b>	<b>Penalties &amp; Interest</b>	<b>Total</b>	
October	2,358,896.67	0.00	2,358,896.67	
November	583,430.25	0.00	583,430.25	
December			0.00	
January			0.00	
February			0.00	
March			0.00	
April			0.00	
May			0.00	
June			0.00	
July (Delinquent as of July 1, 2022)			0.00	
August			0.00	
September			0.00	
<b>TOTAL</b>	<b>2,942,326.92</b>	<b>0.00</b>	<b>2,942,326.92</b>	
		<b>% Collected</b>	<b>51.24%</b>	<b>Last Year % Collected</b>
				<b>55.72%</b>

**TRANSFERRED TO DELINQUENT ROLL**

July, Aug, and Sept Payments 0.00

**2022 TAXES OUTSTANDING**

2,799,539.30

**% Current Outstanding** 48.76%

**DELINQUENT COLLECTIONS**

	<b>Base</b>	<b>Penalties &amp; Interest</b>	<b>Total</b>
October	1,434.78	2,667.91	4,102.69
November	9,308.28	2,187.95	11,496.23
December			0.00
January			0.00
February			0.00
March			0.00
April			0.00
May			0.00
June			0.00
July			0.00
August			0.00
September			0.00
<b>TOTAL</b>	<b>10,743.06</b>	<b>4,855.86</b>	<b>15,598.92</b>

**DELINQUENT TAXES OUTSTANDING**

554,613.25

**TOTAL TAXES OUTSTANDING**

3,354,152.55

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

Section VII. Item #D.

Recv'd	Monthly Allocation	Prior Year % Inc (Dec) Month	General Fund	TOTAL Year-to-Date Allocation	General Fund Budget		Total YTD Percent of Budget	Prior Year Percent Increase (Decrease)		
					Month	Y-T-D		Month	Y-T-D	
<b>Fiscal Year 2021</b>										
Dec	Oct	345,451	27%	\$345,451	345,451	243,714	243,714	141.74%	26.9%	26.9%
Jan	Nov	281,510	12%	\$281,510	626,961	224,351	468,066	133.95%	12.3%	19.9%
Feb	Dec	279,811	-9%	\$279,811	906,772	274,277	742,342	122.15%	-8.7%	9.4%
Mar	Jan	265,655	-11%	\$265,655	1,172,427	265,771	1,008,114	116.30%	-10.5%	4.1%
Apr	Feb	246,266	7%	\$246,266	1,418,693	206,830	1,214,943	116.77%	6.6%	4.5%
May	Mar	354,052	22%	\$354,052	1,772,745	260,317	1,475,260	120.16%	21.8%	7.6%
Jun	Apr	296,421	25%	\$296,421	2,069,165	211,890	1,687,150	122.64%	25.2%	9.8%
Jul	May	294,843	11%	\$294,843	2,364,008	238,183	1,925,333	122.78%	10.8%	9.9%
Aug	Jun	329,290	-7%	\$329,290	2,693,298	317,553	2,242,886	120.08%	-7.2%	7.5%
Sep	Jul	285,544	19%	\$285,544	2,978,842	214,770	2,457,656	121.21%	19.0%	8.5%
Oct	Aug	276,092	1%	\$276,092	3,254,934	244,797	2,702,453	120.44%	1.0%	7.8%
Nov	Sep	311,985	16%	\$311,985	3,566,919	240,547	2,943,000	121.20%	16.1%	8.5%

Recv'd	Monthly Allocation	Prior Year % Inc (Dec) Month	General Fund	TOTAL Year-to-Date Allocation	General Fund Budget		Total YTD Percent of Budget	Prior Year Percent Increase (Decrease)		
					Month	Y-T-D		Month	Y-T-D	
<b>Fiscal Year 2022</b>										
Dec	Oct	246,194	-29%	\$246,194	246,194	318,632	318,632	77.27%	-28.7%	-28.7%
Jan	Nov	264,290	-6%	\$264,290	510,484	259,655	578,287	88.28%	-6.1%	-18.6%
Feb	Dec	330,154	18%	\$330,154	840,638	258,087	836,374	100.51%	18.0%	-7.3%
Mar	Jan	245,570	-8%	\$245,570	1,086,207	245,031	1,081,405	100.44%	-7.6%	-7.4%
Apr	Feb	252,248	2%	\$252,248	1,338,456	227,147	1,308,552	102.29%	2.4%	-5.7%
May	Mar	315,077	-11%	\$315,077	1,653,532	326,565	1,635,117	101.13%	-11.0%	-6.7%
Jun	Apr	266,647	-10%	\$266,647	1,920,179	273,408	1,908,525	100.61%	-10.0%	-7.2%
Jul	May	275,093	-7%	\$275,093	2,195,273	271,952	2,180,478	100.68%	-6.7%	-7.1%
Aug	Jun	315,184	-4%	\$315,184	2,510,457	303,725	2,484,203	101.06%	-4.3%	-6.8%
Sep	Jul	349,708	22%	\$349,708	2,860,165	263,376	2,747,579	104.10%	22.5%	-4.0%
Oct	Aug	304,754	10%	\$304,754	3,164,919	254,657	3,002,236	105.42%	10.4%	-2.8%
Nov	Sep	325,921	4%	\$325,921	3,490,839	287,764	3,290,000	106.10%	4.5%	-2.1%

Recv'd	Monthly Allocation	Prior Year % Inc (Dec) Month	General Fund	TOTAL Year-to-Date Allocation	General Fund Budget		Total YTD Percent of Budget	Prior Year Percent Increase (Decrease)		
					Month	Y-T-D		Month	Y-T-D	
<b>Fiscal Year 2023</b>										
Dec	Oct	267,921	9%	\$267,921	267,921	221,082	221,082	121.19%	8.8%	8.8%
Jan	Nov	262,666	-1%	\$262,666	530,587	237,332	458,414	115.74%	-0.6%	3.9%
Feb	Dec	327,969	-1%	\$327,969	858,556	296,478	754,892	113.73%	-0.7%	2.1%
Mar	Jan	293,025	19%	\$293,025	1,151,581	220,522	975,414	118.06%	19.3%	6.0%
Apr	Feb	241,757	-4%	\$241,757	1,393,338	226,519	1,201,932	115.92%	-4.2%	4.1%
May	Mar	288,609	-8%	\$288,609	1,681,948	282,939	1,484,871	113.27%	-8.4%	1.7%
Jun	Apr	267,670	0%	\$267,670	1,949,617	239,449	1,724,320	113.07%	0.4%	1.5%
Jul	May	310,160	13%	\$310,160	2,259,777	247,034	1,971,354	114.63%	12.7%	2.9%
Aug	Jun	333,198	6%	\$333,198	2,592,976	283,035	2,254,389	115.02%	5.7%	3.3%
Sep	Jul	295,975	-15%	\$295,975	2,888,951	314,037	2,568,426	112.48%	-15.4%	1.0%
Oct	Aug	335,595	10%	\$335,595	3,224,546	273,669	2,842,095	113.46%	10.1%	1.9%
Nov	Sep	315,989	-3%	\$315,989	3,540,534	292,677	3,134,772	112.94%	-3.0%	1.4%

Recv'd	Monthly Allocation	Prior Year % Inc (Dec) Month	General Fund	TOTAL Year-to-Date Allocation	General Fund Budget		Total YTD Percent of Budget	Prior Year Percent Increase (Decrease)		
					Month	Y-T-D		Month	Y-T-D	
<b>Fiscal Year 2024</b>										
Dec	Oct	281,039	5%	\$281,039	281,039	281,800	281,800	99.73%	4.9%	4.9%
Jan	Nov					276,274	558,074			
Feb	Dec					344,960	903,033			
Mar	Jan					308,205	1,211,239			
Apr	Feb					254,282	1,465,520			
May	Mar					303,561	1,769,081			
Jun	Apr					281,536	2,050,617			
Jul	May					326,228	2,376,845			
Aug	Jun					350,460	2,727,305			
Sep	Jul					311,308	3,038,613			
Oct	Aug					352,981	3,391,594			
Nov	Sep					332,358	3,723,952			

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

Section VII. Item #D.

001-GENERAL FUND  
 FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<b>REVENUE SUMMARY</b>								
TAXES	8,985,666	8,985,666	0	552,682.94	3,745,081.77	0.00	5,240,584.23	41.68
LICENSES & PERMITS	268,410	268,410	0	8,866.31	24,773.17	0.00	243,636.83	9.23
USER & SERVICE CHARGES	102,500	102,500	0	1,526.00	17,146.00	0.00	85,354.00	16.73
FINES & FORFEITURES	284,000	284,000	0	27,272.63	49,721.10	0.00	234,278.90	17.51
OTHER REVENUE	550,950	550,950	0	64,026.78	115,692.88	0.00	435,257.12	21.00
GRANT AND CONTRIBUTION R	572,033	572,033	0	0.00	0.00	0.00	572,033.00	0.00
INTERGOVERNMENTAL REVENUE	875,783	875,783	0	0.00	57,322.82	0.00	818,460.18	6.55
<b>TOTAL REVENUES</b>	<b>11,639,342</b>	<b>11,639,342</b>	<b>0</b>	<b>654,374.66</b>	<b>4,009,737.74</b>	<b>0.00</b>	<b>7,629,604.26</b>	<b>34.45</b>
<b>EXPENDITURE SUMMARY</b>								
CITY COUNCIL	30,402	30,402	0	2,449.06	7,065.71	0.00	23,336.29	23.24
CITY MANAGER	394,511	394,511	0	19,825.75	58,709.77	0.00	335,801.23	14.88
CITY SECRETARY	224,494	224,494	0	15,441.20	45,915.71	10,000.00	168,578.29	24.91
HUMAN RESOURCE	34,725	34,725	0	975.82	3,293.94	0.00	31,431.06	9.49
MUNICIPAL COURT	163,474	163,474	0	12,339.48	35,173.59	0.00	128,300.41	21.52
TECHNOLOGY SERVICES	462,081	462,081	0	26,536.86	188,468.71	8,295.00	265,317.29	42.58
ECONOMIC DEVELOPMENT	0	0	0	0.00	0.00	0.00	0.00	0.00
FINANCE	440,906	440,906	0	15,940.88	46,186.53	0.00	394,719.47	10.48
CITY HALL	207,520	207,520	0	14,219.17	60,244.96	53,500.00	93,775.04	54.81
POLICE	2,919,859	2,919,859	0	265,132.95	652,816.20	0.00	2,267,042.80	22.36
FIRE	2,162,555	2,162,555	0	143,766.84	414,598.48	0.00	1,747,956.52	19.17
ANIMAL CONTROL	246,085	246,085	0	12,380.75	37,494.15	0.00	208,590.85	15.24
CODE ENFORCEMENT/INSPECT	511,797	511,797	0	20,755.25	65,868.99	5,000.00	440,928.01	13.85
STREETS	2,897,645	2,897,645	0	240,493.98	402,207.52	31,999.99	2,463,437.49	14.98
PARKS & RECREATION	1,064,950	1,064,950	0	48,230.63	137,085.94	146,313.62	781,550.44	26.61
BAUER CENTER	335,464	335,464	0	14,370.40	67,188.24	57,722.00	210,553.76	37.24
NON-DEPARTMENTAL	680,027	680,027	0	9,918.17	176,721.42	0.00	503,305.58	25.99
<b>TOTAL EXPENDITURES</b>	<b>12,776,495</b>	<b>12,776,495</b>	<b>0</b>	<b>862,777.19</b>	<b>2,399,039.86</b>	<b>312,830.61</b>	<b>10,064,624.53</b>	<b>21.23</b>
<b>REVENUES OVER/ (UNDER) EXPENDITURES</b>	<b>( 1,137,153)</b>	<b>( 1,137,153)</b>	<b>0</b>	<b>( 208,402.53)</b>	<b>1,610,697.88</b>	<b>( 312,830.61)</b>	<b>( 2,435,020.27)</b>	<b>114.13-</b>



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

001-GENERAL FUND  
 REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET	
<b>TAXES</b>									
411.01	PROPERTY TAXES-CURRENT	4,511,964	4,511,964	0	198,581.93	2,693,406.76	0.00	1,818,557.24	59.69
411.02	PROPERTY TAXES-DELINQU	100,000	100,000	0	60,713.10	70,398.24	0.00	29,601.76	70.40
412.01	SALES TAX REVENUE	3,723,952	3,723,952	0	282,237.51	936,238.72	0.00	2,787,713.28	25.14
413.01	NATURAL GAS FRANCHISE	62,000	62,000	0	0.00	0.00	0.00	62,000.00	0.00
413.02	ELECTRICAL FRANCHISE T	342,000	342,000	0	75.94	31,123.70	0.00	310,876.30	9.10
413.03	TELEPHONE FRANCHISE TA	32,000	32,000	0	0.00	0.00	0.00	32,000.00	0.00
413.04	CABLE TV FRANCHISE TAX	50,000	50,000	0	0.00	0.00	0.00	50,000.00	0.00
413.05	WASTE COLLECTION FRAN	128,750	128,750	0	11,074.46	15,693.71	0.00	113,056.29	12.19
413.90	OTHER FRANCHISE TAX	0	0	0	0.00	0.00	0.00	0.00	0.00
414.01	ALCOHOLIC BEVERAGE TAX	35,000	35,000	0	0.00	( 1,779.36)	0.00	36,779.36	5.08-
415.15	INTERGOVERNMENTAL REVE	0	0	0	0.00	0.00	0.00	0.00	0.00
	<b>TOTAL TAXES</b>	<b>8,985,666</b>	<b>8,985,666</b>	<b>0</b>	<b>552,682.94</b>	<b>3,745,081.77</b>	<b>0.00</b>	<b>5,240,584.23</b>	<b>41.68</b>
<b>LICENSES &amp; PERMITS</b>									
421.01	ELECTRICAL LICENSES	0	0	0	0.00	0.00	0.00	0.00	0.00
421.02	BUILDER LICENSES	7,000	7,000	0	250.00	650.00	0.00	6,350.00	9.29
422.01	ELECTRICAL PERMITS	25,000	25,000	0	0.00	0.00	0.00	25,000.00	0.00
422.02	BUILDING PERMITS	157,000	157,000	0	7,458.63	19,192.54	0.00	137,807.46	12.22
422.03	PLUMBING PERMITS	22,000	22,000	0	0.00	0.00	0.00	22,000.00	0.00
422.04	MECHANICAL PERMITS	5,600	5,600	0	0.00	0.00	0.00	5,600.00	0.00
422.05	FOUNDATION PERMITS	0	0	0	0.00	0.00	0.00	0.00	0.00
422.06	PEDDLER & SOLICITOR PE	0	0	0	0.00	100.00	0.00	( 100.00)	0.00
422.07	ALCOHOL IN THE PARK PE	0	0	0	0.00	0.00	0.00	0.00	0.00
423.01	TRAILER PERMITS	0	0	0	0.00	0.00	0.00	0.00	0.00
423.02	FOOD HANDLER'S PERMITS	2,600	2,600	0	50.00	125.00	0.00	2,475.00	4.81
423.03	LIENS	1,500	1,500	0	0.00	0.00	0.00	1,500.00	0.00
423.90	OTHER PERMITS & FEES	30,000	30,000	0	997.68	2,288.04	0.00	27,711.96	7.63
424.01	ALCOHOLIC BEVERAGE PER	7,110	7,110	0	60.00	1,750.00	0.00	5,360.00	24.61
424.02	AMUSEMENT PERMIT FEES	300	300	0	0.00	0.00	0.00	300.00	0.00
424.03	SUBDIVISION & PLAT FEE	1,000	1,000	0	0.00	0.00	0.00	1,000.00	0.00
424.04	ENVIRONMENTAL & HEALTH	0	0	0	0.00	0.00	0.00	0.00	0.00
424.05	PLAN REVIEW FEES	9,000	9,000	0	0.00	577.59	0.00	8,422.41	6.42
425.01	ANIMAL LICENSES & FEES	200	200	0	0.00	40.00	0.00	160.00	20.00
426.01	ALARM FEES	100	100	0	50.00	50.00	0.00	50.00	50.00
	<b>TOTAL LICENSES &amp; PERMITS</b>	<b>268,410</b>	<b>268,410</b>	<b>0</b>	<b>8,866.31</b>	<b>24,773.17</b>	<b>0.00</b>	<b>243,636.83</b>	<b>9.23</b>
<b>USER &amp; SERVICE CHARGES</b>									
435.06	BAUER CENTER RENTALS	100,000	100,000	0	1,450.00	16,850.00	0.00	83,150.00	16.85
435.07	BAYFRONT RENTALS	0	0	0	0.00	150.00	0.00	( 150.00)	0.00
439.01	POLICE SERVICES	2,000	2,000	0	76.00	146.00	0.00	1,854.00	7.30
439.05	POLICE TRAINING FEES	500	500	0	0.00	0.00	0.00	500.00	0.00
	<b>TOTAL USER &amp; SERVICE CHARGES</b>	<b>102,500</b>	<b>102,500</b>	<b>0</b>	<b>1,526.00</b>	<b>17,146.00</b>	<b>0.00</b>	<b>85,354.00</b>	<b>16.73</b>

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

Section VII. Item #D.

001-GENERAL FUND  
 REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<b>FINES &amp; FORFEITURES</b>								
441.01	90,000	90,000	0	9,959.79	14,527.22	0.00	75,472.78	16.14
441.02	45,000	45,000	0	15,267.26	18,574.09	0.00	26,425.91	41.28
443.01	120,000	120,000	0	1,885.85	12,667.65	0.00	107,332.35	10.56
443.02	14,000	14,000	0	54.91	2,179.87	0.00	11,820.13	15.57
443.03	5,000	5,000	0	65.53	405.95	0.00	4,594.05	8.12
449.02	10,000	10,000	0	39.29	1,366.32	0.00	8,633.68	13.66
449.03	0	0	0	0.00	0.00	0.00	0.00	0.00
449.05	0	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL FINES &amp; FORFEITURES</b>	<b>284,000</b>	<b>284,000</b>	<b>0</b>	<b>27,272.63</b>	<b>49,721.10</b>	<b>0.00</b>	<b>234,278.90</b>	<b>17.51</b>
<b>OTHER REVENUE</b>								
451.01	500,000	500,000	0	0.00	57,106.85	0.00	442,893.15	11.42
455.01	0	0	0	0.00	0.00	0.00	0.00	0.00
459.02	500	500	0	12.00	33.25	0.00	466.75	6.65
459.05	0	0	0	0.00	0.00	0.00	0.00	0.00
459.07	0	0	0	0.00	0.00	0.00	0.00	0.00
459.08.1010	0	0	0	0.00	0.00	0.00	0.00	0.00
459.08.1011	0	0	0	0.00	0.00	0.00	0.00	0.00
459.10	0	0	0	0.00	0.00	0.00	0.00	0.00
459.11	32,000	32,000	0	34,300.00	34,300.00	0.00	( 2,300.00)	107.19
459.12	0	0	0	24,252.78	24,252.78	0.00	( 24,252.78)	0.00
459.15	0	0	0	0.00	0.00	0.00	0.00	0.00
459.17	2,450	2,450	0	0.00	0.00	0.00	2,450.00	0.00
459.20	0	0	0	0.00	0.00	0.00	0.00	0.00
459.90	10,000	10,000	0	5,462.00	0.00	0.00	10,000.00	0.00
459.91	6,000	6,000	0	0.00	0.00	0.00	6,000.00	0.00
459.92	0	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL OTHER REVENUE</b>	<b>550,950</b>	<b>550,950</b>	<b>0</b>	<b>64,026.78</b>	<b>115,692.88</b>	<b>0.00</b>	<b>435,257.12</b>	<b>21.00</b>
<b>GRANT AND CONTRIBUTION R</b>								
482.00	258,656	258,656	0	0.00	0.00	0.00	258,656.00	0.00
482.01	0	0	0	0.00	0.00	0.00	0.00	0.00
484.53	0	0	0	0.00	0.00	0.00	0.00	0.00
484.54	1,800	1,800	0	0.00	0.00	0.00	1,800.00	0.00
484.59	240,577	240,577	0	0.00	0.00	0.00	240,577.00	0.00
484.60	65,000	65,000	0	0.00	0.00	0.00	65,000.00	0.00
484.61	6,000	6,000	0	0.00	0.00	0.00	6,000.00	0.00
<b>TOTAL GRANT AND CONTRIBUTION R</b>	<b>572,033</b>	<b>572,033</b>	<b>0</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>572,033.00</b>	<b>0.00</b>
<b>INTERGOVERNMENTAL REVENUE</b>								
492.01	51,181	51,181	0	0.00	8,530.16	0.00	42,650.84	16.67
492.02	1,135	1,135	0	0.00	189.16	0.00	945.84	16.67
492.04	6,157	6,157	0	0.00	1,026.16	0.00	5,130.84	16.67
493.85	0	0	0	0.00	0.00	0.00	0.00	0.00
493.87	0	0	0	0.00	0.00	0.00	0.00	0.00
493.88	531,846	531,846	0	0.00	0.00	0.00	531,846.00	0.00
493.89	285,464	285,464	0	0.00	47,577.34	0.00	237,886.66	16.67
493.90	0	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL INTERGOVERNMENTAL REVENUE</b>	<b>875,783</b>	<b>875,783</b>	<b>0</b>	<b>0.00</b>	<b>57,322.82</b>	<b>0.00</b>	<b>818,460.18</b>	<b>6.55</b>

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

Section VII. Item #D.

001-GENERAL FUND  
REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
TOTAL REVENUES	11,639,342	11,639,342	0	654,374.66	4,009,737.74	0.00	7,629,604.26	34.45

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

Section VII. Item #D.

501-PUBLIC UTILITY FUND  
 FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
USER & SERVICE CHARGES	7,182,792	7,182,792	0	541,817.85	1,718,856.41	0.00	5,463,935.59	23.93
FINES & FORFEITURES	240,000	240,000	0	11,193.35	32,473.42	0.00	207,526.58	13.53
OTHER REVENUE	120,000	120,000	0	54,505.69	60,461.23	0.00	59,538.77	50.38
GRANT AND CONTRIBUTION R	0	0	0	0.00	0.00	0.00	0.00	0.00
INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL REVENUES</b>	<b>7,542,792</b>	<b>7,542,792</b>	<b>0</b>	<b>607,516.89</b>	<b>1,811,791.06</b>	<b>0.00</b>	<b>5,731,000.94</b>	<b>24.02</b>
<u>EXPENDITURE SUMMARY</u>								
TECHNOLOGY SERVICES	157,108	157,108	0	12,645.33	61,708.02	0.00	95,399.98	39.28
BILLING	416,963	416,963	0	35,172.79	83,146.31	0.00	333,816.69	19.94
MAINTENANCE	1,347,812	1,347,812	0	66,821.27	195,192.31	12,283.27	1,140,336.42	15.39
WASTEWATER TREATMENT	1,007,105	1,007,105	0	60,144.22	177,957.68	48,743.20	780,404.12	22.51
NON-DEPARTMENTAL	4,136,641	4,136,641	0	304,743.72	1,218,106.55	0.00	2,918,534.45	29.45
<b>TOTAL EXPENDITURES</b>	<b>7,065,629</b>	<b>7,065,629</b>	<b>0</b>	<b>479,527.33</b>	<b>1,736,110.87</b>	<b>61,026.47</b>	<b>5,268,491.66</b>	<b>25.43</b>
<b>REVENUES OVER/ (UNDER) EXPENDITURES</b>	<b>477,163</b>	<b>477,163</b>	<b>0</b>	<b>127,989.56</b>	<b>75,680.19 (</b>	<b>61,026.47)</b>	<b>462,509.28</b>	<b>3.07</b>



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

Section VII. Item #D.

501-PUBLIC UTILITY FUND  
 REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<b>USER &amp; SERVICE CHARGES</b>								
431.11	2,627,012	2,627,012	0	215,534.26	704,846.30	0.00	1,922,165.70	26.83
431.12	0	0	0	0.00	0.00	0.00	0.00	0.00
431.13	95,014	95,014	0	6,952.73	21,699.32	0.00	73,314.68	22.84
431.21	1,567,373	1,567,373	0	117,042.31	352,454.20	0.00	1,214,918.80	22.49
431.22	1,079,863	1,079,863	0	61,761.00	202,816.04	0.00	877,046.96	18.78
431.23	67,205	67,205	0	4,907.97	14,842.81	0.00	52,362.19	22.09
431.25	975	975	0	120.00	360.00	0.00	615.00	36.92
431.31	927,373	927,373	0	77,129.33	231,618.43	0.00	695,754.57	24.98
431.32	100,000	100,000	0	1,278.55	3,845.55	0.00	96,154.45	3.85
432.05	631,277	631,277	0	52,031.70	156,578.76	0.00	474,698.24	24.80
432.11	20,000	20,000	0	0.00	1,385.00	0.00	18,615.00	6.93
432.21	4,000	4,000	0	0.00	865.00	0.00	3,135.00	21.63
432.60	0	0	0	0.00	0.00	0.00	0.00	0.00
432.61	1,200	1,200	0	1,700.00	5,490.00	0.00	4,290.00	457.50
432.62	1,000	1,000	0	0.00	130.00	0.00	870.00	13.00
432.63	60,000	60,000	0	3,360.00	21,790.00	0.00	38,210.00	36.32
432.64	500	500	0	0.00	135.00	0.00	365.00	27.00
432.65	0	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL USER &amp; SERVICE CHARGES</b>	<b>7,182,792</b>	<b>7,182,792</b>	<b>0</b>	<b>541,817.85</b>	<b>1,718,856.41</b>	<b>0.00</b>	<b>5,463,935.59</b>	<b>23.93</b>
<b>FINES &amp; FORFEITURES</b>								
442.01	90,000	90,000	0	10,452.69	32,383.42	0.00	57,616.58	35.98
442.02	150,000	150,000	0	740.66	90.00	0.00	149,910.00	0.06
<b>TOTAL FINES &amp; FORFEITURES</b>	<b>240,000</b>	<b>240,000</b>	<b>0</b>	<b>11,193.35</b>	<b>32,473.42</b>	<b>0.00</b>	<b>207,526.58</b>	<b>13.53</b>
<b>OTHER REVENUE</b>								
451.01	38,000	38,000	0	0.00	5,755.54	0.00	32,244.46	15.15
459.03	1,000	1,000	0	150.00	390.00	0.00	610.00	39.00
459.04	35,000	35,000	0	(499.29)	(539.29)	0.00	35,539.29	1.54
459.08	43,000	43,000	0	54,854.98	54,854.98	0.00	11,854.98	127.57
459.11	2,000	2,000	0	0.00	0.00	0.00	2,000.00	0.00
459.12	0	0	0	0.00	0.00	0.00	0.00	0.00
459.90	1,000	1,000	0	0.00	0.00	0.00	1,000.00	0.00
459.92	0	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL OTHER REVENUE</b>	<b>120,000</b>	<b>120,000</b>	<b>0</b>	<b>54,505.69</b>	<b>60,461.23</b>	<b>0.00</b>	<b>59,538.77</b>	<b>50.38</b>
<b>GRANT AND CONTRIBUTION R</b>								
481.00	0	0	0	0.00	0.00	0.00	0.00	0.00
482.00	0	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL GRANT AND CONTRIBUTION R</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>INTERGOVERNMENTAL REVENUE</b>								
493.01	0	0	0	0.00	0.00	0.00	0.00	0.00
493.02	0	0	0	0.00	0.00	0.00	0.00	0.00
493.88	0	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL INTERGOVERNMENTAL REVENUE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>TOTAL REVENUES</b>	<b>7,542,792</b>	<b>7,542,792</b>	<b>0</b>	<b>607,516.89</b>	<b>1,811,791.06</b>	<b>0.00</b>	<b>5,731,000.94</b>	<b>24.02</b>



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

Section VII. Item #D.

101-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	576,905	576,905	0	0.00	4,207.41	0.00	572,697.59	0.73
OTHER REVENUE	14,500	14,500	0	0.00	3,004.23	0.00	11,495.77	20.72
INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL REVENUES</b>	<b>591,405</b>	<b>591,405</b>	<b>0</b>	<b>0.00</b>	<b>7,211.64</b>	<b>0.00</b>	<b>584,193.36</b>	<b>1.22</b>
<u>EXPENDITURE SUMMARY</u>								
HOTEL OCCUPANCY TAX	638,804	638,804	0	50,230.67	138,105.98	0.00	500,698.02	21.62
<b>TOTAL EXPENDITURES</b>	<b>638,804</b>	<b>638,804</b>	<b>0</b>	<b>50,230.67</b>	<b>138,105.98</b>	<b>0.00</b>	<b>500,698.02</b>	<b>21.62</b>
REVENUES OVER/ (UNDER) EXPENDITURES	( 47,399)	( 47,399)	0	( 50,230.67)	( 130,894.34)	0.00	83,495.34	276.15

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

Section VII. Item #D.

503-BEACH OPERATING FUND  
 FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
USER & SERVICE CHARGES	230,000	230,000	0	0.00	27,648.62	0.00	202,351.38	12.02
OTHER REVENUE	4,500	4,500	0	247.50	6,433.93	0.00	( 1,933.93)	142.98
GRANT AND CONTRIBUTION R	0	0	0	0.00	0.00	0.00	0.00	0.00
INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL REVENUES</b>	<b>234,500</b>	<b>234,500</b>	<b>0</b>	<b>247.50</b>	<b>34,082.55</b>	<b>0.00</b>	<b>200,417.45</b>	<b>14.53</b>
<u>EXPENDITURE SUMMARY</u>								
TECHNOLOGY SERVICES	0	0	0	0.00	0.00	0.00	0.00	0.00
OPERATIONS	0	0	0	0.00	0.00	0.00	0.00	0.00
OPERATIONS	210,294	210,294	0	7,849.26	30,075.72	0.00	180,218.28	14.30
<b>TOTAL EXPENDITURES</b>	<b>210,294</b>	<b>210,294</b>	<b>0</b>	<b>7,849.26</b>	<b>30,075.72</b>	<b>0.00</b>	<b>180,218.28</b>	<b>14.30</b>
<b>REVENUES OVER/ (UNDER) EXPENDITURES</b>	<b>24,206</b>	<b>24,206</b>	<b>0</b>	<b>( 7,601.76)</b>	<b>4,006.83</b>	<b>0.00</b>	<b>20,199.17</b>	<b>16.55</b>

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

Section VII. Item #D.

504-PORT & HARBORS FUND  
 FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
USER & SERVICE CHARGES	672,689	672,689	0	55,711.73	180,106.94	0.00	492,582.06	26.77
FINES & FORFEITURES	500	500	0	0.00	0.00	0.00	500.00	0.00
OTHER REVENUE	35,600	35,600	0	0.00	3,383.81	0.00	32,216.19	9.51
GRANT AND CONTRIBUTION R	1,200,000	1,200,000	0	0.00	0.00	0.00	1,200,000.00	0.00
INTERGOVERNMENTAL REVENUE	12,215	12,215	0	0.00	0.00	0.00	12,215.00	0.00
<b>TOTAL REVENUES</b>	<b>1,921,004</b>	<b>1,921,004</b>	<b>0</b>	<b>55,711.73</b>	<b>183,490.75</b>	<b>0.00</b>	<b>1,737,513.25</b>	<b>9.55</b>
<u>EXPENDITURE SUMMARY</u>								
TECHNOLOGY SERVICES	1,422	1,422	0	128.44	246.88	0.00	1,175.12	17.36
CITY HARBOR	7,000	7,000	0	0.00	2,583.94	0.00	4,416.06	36.91
HARBOR OF REFUGE	330,000	330,000	0	7,000.00	9,000.00	0.00	321,000.00	2.73
SMITH HARBOR	11,000	11,000	0	0.00	0.00	0.00	11,000.00	0.00
NAUTICAL LANDINGS MARINA	30,000	30,000	0	0.00	0.00	0.00	30,000.00	0.00
OPERATIONS	1,804,066	1,804,066	0	19,848.66	67,447.39	0.00	1,736,618.61	3.74
NON DEPARTMENTAL	0	0	0	0.00	59.86	0.00	( 59.86)	0.00
<b>TOTAL EXPENDITURES</b>	<b>2,183,488</b>	<b>2,183,488</b>	<b>0</b>	<b>26,977.10</b>	<b>79,338.07</b>	<b>0.00</b>	<b>2,104,149.93</b>	<b>3.63</b>
<b>REVENUES OVER/ (UNDER) EXPENDITURES</b>	<b>( 262,484)</b>	<b>( 262,484)</b>	<b>0</b>	<b>28,734.63</b>	<b>104,152.68</b>	<b>0.00</b>	<b>( 366,636.68)</b>	<b>39.68-</b>

1,610,698.00+  
 75,680.00+  
 130,894.00-  
 4,007.00+  
 104,153.00+  
 003  
 1,663,644.00\*

# **COMMUNICATION**

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

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## **INFORMATION:**

## VEDC Update for Port Lavaca January 2024

### Residential Incentives Draft

- 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.
- VEDC has created draft language for a modified (existing) Chapter 380 Economic Development Incentive Policy that will be inclusive of a residential housing incentive program, to present at the next council meeting (February).

### Marketing

- VEDC is updating the VEDC website to include a page/tab for Port Lavaca that will include economic development information specific to Port Lavaca.
- VEDC staff are compiling a list of properties and vacant buildings to post on the website.
- VEDC is working with Port Lavaca to identify types of businesses the community would like to see.
- **VEDC has purchased Placer a.i. software to aid in retail strategy, as discussed with Port Lavaca City Manager.**

### Business

- VEDC will begin business engagement this month. This will include speaking to business owners and entrepreneurs to find out their needs.
- VEDC staff are scheduling workshops/training relevant to small businesses.

### Projects

- VEDC continues to staff project because of the site visit hosted the week of 12/11/2023 in Port Lavaca and Point Comfort for a project that could result in substantial job creation and capital investments.
- VEDC staff supported the Lynas “Near Neighbors” dinner and Community Open House held the week of 12/4/2023 and stays in constant contact with the company.

### Other

- VEDC has reached out to an individual interested in buying vacant property through a possible Public/Private Partnership (PPP). VEDC staff will update as we know more.

# **COMMUNICATION**

**SUBJECT:** Ratify City Manager's approval of Change Order No. 1, in the amount of \$29,751.80 for the Chevy Chase St. Improvements and Select Curb & Gutter Replacement and concrete repairs

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## **INFORMATION:**

CITY OF PORT LAVACA

**MEETING:** JANUARY 8, 2024 **AGENDA ITEM** \_\_\_\_\_

**DATE:** 1.04.2024

**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**FROM:** JODY WEAVER, INTERIM CITY MANAGER

**SUBJECT:** **CHANGE ORDER NO. 1 FOR CHEVY CHASE/SELECT CURB & GUTTER IMPROVEMENT PROJECT**


Background:

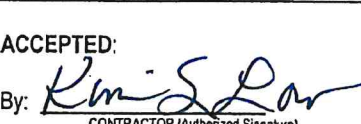
This project is complete and we have received positive feedback from the residents. After Sylva Construction took grade elevations along the existing curb and gutter of Chevy Chase, an additional 400 linear feet of curb/gutter was approved for replacement to avoid leaving any significant areas of prolonged ponding. This in turn required an additional 230 sf of driveway apron replacement and 91 linear feet of saw cutting. We also encountered a need for an additional 52 sf of concrete aprons on San Antonio. In total, the change order amounted to \$29,793.40, or 20% of the contract. Note a construction contract may be changed plus or minus by up to 25% of the original contract amount. Because this is over my \$25,000 limit, it's ratification will be on the January consent agenda.

### Change Order No. 1

Owner (Contractor Locality): City of Port Lavaca 202 N. Virginia St. Port Lavaca, Texas 77979 Phone #: 361-552-9793	Contract For (project description): Chevy Chase St. Improvements and Select Curb & Gutter Replacement/Misc. Concrete Repairs	Date: 12.14.2023	
Contractor: Sylva Construction 819 W. Mahan St. Port Lavaca, Texas 77979  Agreement Date: April 18, 2023 Phone #: 361-552-2123	Engineer: City of Port Lavaca  Phone #: 361-552-9793	Change Order No. 1	
You are hereby requested to comply with the following changes from the contract plans and specifications:			
Item No.	Description of Changes-Quantities, Units, Unit Prices, Change in Completion Scheduled, Etc.	Decrease in Contract Price	Increase in Contract Price
1.	Remove & Replace select Curb & Gutter on Chevy Chase – add'l 400 lf @\$58.50		\$23,400.00
3.	Grade 2 Limestone Base – add'l 4 CY @ \$78.65		\$314.60
4.	Remove/Replace concrete aprons on Chevy Chase – add'l 230 sf @\$18.20		\$4,186.00
5.	Saw cut existing concrete & provide new e.j. on Chevy Chase-add'l 91 lf @\$10.40		\$946.40
A10.	Remove/Replace concrete aprons on N. San Antonio – add'l 52 sf @ \$18.20		\$946.40
A11.	Saw cut existing concrete & provide new e.j. on N. San Antonio - remove 4 lf @\$10.40	\$41.60	
<b>TOTAL</b>		<b>\$41.60</b>	<b>\$29,793.40</b>
<b>Change in Contract Price</b>			
Original Contract Price:	\$ 148,485.40		
Previous Change Order(s) No. to No.	\$ 0.00		
Contract Price Prior to this Change Order	\$ 148,485.40		
Net Increase/Decrease of this Change Order	+\$ 29,751.80		
Contract Price With all Approved Change Orders	\$ 178,237.20		
Cumulative % Change in Contract Price:	20% (< 25% OK!)		

**RECOMMENDED:**  
  
 By: \_\_\_\_\_  
ENGINEER (Authorized Signature)  
 Date: 12.15.23

**APPROVED:**  
  
 By: \_\_\_\_\_  
OWNER (Authorized Signature)  
 Date: 12.15.23

**ACCEPTED:**  
  
 By: \_\_\_\_\_  
CONTRACTOR (Authorized Signature)  
 Date: 12/15/23



## **COMMUNICATION**

**SUBJECT:** Receive notification from Allied Waste Services of Texas/Republic Service of Corpus Christi (AW) regarding 4% annual rate increase per Third Amendment to the Solid Waste Collection and Disposal Contract with the City of Port Lavaca, effective February 01, 2024. Presenter is Mike Reeves of Republic Services

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## **INFORMATION:**

December 29, 2023

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

Dear Ms. Weaver,

In accordance with Item 2 of the Fourth Amendment to the Municipal Contract between BFI Waste Services of Texas, LP d/b/a Republic Services of Corpus Christi and the City of Port Lavaca, we hereby submit our annual letter reflecting a **4.00% increase in the Base Rate for both residential and commercial services to become effective February 1, 2024.**

The Base Residential Contract Rate as of February 1, 2023, was \$19.53. By adjusting the rate by the 4.0%, **the new rate will be \$20.31.** The commercial rate sheet is attached for review with the same increase. Should you have any questions concerning the price increase or our service, please do not hesitate to call me.

Sincerely,

*Mike Reeves*

Mike Reeves  
Manager, Municipal Services  
361-549-3097  
[MReeves@republicservices.com](mailto:MReeves@republicservices.com)



Sustainability in Action

## Exhibit "A" Base Rates-February 1, 2024 City of Port Lavaca

Residential Collection: (95 Gallon Carts) **\$20.31** monthly per unit  
(2Xwk garbage/1X month brush & bulky)

Additional Carts: **\$16.11** monthly per unit

Commercial 95 Gallon Carts: 2 X wk: **\$39.08** monthly per unit

FEL Dumpsters:

SIZE	X 1	X 2	X 3	X 4	X 5	XPU
2	<b>\$122.30</b>	<b>\$188.77</b>	<b>\$247.42</b>	<b>\$265.88</b>	<b>\$378.49</b>	<b>\$65.73</b>
3	<b>\$147.80</b>	<b>\$231.77</b>	<b>\$318.91</b>	<b>\$406.87</b>	<b>\$480.05</b>	<b>\$65.73</b>
4	<b>\$176.03</b>	<b>\$282.63</b>	<b>\$406.87</b>	<b>\$496.87</b>	<b>\$604.51</b>	<b>\$65.73</b>
6	<b>\$227.73</b>	<b>\$378.52</b>	<b>\$490.79</b>	<b>\$675.91</b>	<b>\$824.68</b>	<b>\$65.73</b>
8	<b>\$308.10</b>	<b>\$500.19</b>	<b>\$715.94</b>	<b>\$870.13</b>	<b>\$1,060.17</b>	<b>\$65.73</b>

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

Miscellaneous Fees-

Overload Fee-	\$55.70 per occurrence
Extra Lift-	\$86.53 per request by customer
Relocation Fee-	\$55.70 per request by customer
Exchange Fee-	\$105.83 per request by customer
Delivery Fee-	\$55.70 per request by customer

Roll-Offs

**Rent:** \$113.83/month  
**Initial Delivery:** \$132.17  
**Dry Run:** \$258.62

	Haul Fee	Disposal/\$ per ton (includes Franchise Fee)
<b>20 cyd</b>	\$472.73	\$59.12
<b>30cyd</b>	\$472.73	\$59.12
<b>40cyd</b>	\$472.73	\$59.12
<b>Compactors</b>	\$472.73	\$59.12

## **COMMUNICATION**

**SUBJECT:** Consider Resolution No. R-010824-1E for establishing provisions for conduct for the City of Port Lavaca General Officers Election held on the uniform date of May 04, 2024 and authorize Mayor to issue Order of Election. Presenter is Mandy Grant

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## **INFORMATION:**

**CITY OF PORT LAVACA**

**CC MEETING:** January 08, 2024

**DATE:** 01-03-24

**TO:** Jody Weaver, Interim City Manager  
**cc:** Honorable Mayor And City Council Members

**FROM:** Mandy Grant, City Secretary

**SUBJECT:** Resolution No. R-010824-1E for Establishing Provisions for conduct for the City of Port Lavaca General Officers Election held on the uniform date of May 04, 2024 and authorizing Mayor to issue Order of Election

**BACKGROUND:**

Saturday, May 04, 2024, is the uniform date scheduled for the general officer’s election The purpose is for electing the following officers of the City of Port Lavaca, Texas:

- One Mayor, At-Large Position, for a term of two (2) years; and
- One Council Member, Single District Two (2), for a term of 3 years; and
- One Council Member, Single District Six (6), for a term of 3 years; and

Applications for a place on the ballot for these offices may be filed beginning 8:00 a.m. on Wednesday, January 17, 2024 and continuing through Friday, February 16, 2024 at 5:00 p.m.

The last day to register to be eligible to vote in this election is Thursday, April 04, 2024.

The Office of the City Secretary shall perform all duties necessary to conduct the general officer’s election.

**FINANCIAL IMPLICATIONS:**

There are sufficient funds in this fiscal year budgeted for expenses incurred.

**IMPACT ON COMMUNITY SUSTAINABILITY:**

Elections determine the leadership of our City.

**RECOMMENDATION:**

Staff recommends approval of Resolution No. R-010824-1E.

**ATTACHMENTS:**

Resolution No. R-010824-1E.

**RESOLUTION NO. R-010824-1E**

RESOLUTION ESTABLISHING PROVISIONS FOR CONDUCT OF THE CITY OF PORT LAVACA, TEXAS, GENERAL OFFICERS ELECTION; QUALIFICATIONS FOR OFFICE; VOTES CAST TO BE ELECTED; OFFICE OF THE CITY SECRETARY, OBTAIN ELECTION SUPPLIES AND EQUIPMENT, DESIGNATE POLLING PLACES, DATE AND TIME SCHEDULE FOR EARLY VOTING AND ELECTION DAY; EXECUTE NOTICE OF ELECTION; PUBLICATION; AND ORDERING THE ELECTION

WHEREAS, in accordance with the City Charter of the City of Port Lavaca, the Texas Election Code and other applicable state and federal laws, the City Council of the City of Port Lavaca, Texas hereby finds that a general officers election should be held on Saturday, May 04, 2024.

WHEREAS, in addition to calling and ordering the general officers election, City Council finds it necessary and expedient to establish provisions for the conduct of such election:

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

SECTION 1. THAT, an election shall be held on Saturday, May 04, 2024, which is a uniform election date, in the City of Port Lavaca, Texas, which date is not less than forty-five (45) days from the date of the adoption of this resolution for the purpose of electing the following officers:

- One Mayor, At-Large Position, for a term of two (2) years; and
- One Council Member, Single District Two (2), for a term of 3 years; and
- One Council Member, Single District Six (6), for a term of 3 years; and

SECTION 2. THAT. the Qualifications for Office, per City Charter Article 4.02, are as follows:

- a) In addition to the requirements of state law, at the time of election to office, the Mayor and each member of Council shall be at least twenty one (21) years of age, shall be a United States citizen and qualified voter of the State of Texas, shall have resided in the City for not less than one (1) year immediately preceding the election filing deadline and, if elected from a district, shall have resided in the district from which elected for not less than six (6) months immediately preceding the election filing deadline.
- b) Candidates for office shall make a sworn application for a place on the ballot within the times prescribed by the Texas Election Code, and pay any filing fee established by ordinance. Applications shall designate the position sought and applications for council member shall include the district number, if applicable. It shall be the duty of the Office of the City Secretary of the City of Port Lavaca to place the name of all qualified candidates making timely application on the official ballot. Legal proof of length of residency in the City and/or district must be presented to the Office of the City Secretary upon filing for office.

SECTION 3. THAT, per City Charter, Article 4.03, the candidate receiving a majority of the votes cast for the office sought shall be elected to that office. In the event no candidate receives a majority of the votes cast at the regular election, then and in that event, a run-off election shall be held in accordance with Texas Election Law following procedures therein.

SECTION 4. THAT, the Office of the City Secretary of the City of Port Lavaca shall consist of the City Secretary and/or the Assistant City Secretary and shall perform all duties necessary to conduct the general officer’s election.

SECTION 5. THAT, the Office of the City Secretary, is expressly authorized to obtain election supplies and equipment required by law and necessary to conduct such election.

SECTION 6. THAT, such election shall be conducted by the City of Port Lavaca, with Early Voting Days and the Election Day voting to be at the following polling place designated for each City election district:

<u>DISTRICT NUMBER</u>	<u>POLLING PLACE</u>
District One	City of Port Lavaca City Hall – Main Lobby 202 N. Virginia Street
District Two	City of Port Lavaca City Hall – Main Lobby 202 N. Virginia Street
District Three	City of Port Lavaca City Hall - Main Lobby 202 N. Virginia Street
District Four	City of Port Lavaca City Hall - Main Lobby 202 N. Virginia Street
District Five	City of Port Lavaca City Hall - Main Lobby 202 N. Virginia Street
District Six	City of Port Lavaca City Hall -Main Lobby 202 N. Virginia Street

SECTION 7. THAT, Early Voting Days and extended hours to vote on a Saturday shall be conducted during the following schedule in 2024:

Monday	April	22	from	8:00	a.m.	to	5:00	p.m.
<b>Tuesday</b>	<b>April</b>	<b>23</b>	<b>from</b>	<b>7:00</b>	<b>a.m.</b>	<b>to</b>	<b>7:00</b>	<b>p.m.</b>
Wednesday	April	24	from	8:00	a.m.	to	5:00	p.m.
<b>Thursday</b>	<b>April</b>	<b>25</b>	<b>from</b>	<b>7:00</b>	<b>a.m.</b>	<b>to</b>	<b>7:00</b>	<b>p.m.</b>
Friday	April	26	from	8:00	a.m.	to	5:00	p.m.
Saturday	April	27	from	9:00	a.m.	to	2:00	p.m.
Monday	April	29	from	8:00	a.m.	to	5:00	p.m.
Tuesday	April	30	from	8:00	a.m.	to	5:00	p.m.

Early voting by personal appearance shall be conducted during the regular business hours of the Office of the City Secretary each week day from 8:00 a.m. until 5:00 p.m., except for the second and fourth days of the early voting period by personal appearance. On the second and fourth days of early voting by personal appearance, the Office of the City Secretary’s regular business hours are hereby designated as 7:00 a.m. until 7:00 p.m. In addition, there will be extended hours of the early voting period by personal appearance held on a Saturday from 9:00 a.m. until 2:00 p.m.

SECTION 8. THAT, Election Day Voting shall be conducted during the following date and time:

<b>Saturday</b>	<b>May</b>	<b>04</b>	<b>from</b>	<b>7:00</b>	<b>a.m.</b>	<b>to</b>	<b>7:00</b>	<b>p.m.</b>
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SECTION 9. THAT, Notice of the election, including a Spanish translation thereof, shall be posted at City Hall and published in a local newspaper as provided by the Home Rule Charter of the City of Port Lavaca, the Texas Election Code and/or other state and federal law, and the Mayor, or his designee, is hereby authorized and directed to execute such Notice together with an Order calling such election.

SECTION 10. THAT, should any part, section, subsection, paragraph, sentence, clause or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this resolution, but in all respects said remaining portion shall be and remain in full force and effect.

SECTION 11. THAT, this resolution shall be effective immediately upon adoption.

APPROVED AND ADOPTED by the City Council of the City of Port Lavaca, this 8<sup>th</sup> day January, 2024.

\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:

\_\_\_\_\_  
Mandy Grant, City Secretary



## ORDER OF ELECTION FOR MUNICIPALITIES

An election is hereby ordered to be held on Saturday, May 04, 2024, for the purpose of electing the following officers of the City of Port Lavaca, Texas:

- One Mayor, At-Large Position, for a term of two (2) years; and
- One Council Member, Single District Two (2), for a term of 3 years; and
- One Council Member, Single District Six (6), for a term of 3 years; and

Early voting by personal appearance shall be conducted at the:

City of Port Lavaca – City Hall – Main Lobby  
202 N. Virginia Street  
Port Lavaca, Texas 77979

The Early Voting Days and extended hours to vote on a Saturday shall be conducted during the following schedule in 2024:

Monday	April	22	from	8:00	a.m.	to	5:00	p.m.
<b>Tuesday</b>	<b>April</b>	<b>23</b>	<b>from</b>	<b>7:00</b>	<b>a.m.</b>	<b>to</b>	<b>7:00</b>	<b>p.m.</b>
Wednesday	April	24	from	8:00	a.m.	to	5:00	p.m.
<b>Thursday</b>	<b>April</b>	<b>25</b>	<b>from</b>	<b>7:00</b>	<b>a.m.</b>	<b>to</b>	<b>7:00</b>	<b>p.m.</b>
Friday	April	26	from	8:00	a.m.	to	5:00	p.m.
Saturday	April	27	from	9:00	a.m.	to	2:00	p.m.
Monday	April	29	from	8:00	a.m.	to	5:00	p.m.
Tuesday	April	30	from	8:00	a.m.	to	5:00	p.m.

Applications for ballot by mail shall be mailed to:

Mandy Grant, City Secretary  
City of Port Lavaca  
202 N. Virginia Street  
Port Lavaca, Texas 77979

The last day to request applications for ballots by mail, MUST be received no later than the close of business, at 5:00 p.m., on Tuesday, April 23, 2024.

APPROVED AND ADOPTED by the City Council of the City of Port Lavaca, this 8<sup>th</sup> day January, 2024.

\_\_\_\_\_  
Jack Whitlow, Mayor

\_\_\_\_\_  
Daniel Aguirre, Councilman Dist. #1

\_\_\_\_\_  
Tim Dent, Councilman Dist. #2

\_\_\_\_\_  
Allen Tippit, Councilman Dist. #3

\_\_\_\_\_  
Rosie Padron, Councilwoman Dist. #4

\_\_\_\_\_  
Jim Ward, Councilman Dist. #5

\_\_\_\_\_  
Kenneth Barr, Councilman Dist. #6

Note: A copy of this election order must be delivered to the County Clerk/Elections Administrator and Voter Registrar not later than sixty (60) days before Election Day.

## **ORDEN DE ELECCION PARA MUNICIPIOS**

Por la presente se ordena que se llevará a cabo una elección el Sabado, 4 de Mayo de 2024, con el propósito de electar los siguientes oficiales de la Ciudad de Port Lavaca, Tejas:

- Un Alcalde, de la Ciudad, todos distritos, por un plazo de 2 años
- Un Miembro del Consejo, único distrito # 2, por un plazo de 3 años
- Un Miembro del Consejo, único distrito # 6, por un plazo de 3 años

La votación adelantada en persona se llevará a cabo de Lunes a Viernes en:

Ciudad de Port Lavaca – en la Alcaldia  
202 N. Virginia Street  
Port Lavaca, Texas 77979

Los días de votación adelantada en persona y las horas extendidas para votar durante un sábado se llevarán a cabo durante lo siguiente en 2024:

Lunes	Abril	22	de las	8:00	a.m.	hasta	5:00	p.m.
<b>Martes</b>	<b>Abril</b>	<b>23</b>	<b>de las</b>	<b>7:00</b>	<b>a.m.</b>	<b>hasta</b>	<b>7:00</b>	<b>p.m.</b>
Miercoles	Abril	24	de las	8:00	a.m.	hasta	5:00	p.m.
<b>Jueves</b>	<b>Abril</b>	<b>25</b>	<b>de las</b>	<b>7:00</b>	<b>a.m.</b>	<b>hasta</b>	<b>7:00</b>	<b>p.m.</b>
Viernes	Abril	26	de las	8:00	a.m.	hasta	5:00	p.m.
Sabado	Abril	27	de las	9:00	a.m.	hasta	2:00	p.m.
Lunes	Abril	29	de las	8:00	a.m.	hasta	5:00	p.m.
Martes	Abril	30	de las	8:00	a.m.	hasta	5:00	p.m.

Las solicitudes para boletas que se votarán en ausencia por correo deberán enviarse a:

Mandy Grant, Secretaria de la Ciudad  
Ciudad de Port Lavaca – en la Alcaldia  
202 N. Virginia Street  
Port Lavaca, Texas 77979

El ultimo dia de las solicitudes para boletas que se votarán en ausencia por correo deberán recibirse para el fin de las horas de negocio, las 5:00 de la tarde, Martes, 23 de Abril de 2024.

APROBADO y adoptado por el Consejo de la ciudad de Port Lavaca, Tejas, este día 8 de Enero de 2024.

\_\_\_\_\_  
Jack Whitlow, Alcalde

\_\_\_\_\_  
Daniel Aguirre, Consejo Distrito #1

\_\_\_\_\_  
Tim Dent, Consejo Distrito #2

\_\_\_\_\_  
Allen Tippit, Consejo Distrito #3

\_\_\_\_\_  
Rosie Padron, Consejo Distrito #4

\_\_\_\_\_  
Jim Ward, Consejo Distrito #5

\_\_\_\_\_  
Kenneth Barr, Consejo Distrito #6

Nota: Se deberá entregar una copia de esta orden de elección al/a la Secretario(a) del Condado/Administrador(a) de Elecciones y el/la Registrador(a) de Votantes a más tardar sesenta (60) días antes del día de elección.

## **COMMUNICATION**

**SUBJECT: 3.** Consider Resolution No. R-010824-2 of the City of Port Lavaca to nominate a candidate to fulfill the unexpired term of W.H. “Bill” Bauer, Jr. for the Board of Directors of the Calhoun County Appraisal District (CCAD) for the 2024-2025 regular term. Presenter is Jody Weaver

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## **INFORMATION:**

RESOLUTION NO. R-010824-2

CITY OF PORT LAVACA  
(TAXING UNIT NAME)

FOR THE  
NOMINATION OF A CANDIDATE TO FULFILL THE UNEXPIRED TERM OF  
W. H. "BILL" BAUER, JR.  
FOR THE BOARD OF DIRECTORS  
OF THE  
CALHOUN COUNTY APPRAISAL DISTRICT  
2024-2025 REGULAR TERM

WHEREAS, for the nomination of a candidate for the Board of Directors to fulfill the unexpired term due to the resignation of W. H. "Bill" Bauer, Jr. from the Board of Directors; and

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

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

THAT, the following individual is nominated and submitted for election to the Calhoun County Appraisal District Board of Directors for the term beginning January 01, 2024 and ending December 31, 2025:

NOMINEE: \_\_\_\_\_

PASSED AND APPROVED on this the 8<sup>th</sup> day of January 2024.

\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:

\_\_\_\_\_  
Mandy Grant, City Secretary

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



**Board of Directors**  
Commissioner Vern Lyssy, Chairman  
Kevin Hill, Vice Chairman  
Jessie Rodriguez, Secretary  
Benjamin Boone, Member  
**Chief Appraiser**  
Jesse W. Hubbell

**December 27, 2023**

TO: THE PRESIDING OFFICERS AND GOVERNING BODIES OF THE COUNTY OF CALHOUN, THE CALHOUN COUNTY INDEPENDENT SCHOOL DISTRICT, THE CITY OF SEADRIFT, THE CITY OF POINT COMFORT AND THE CITY OF PORT LAVACA

FROM: Jessie Rodriguez, Board Secretary, Calhoun County Appraisal District

Greetings to All:

Mr. W.H. "Bill" Bauer, Jr., longtime member of the Calhoun County Appraisal District Board of Directors, submitted his resignation to the board at our last board meeting of the year, held on Tuesday, December 19, 2023. Therefore; in accordance with Sec. 6.03(1) of the Texas Property Tax Code, the voting taxing units named above should nominate by resolution a candidate to fulfill the unexpired term of Mr. Bauer.

Your nomination should be sent to the chief appraiser within 45 days of the date of this notification, *however; as we are currently in the process of hiring a new chief appraiser it would be greatly appreciated if you would expedite your nomination and have it sent to the appraisal district no later than Monday, January 15, 2024.* The chief appraiser will then prepare a list of nominees and submit it to the board of directors within the next 5 days. The Calhoun County Appraisal District Board of Directors will then vote on the list of nominees submitted. The nominee receiving a majority of votes from the appraisal district board of directors will then be seated as the new member of the board.

You may email your nomination to:

[jhubbell@calhouncad.org](mailto:jhubbell@calhouncad.org) or [maria@calhouncad.org](mailto:maria@calhouncad.org)

Should you have any questions, please contact the chief appraiser.

Respectfully,

Jessie Rodriguez  
Secretary, Board of Directors, Calhoun County Appraisal District

# COMMUNICATION

**SUBJECT:** Consider Resolution No. R-010824-3 authorizing publication of Notice of Intention to issue Combination Tax and Revenue Certificates of Obligation, Series 2024.  
Presenter is Jody Weaver

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## INFORMATION:

CITY OF PORT LAVACA

**MEETING:** JANUARY 8, 2024 **AGENDA ITEM** \_\_\_\_\_

**DATE:** 1.04.24

**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**FROM:** JODY WEAVER, INTERIM CITY MANAGER

**SUBJECT:** RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION – SERIES 2024

With the receipt of bids for the construction of Phase 1 and Phase 2 of Alamo Heights, we are now in a better position to determine the amount of Series 2024 CO's we need to complete the Capital Improvement project that we planned when the \$7.5M Series 2022 CO's were issued.

See the attached spreadsheet.

- The first column shows the breakdown of how we initially estimated the use of the \$7.5M.
  - The second column shows how we have/are actually spending these dollars.
  - The third column shows the proposed use of a 2024 issuance.
  - Although we have not bid out the Independence Road project yet, the cost estimate shown uses the unit prices from the recently bid Alamo Heights project, so we are relatively confident that the engineer's estimate is within contingency.
- So in order to award the work of Phases 1 & 2 of the Alamo Heights Streets and Drainage improvements and then reconstruct Independence from Virginia to Sandcrab with a sidewalk on one side, we need a little over \$11.6M.
  - The Anne Street Lift Station is in great need of reconstruction. We applied for a grant for this a couple years ago, but because all of the drainage basin is not in a Low-to-Moderate income area, the application was rejected. This cost is approximately \$0.9M (and would be paid from water rates). This would bring the total to \$12.5M

**Preliminary** calculations indicate that we can reasonably expect to be able to issue this \$12.5M and still generate the same dollars as fiscal year 23-24 for O&M by raising the tax rate back to 0.7944.

- I understand there is a desire to include the reconstruction of Independence from Sandcrab to Half League. This would add an estimated \$1.6M in cost.
- We also recognize that there are some potential residential development opportunities along Independence that are stalled because the area has no sewer. A lift station would cost approximately \$0.9 M and could be added as Economic Development dollars.

To accomplish all these projects, the total would be \$15M, however at this level, most assuredly the property tax rate would need to increase a couple pennies.

CITY OF PORT LAVACA

At this time, Council is only authorizing the publication of a Notice of Intent (NOI) to Issue CO's and establishing a MAXIMUM amount that is being considered. Later in February Council will actually vote on the final amount to issue, which can always be less than what is stated in the NOI, but it can't be more.

This information and preliminary calculations have been shared and reviewed with the Finance Committee. Based upon the preliminary calculations, if we needed to increase the property tax rate to say \$0.81, that would equate to \$23.40 additional tax on a \$150,000 house (above the 0.7944) or \$44 on that same house above the current 0.7807.

In the next 45 days I will provide more detailed information to Council for their review before making a decision on the final amount of CO's to issue.

Recommendation:

Adopt the proposed resolution as presented to authorize publication of the Notice of Intent (NOI) to issue Combination Tax & Revenue Certificates of Obligation, Series 2024 in an amount NOT TO EXCEED \$15 million.



**CITY OF PORT LAVACA  
PROPOSED CERTIFICATES OF OBLIGATION (CO) BOND ISSUES**

Identified Projects:	Series 2022		Series 2024	Actual Bid Amount
	Estimated Cost at the time we sold Bonds	Actual planned expenditures: 10/23/2023	Estimated Cost	
Streets & Draining including Utility Relocation				
5th Street Outfall (COMPLETE)		\$ 514,676.75		
Alamo Heights Phase 1	\$ 500,000.00	\$ 1,800,397.85	\$ 7,171,833.15	\$ 8,972,231.00
Alamo Heights Phase 2				
Independence (Virginia to Sandcrab 10' sidewalk one side)			\$ 4,440,598.79	<i>Engineer's Estimate</i>
Engineering Alamo Heights	\$ 1,500,000.00	\$ 685,000.00		
Engineering Independence		\$ 497,031.25		
Other Street & Drainage Projects	\$ 2,000,000.00			
CDBG DR Project Cost Over-run	\$ 1,352,289.15	\$ 1,352,289.15		
Water & Sewer System Improvements (Over-run CLFRF)	\$ 1,000,000.00			
SUPPLEMENT WATER AND WWTP PROJECTS (ENGR & CONSTR)		\$ 2,650,605.00		
Additional Street & Drainage and Shoreline Protection/ Remediation Projects	\$ 1,147,710.85			
Total Bond Issue to complete Alamo Heights Phase 1 and 2 and Independence (Virginia to Sandcrab)			\$ 11,612,431.94	
* ADD Ann Street Lift Station (Engineering and Construction)			\$ 887,568.06	<i>Engineer's Estimate</i>
Total Bond Issue	\$ 7,500,000.00	\$ 7,500,000.00	\$ 12,500,000.00	
** ADD road reconstruction from Sandcrab to Half League (no sidewalk)			\$ 1,600,000.00	<i>Engineer's Estimate</i>
*** ADD Economic Development funds for Independence Lift Station			\$ 900,000.00	<i>Engineer's Estimate</i>
			\$ 15,000,000.00	

BREAKDOWN OF FUNDS FOR 2023 WATER/WASTEWATER IMPROVEMENTS	ARA GRANT	Bond
WWTP CONTRACT	\$ 1,252,125.83	\$ 214,497.26
WATER CONTRACT	\$ 4,194,840.00	\$ 2,436,108.99
Grantworks	\$ 146,700.00	\$ -
LESS ARPA	\$ (2,943,059.58)	\$ 2,650,606.25
	\$ 2,650,606.25	

**RESOLUTION NO. R-010824-3**  
**RESOLUTION AUTHORIZING PUBLICATION**  
**OF NOTICE OF INTENTION TO ISSUE**  
**COMBINATION TAX AND REVENUE**  
**CERTIFICATES OF OBLIGATION**

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

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

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

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

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

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

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

PASSED AND APPROVED this 8<sup>th</sup> day of January, 2024.

\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:

\_\_\_\_\_  
Mandy Grant, City Secretary

**Exhibit “A”**

**NOTICE OF INTENTION TO ISSUE  
COMBINATION TAX AND REVENUE  
CERTIFICATES OF OBLIGATION**

NOTICE IS HEREBY GIVEN that the City Council of the City of Port Lavaca, Texas, will convene at the City Council Chambers, 202 N. Virginia St., Port Lavaca, Texas at 5:30 p.m. on Monday, February 26, 2024 and, during such meeting, the City Council will consider passage of an ordinance and take such other actions as may be deemed necessary to authorize the issuance of combination tax and revenue certificates of obligation in an aggregate principal amount not to exceed \$15,000,000 for the purpose of paying contractual obligations of the City to be incurred for (1) various Capital Improvement Projects; (2) construction of streets and drainage, including utility relocation and sidewalks and shared use paths and lighting; (3) water and sewer system improvements; and (4) the payment of professional services and costs of issuance related thereto. The certificates of obligation will be payable from the levy of an annual ad valorem tax, within the limits prescribed by law, upon all taxable property within the City and a limited pledge (not to exceed \$1,000) of the surplus revenues of the City’s Waterworks and Sewer System. The certificates of obligation are to be issued, and this notice is given, under and pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Local Government Code, Section 271.041, et seq.

As further required by Local Government Code Section 271.049(b)(4), the following additional information is provided:

- (A) The current principal of all outstanding debt obligations of the City is \$8,975,000.
- (B) The current combined principal and interest required to pay all outstanding debt obligations of the City on time and in full is \$12,629,080.
- (C) The maximum principal amount of the certificates to be authorized is \$15,000,000.
- (D) The estimated combined principal and interest required to pay the certificates to be authorized on time and in full is approximately \$23,145,225.
- (E) The maximum interest rate for the certificates may not exceed the maximum legal interest rate.
- (F) The maximum maturity date of the certificates to be authorized is September 1, 2044.

Pursuant to Texas Local Government Code Section 271.049(c), an election on the question of the issuance of the certificates will be called if before the time tentatively set for the authorization and issuance or if before the authorization of the certificates, the City Secretary receives a petition signed by at least five percent of the qualified voters of the City protesting the issuance of the certificates, the City may not issue the certificates unless the issuance is approved at an election ordered, held and conducted in the manner provided for bond elections under Chapter 1251, Government Code.

/s/ Jack Whitlow  
Mayor, City of Port Lavaca, Texas

# COMMUNICATION

**SUBJECT:** Consider award of Alamo Heights Improvement Project contingent upon receipt of Bond Funds from Combination Tax and Revenue Certificates of Obligation, Series 2024.  
Presenter is Jody Weaver

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## INFORMATION:

CITY OF PORT LAVACA

**MEETING:** JANUARY 8, 2024 **AGENDA ITEM** \_\_\_\_\_

**DATE:** 1.03.2024

**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**FROM:** JODY WEAVER, INTERIM CITY MANAGER

**SUBJECT:** **CONSTRUCTION CONTRACT AWARD FOR ALAMO HEIGHTS PHASE 1 AND PHASE 2 STREETS AND DRAINAGE IMPROVEMENTS**

Background:

On December 14, 2023, we received two bids for the 2023 Capital Improvement Project – Alamo Heights Phase 1 and Phase 2. A bid tabulation is attached.

The BASE BID of this project includes: Jackson St. from 5<sup>th</sup> to Alcoa, Leon St. from Seadrift to Alcoa and 3<sup>rd</sup>, 5<sup>th</sup>, and 7<sup>th</sup> Streets from Jackson to the north side of Leon. Sidewalks are included on one side of Jackson and Leon and both sides of 3<sup>rd</sup>, 5<sup>th</sup>, and 7<sup>th</sup>. This also includes the replacement of waterline on Leon from 5<sup>th</sup> to Alcoa and on 5<sup>th</sup> from Leon to the north end of the project. (Low Bid = \$5,554,639.25)

The ADDITIVE ALTERNATE BID includes: Justice from Seadrift to Alcoa, and 3<sup>rd</sup>, 5<sup>th</sup>, and 7<sup>th</sup> Streets from the north side of Leon to midway between Justice and Algee. Sidewalks are included on one side of Justice and both sides of 3<sup>rd</sup>, 5<sup>th</sup>, and 7<sup>th</sup>. (Low Bid = \$3,417,591.75)

The Owner’s Option would allow the contractor to remove and replace all curbing first, without tearing up all of the pavement, placing 6” of stabilized cement backfill under the new curbs. The advantage to this is that the road is not in a torn-up condition for as long. The downside is this method of construction is not as strong as extending the full section of 6” lime subgrade and 6” flex base fully under the curb. The Owner’s option would save only \$54,707.00 on the whole project, but may be preferred by the residents.

Financial Considerations:

This project will be paid for with 2024 Series Bonds.

Recommendation:

Of course, we do not have the funds to support this award until we receive the 2024 Series bond funds, so staff is recommending the following: **CONTINGENT upon receipt of the 2024 Series bond funds, Council award a construction contract to the low bidder Lester Contracting, in the amount of \$8,972,231.00 being the sum of the Base Bid and Additive Alternate 1 without the Owner’s Option.**

We are still reviewing the pros and cons of the Owner’s Option. If we decide to recommend that method, a deductive change order will be issued at a later date.

Bid Tabulations  
Alamo Heights Street Drainage - Phases 1 2

Section VIII. Item #5.

ITEM NO.	SPEC NO.	DESCRIPTION	QUANTITY PER UNIT	UNIT	Lester Contracting		Mercer Construction	
					UNIT PRICE	AMOUNT BID (QTY. X UNIT PRICE)	UNIT PRICE	AMOUNT BID (QTY. X UNIT PRICE)
<b>Base Bid</b>								
1	100	Prep ROW (Tree)	6	EA	\$ 1,000.00	\$ 6,000.00	\$ 2,544.14	\$ 15,264.84
2	104	Remove Concrete (Curb & Gutter), Complete	10278	LF	\$ 4.75	\$ 48,820.50	\$ 4.82	\$ 49,539.96
3	104	Remove Concrete (Driveway), Complete	2499	SY	\$ 25.00	\$ 62,475.00	\$ 19.13	\$ 47,805.87
4	104	Remove Concrete (Sidewalk), Complete	241	SY	\$ 30.00	\$ 7,230.00	\$ 23.64	\$ 5,697.24
5	110	Excavation (Roadway), Complete	7268	CY	\$ 30.00	\$ 218,040.00	\$ 30.15	\$ 219,130.20
6	132	Embankment (Final)(Dens Cont)(Ty A), Complete in Place	333	CY	\$ 41.00	\$ 13,653.00	\$ 33.94	\$ 11,302.02
7	162	Block Sod	9036	SY	\$ 11.00	\$ 99,396.00	\$ 17.38	\$ 157,045.68
8	168	Vegetative Watering	136	MG	\$ 75.00	\$ 10,200.00	\$ 522.27	\$ 71,028.72
9	247	Flex Base (Ty A Gr 1-2) 10", Complete in Place	4724	CY	\$ 150.00	\$ 708,600.00	\$ 122.78	\$ 580,012.72
10		Geogrid (Tensor TX5, Tensor TX-130S, Tensor BX-1200, or Terra Grid RX-1200) Complete in Place	18420	SY	\$ 3.50	\$ 64,470.00	\$ 4.58	\$ 84,363.60
11	260	Lime Treat Subgrade (6"), Complete in Place	18420	SY	\$ 12.00	\$ 221,040.00	\$ 12.10	\$ 222,882.00
12	316	Asphalt RC-250, Complete in Place	3911	GAL	\$ 7.50	\$ 29,332.50	\$ 9.26	\$ 36,215.86
13	316	Asphalt (AC-15P or CRS-2P), Complete in Place	6017	GAL	\$ 6.25	\$ 37,606.25	\$ 8.36	\$ 50,302.12
14	316	Aggregate Material (Ty B Gr 5)(Underseal) Complete in Place	126	CY	\$ 435.00	\$ 54,810.00	\$ 338.22	\$ 42,615.72
15	316	Aggregate Material (Ty PE Gr 3 SAC-B)(Seal Coat) Complete in Place	151	CY	\$ 340.00	\$ 51,340.00	\$ 327.32	\$ 49,425.32
16	340	D-Gr HMA (SQ) Ty D (SAC-B)(PG64-22)(Surf)(1.5"), Complete in Place	1656	TON	\$ 205.00	\$ 339,480.00	\$ 208.16	\$ 344,712.96
17	464	RC Pipe (CI III) or ADS HP Storm Dual Wall Pipe (18")(Traffic) Including Cement Stabilized Sand Backfill, Complete in Place	106	LF	\$ 170.00	\$ 18,020.00	\$ 140.11	\$ 14,851.66
18	464	RC Pipe (CI III) or ADS HP Storm Dual Wall Pipe (24")(Traffic) Including Cement Stabilized Sand Backfill, Complete in Place	28	LF	\$ 200.00	\$ 5,600.00	\$ 162.01	\$ 4,536.28
19	464	RC Pipe (CI III) or ADS HP Storm Dual Wall Pipe (30")(Traffic) Including Cement Stabilized Sand Backfill, Complete in Place	27	LF	\$ 230.00	\$ 6,210.00	\$ 248.19	\$ 6,701.13
20	464	RC Pipe (CI III) or ADS HP Storm Dual Wall Pipe (36")(Traffic) Including Cement Stabilized Sand Backfill, Complete in Place	75	LF	\$ 290.00	\$ 21,750.00	\$ 259.15	\$ 19,436.25
21	464	RC Pipe (CI III) or ADS HP Storm Dual Wall Pipe (42")(Traffic) Including Cement Stabilized Sand Backfill, Complete in Place	48	LF	\$ 345.00	\$ 16,560.00	\$ 289.92	\$ 13,916.16
22	4122	HDPE Dual Wall WT Pipe (18") Including Cem Stabilized Backfill, Complete in Place	868	LF	\$ 100.00	\$ 86,800.00	\$ 128.59	\$ 111,616.12
23	4122	HDPE Dual Wall WT Pipe (24") Including Cem Stabilized Backfill, Complete in Place	1307	LF	\$ 125.00	\$ 163,375.00	\$ 143.93	\$ 188,116.51
24	4122	HDPE Dual Wall WT Pipe (30") Including Cem Stabilized Backfill, Complete in Place	636	LF	\$ 160.00	\$ 101,760.00	\$ 213.80	\$ 135,976.80
25	4122	HDPE Dual Wall WT Pipe (36") Including Cem Stabilized Backfill, Complete in Place	1904	LF	\$ 170.00	\$ 323,680.00	\$ 231.22	\$ 440,242.88
26	4122	HDPE Dual Wall WT Pipe (42") Including Cem Stabilized Backfill, Complete in Place	1687	LF	\$ 175.00	\$ 295,225.00	\$ 246.79	\$ 416,334.73
27	4122	42" x 18" Wye	3	EA	\$ 5,500.00	\$ 16,500.00	\$ 6,807.29	\$ 20,421.87
28	465	3' Sidewalk Drain w/ 1' Conc Flume	2	EA	\$ 6,500.00	\$ 13,000.00	\$ 6,360.35	\$ 12,720.70
29	465	Curb Inlet (3'x5') PCO w/ 3'x5' PB (Including Cement Stabilized Backfill), Complete in Place	22	EA	\$ 10,200.00	\$ 224,400.00	\$ 8,770.38	\$ 192,948.36
30	465	Curb Inlet (3'x5') PCO w/ 5' Extension PB (Including Cement Stabilized Backfill), Complete in Place	3	EA	\$ 11,000.00	\$ 33,000.00	\$ 8,860.67	\$ 26,582.01
31	465	Curb Inlet (5'x4') PCO w/ 5'x4' PB (Including Cement Stabilized Backfill), Complete in Place	5	EA	\$ 12,000.00	\$ 60,000.00	\$ 9,505.40	\$ 47,527.00
32	465	Curb Inlet (5'x5') PCO w/ 5'x45' PB and Backslot Drain Opening(Including Cement Stabilized Backfill), Complete in Place	4	EA	\$ 12,000.00	\$ 48,000.00	\$ 9,521.08	\$ 38,084.32

Bid Tabulations  
Alamo Heights Street Drainage - Phases 1 2

Section VIII. Item #5.

ITEM NO.	SPEC NO.	DESCRIPTION	QUANTITY PER UNIT	UNIT	Lester Contracting		Mercer Construction	
					UNIT PRICE	AMOUNT BID (QTY. X UNIT PRICE)	UNIT PRICE	AMOUNT BID (QTY. X UNIT PRICE)
33	465	Curb Inlet (8.5'x5') PCU w/ 8.5'x5' PB (Including Cement Stabilized Backfill), Complete in Place	2	EA	\$ 20,500.00	\$ 41,000.00	\$ 11,832.42	\$ 23,664.84
34	465	Junction Box (3'x3')(PB) with 3'x3' Riser (RH)	1	EA	\$ 9,600.00	\$ 9,600.00	\$ 11,251.75	\$ 11,251.75
35	465	Junction Box (5'x4')(PB) with 3'x3' Riser (RH)	1	EA	\$ 13,500.00	\$ 13,500.00	\$ 13,251.39	\$ 13,251.39
36	465	Junction Box (5'x5')(PB) with 3'x3' Riser (RH)	3	EA	\$ 13,200.00	\$ 39,600.00	\$ 13,042.28	\$ 39,126.84
37	465	Junction Box (9.5'x3')(PB) with 3'x3' Riser (RH)	1	EA	\$ 25,000.00	\$ 25,000.00	\$ 35,243.19	\$ 35,243.19
38	465	Junction Box (9.5'x4')(PB) with 3'x3' Riser (RH)	1	EA	\$ 25,000.00	\$ 25,000.00	\$ 36,576.28	\$ 36,576.28
39	465	Junction Box (9.5'x5')(PB) with 3'x3' Riser (RH)	1	EA	\$ 25,000.00	\$ 25,000.00	\$ 43,241.75	\$ 43,241.75
40	465	Junction Box (11'x5')(PB) with 3'x3' Riser (RH)	2	EA	\$ 27,500.00	\$ 55,000.00	\$ 49,745.99	\$ 99,491.98
41	465	Junction Box (11x9.5')(PB) with 3'x3' Riser (RH)	2	EA	\$ 30,000.00	\$ 60,000.00	\$ 53,745.27	\$ 107,490.54
42	496	Remove Exist Curb Inlet (5'x3'), Complete	2	EA	\$ 1,100.00	\$ 2,200.00	\$ 1,911.64	\$ 3,823.28
43	496	Remove Exist Curb Inlet (5'x3') w/ Ext, Complete	5	EA	\$ 1,100.00	\$ 5,500.00	\$ 1,911.65	\$ 9,558.25
44	496	Remove Exist Jct Box (4'x4'), Complete	2	EA	\$ 1,100.00	\$ 2,200.00	\$ 1,911.64	\$ 3,823.28
45	496	Remove Exist Jct Box (5'x4'), Complete	1	EA	\$ 1,100.00	\$ 1,100.00	\$ 1,911.65	\$ 1,911.65
46	496	Remove Exist RCP Pipe (18"), Complete	178	LF	\$ 30.00	\$ 5,340.00	\$ 29.95	\$ 5,331.10
47	496	Remove Exist RCP Pipe (24"), Complete	34	LF	\$ 36.00	\$ 1,224.00	\$ 29.95	\$ 1,018.30
48	496	Remove Exist RCP Pipe (30"), Complete	32	LF	\$ 36.00	\$ 1,152.00	\$ 59.90	\$ 1,916.80
49	496	Remove Exist RCP Pipe (36"), Complete	12	LF	\$ 45.00	\$ 540.00	\$ 66.45	\$ 797.40
50	496	Remove Exist RCP Pipe (42"), Complete	10	LF	\$ 45.00	\$ 450.00	\$ 70.62	\$ 706.20
51	496	Plug Exist 42" Pipe	1	EA	\$ 2,500.00	\$ 2,500.00	\$ 1,595.13	\$ 1,595.13
52	500	Mobilization	1	LS	\$300,000.00	\$ 300,000.00	\$ 467,200.00	\$ 467,200.00
53	502	Barricades, Signs and Traffic Handling	1	LS	\$ 50,000.00	\$ 50,000.00	\$ 46,798.38	\$ 46,798.38
54	506	Temporary Sediment Control Fence, Complete in Place	1020	LF	\$ 4.25	\$ 4,335.00	\$ 35.24	\$ 35,944.80
55	506	Temporary Sediment Control Fence (Remove), Complete in Place	1020	LF	\$ 2.00	\$ 2,040.00	\$ 10.25	\$ 10,455.00
56	529	Concrete Curb and Gutter (Ty II)(Reinforced), Complete in Place	10278	LF	\$ 40.00	\$ 411,120.00	\$ 37.21	\$ 382,444.38
57	530	Concrete Driveways (4"), Complete in Place	2662	SY	\$ 135.00	\$ 359,370.00	\$ 114.49	\$ 304,772.38
58	531	Concrete Sidewalk (4"), Complete in Place	2451	SY	\$ 100.00	\$ 245,100.00	\$ 95.56	\$ 234,217.56
59	531	Concrete Sidewalk (4") w/ Curb, Complete in Place	127	SY	\$ 140.00	\$ 17,780.00	\$ 141.29	\$ 17,943.83
60	531	Curb Ramp, Complete in Place	36	EA	\$ 4,000.00	\$ 144,000.00	\$ 4,032.46	\$ 145,168.56
61	560	Remove and Relocate Mailbox	1	EA	\$ 200.00	\$ 200.00	\$ 482.09	\$ 482.09
62	644	Remove and Relocate Sign Sup & Assm TY 10BWG	23	EA	\$ 415.00	\$ 9,545.00	\$ 803.47	\$ 18,479.81
63	2660	Remove Existing Fire Hydrant	3	EA	\$ 500.00	\$ 1,500.00	\$ 1,161.60	\$ 3,484.80
64	2660	Remov Exist Valve	2	EA	\$ 350.00	\$ 700.00	\$ 1,466.46	\$ 2,932.92
65	2660	Remove & Reinstall Water Valves	5	EA	\$ 1,500.00	\$ 7,500.00	\$ 2,307.68	\$ 11,538.40
66	2660	Remove & Reinstall Water Meters	2	EA	\$ 500.00	\$ 1,000.00	\$ 1,205.16	\$ 2,410.32
67	2660	6" Water Main (C-900)(PVC)(Traffic)	1490	LF	\$ 65.00	\$ 96,850.00	\$ 53.67	\$ 79,968.30
68	2660	6" Water Main Certa-Lok by Bore w/ 12" Steel Casing Pipe including Casing Spacers and End Seals	65	LF	\$ 430.00	\$ 27,950.00	\$ 466.75	\$ 30,338.75
69	2660	Locate and Connect to Exist 10" Water Line	1	EA	\$ 2,500.00	\$ 2,500.00	\$ 2,538.19	\$ 2,538.19
70	2660	Locate and Connect to Exist 6" Water Line	1	EA	\$ 2,000.00	\$ 2,000.00	\$ 1,660.05	\$ 1,660.05
71	2660	Cut, Plug and Abandon 2" Water Main	2	EA	\$ 450.00	\$ 900.00	\$ 449.26	\$ 898.52
72	2660	6" 90 Degree Bend	4	EA	\$ 620.00	\$ 2,480.00	\$ 978.37	\$ 3,913.48
73	2660	6" 11.25 Degree Bend	1	EA	\$ 590.00	\$ 590.00	\$ 978.39	\$ 978.39
74	2660	Install 10"x6" Tapping Sleeve and Valve	1	EA	\$ 6,000.00	\$ 6,000.00	\$ 4,701.26	\$ 4,701.26
75	2660	Install 6" Gate Valve and Box	1	EA	\$ 1,650.00	\$ 1,650.00	\$ 1,786.14	\$ 1,786.14
76	2660	Long Double Water Service Adjustment/Lowering (Remove Existing Service Line and Install New Service Line from Existing Corp Stop to Existing Curb Stop, Existing Meter and Box to remain), as Directed by Engineer	16	EA	\$ 950.00	\$ 15,200.00	\$ 4,703.36	\$ 75,253.76



Bid Tabulations  
Alamo Heights Street Drainage - Phases 1 2

Section VIII. Item #5.

ITEM NO.	SPEC NO.	DESCRIPTION	QUANTITY PER UNIT	UNIT	Lester Contracting		Mercer Construction	
					UNIT PRICE	AMOUNT BID (QTY. X UNIT PRICE)	UNIT PRICE	AMOUNT BID (QTY. X UNIT PRICE)
77	2660	Short Single Water Service (Remove Existing Service Line as required for Paving Construction and Install New Service Line from New Main to Existing Meter. Existing Meter and Box to Remain)	2	EA	\$ 1,100.00	\$ 2,200.00	\$ 1,989.95	\$ 3,979.90
78	2660	Short Double Water Service (Remove Existing Service Line as required for Paving Construction and Install New Service Line from New Main to Existing Meter. Existing Meter and Box to Remain)	8	EA	\$ 1,500.00	\$ 12,000.00	\$ 3,102.07	\$ 24,816.56
79	2660	Long Single Water Service (Remove Existing Service Line as required for Paving Construction and Install New Service Line from New Main to Existing Meter. Existing Meter and Box to Remain)	2	EA	\$ 1,800.00	\$ 3,600.00	\$ 2,549.13	\$ 5,098.26
80	2660	Long Double Water Service (Remove Existing Service Line as required for Paving Construction and Install New Service Line from New Main to Existing Meter. Existing Meter and Box to Remain)	9	EA	\$ 2,000.00	\$ 18,000.00	\$ 4,588.01	\$ 41,292.09
81	2660	2" Water Main Lowering at Storm Crossing, as Directed by Engineer	1	EA	\$ 1,000.00	\$ 1,000.00	\$ 4,469.37	\$ 4,469.37
82	2660	6" Water Main Lowering at Storm Crossing, as Directed by Engineer	3	EA	\$ 3,750.00	\$ 11,250.00	\$ 6,341.38	\$ 19,024.14
83	2660	6" Water Main Horizontal Offset at Storm Inlet	10	EA	\$ 3,500.00	\$ 35,000.00	\$ 5,568.03	\$ 55,680.30
84	2660	Install Fire Hydrant Assembly (New Main)	1	EA	\$ 7,000.00	\$ 7,000.00	\$ 8,442.95	\$ 8,442.95
85	2660	Install Fire Hydrant Assembly (Ex Main)	3	EA	\$ 7,800.00	\$ 23,400.00	\$ 8,693.45	\$ 26,080.35
86	2730	Adjust Sanitary Sewer Manhole	4	EA	\$ 1,500.00	\$ 6,000.00	\$ 3,286.24	\$ 13,144.96
87	2730	Ex San Sew/Stm Sew Conflict - Remove Metal Pipe & Replace w/ 15 LF 8" PVC (SDR 26) & 12" Encasement	1	EA	\$ 2,600.00	\$ 2,600.00	\$ 7,903.30	\$ 7,903.30
<b>TOTAL</b>						<b>\$5,554,639.25</b>		<b>\$ 6,213,419.81</b>
<b>CALENDAR DAYS</b>						<b>620</b>		<b>646</b>
<b>Base Bid - Owner's Option A</b>								
1	247	Flex Base (Ty A Gr 1-2) 10", Complete in Place	4162	CY	\$ 150.00	\$ 624,300.00	\$ 124.80	\$ 519,417.60
2	260	Lime Treat Subgrade (6"), Complete in Place	15045	SY	\$ 12.00	\$ 180,540.00	\$ 12.50	\$ 188,062.50
3	400	Cement Stabilized Backfill	571	CY	\$ 187.50	\$ 107,062.50	\$ 165.00	\$ 94,215.00
4		Geogrid (Tensor TX5, Tensor TX-130S, Tensor BX-1200, or Terra Grid RX-1200) Complete in Place	15045	SY	\$ 3.50	\$ 52,657.50	\$ 4.75	\$ 71,463.75
<b>TOTAL</b>						<b>\$5,525,089.25</b>		<b>\$ 6,199,320.34</b>
<b>CALENDAR DAYS</b>						<b>620</b>		<b>666</b>
<b>Add Alternate Bid</b>								
1	100	Prep ROW (Tree)	9	EA	\$ 1,000.00	\$ 9,000.00	\$ 2,544.14	\$ 22,897.26
2	104	Remove Concrete (Curb & Gutter), Complete	7915	LF	\$ 4.75	\$ 37,596.25	\$ 4.82	\$ 38,150.30
3	104	Remove Concrete (Driveway), Complete	2092	SY	\$ 25.00	\$ 52,300.00	\$ 19.13	\$ 40,019.96
4	104	Remove Concrete (Sidewalk), Complete	254	SY	\$ 30.00	\$ 7,620.00	\$ 23.64	\$ 6,004.56
5	110	Excavation (Roadway), Complete	5756	CY	\$ 30.00	\$ 172,680.00	\$ 35.31	\$ 203,244.36
6	132	Embankment (Final)(Dens Cont)(Ty A), Complete in Place	76	CY	\$ 41.00	\$ 3,116.00	\$ 83.40	\$ 6,338.40
7	164	Block Sod	6196	SY	\$ 11.00	\$ 68,156.00	\$ 17.38	\$ 107,686.48
8	168	Vegetative Watering	120	MG	\$ 75.00	\$ 9,000.00	\$ 522.27	\$ 62,672.40
9	247	Flex Base (Ty A Gr 1-2) 10", Complete in Place	3462	CY	\$ 150.00	\$ 519,300.00	\$ 138.48	\$ 479,417.76
10		Geogrid (Tensor TX5, Tensor TX-130S, Tensor BX-1200, or Terra Grid RX-1200) Complete in Place	13560	SY	\$ 3.50	\$ 47,460.00	\$ 5.10	\$ 69,156.00
11	260	Lime Treat Subgrade (6"), Complete in Place	13560	SY	\$ 12.00	\$ 162,720.00	\$ 13.33	\$ 180,754.80
12	316	Asphalt RC-250, Complete in Place	2837	GAL	\$ 7.50	\$ 21,277.50	\$ 9.26	\$ 26,270.62
13	316	Asphalt (AC-15P or CRS-2P), Complete in Place	4368	GAL	\$ 6.25	\$ 27,300.00	\$ 8.36	\$ 36,516.48

Bid Tabulations  
Alamo Heights Street Drainage - Phases 1 2

Section VIII. Item #5.

ITEM NO.	SPEC NO.	DESCRIPTION	QUANTITY PER UNIT	UNIT	Lester Contracting		Mercer Construction	
					UNIT PRICE	AMOUNT BID (QTY. X UNIT PRICE)	UNIT PRICE	AMOUNT BID (QTY. X UNIT PRICE)
14	316	Aggregate Material (Ty B Gr 5)(Underseal) Complete in Place	90	CY	\$ 435.00	\$ 39,150.00	\$ 338.22	\$ 30,439.80
15	316	Aggregate Material (Ty PE Gr 3 SAC-B)(Seal Coat) Complete in Place	109	CY	\$ 340.00	\$ 37,060.00	\$ 327.32	\$ 35,677.88
16	340	D-Gr HMA (SQ) Ty D (SAC-B)(PG64-22)(Surf)(1.5"), Complete in Place	1201	TON	\$ 205.00	\$ 246,205.00	\$ 208.84	\$ 250,816.84
17	464	RC Pipe (CI III) or ADS HP Storm Dual Wall Pipe (18")(Traffic) Including Cement Stabilized Sand Backfill, Complete in Place	167	LF	\$ 185.00	\$ 30,895.00	\$ 140.13	\$ 23,401.71
18	464	RC Pipe (CI III) or ADS HP Storm Dual Wall Pipe (24")(Traffic) Including Cement Stabilized Sand Backfill, Complete in Place	53	LF	\$ 200.00	\$ 10,600.00	\$ 162.09	\$ 8,590.77
19	464	RC Pipe (CI III) or ADS HP Storm Dual Wall Pipe (30")(Traffic) Including Cement Stabilized Sand Backfill, Complete in Place	25	LF	\$ 230.00	\$ 5,750.00	\$ 248.24	\$ 6,206.00
20	4122	HDPE Dual Wall WT Pipe (18") Including Cem Stabilized Backfill, Complete in Place	834	LF	\$ 100.00	\$ 83,400.00	\$ 128.59	\$ 107,244.06
21	4122	HDPE Dual Wall WT Pipe (24") Including Cem Stabilized Backfill, Complete in Place	425	LF	\$ 125.00	\$ 53,125.00	\$ 143.93	\$ 61,170.25
22	4122	HDPE Dual Wall WT Pipe (30") Including Cem Stabilized Backfill, Complete in Place	1430	LF	\$ 160.00	\$ 228,800.00	\$ 213.80	\$ 305,734.00
23	4122	HDPE Dual Wall WT Pipe (42") Including Cem Stabilized Backfill, Complete in Place	679	LF	\$ 175.00	\$ 118,825.00	\$ 246.79	\$ 167,570.41
24	465	3' Sidewalk Drain w/ 1' Conc Flume	6	EA	\$ 6,500.00	\$ 39,000.00	\$ 6,360.35	\$ 38,162.10
25	465	Curb Inlet (3'x5') PCO w/ 3'x5' PB (Including Cement Stabilized Backfill), Complete in Place	19	EA	\$ 10,200.00	\$ 193,800.00	\$ 9,459.17	\$ 179,724.23
26	465	Curb Inlet (5'x4') PCO w/ 5'x4' PB (Including Cement Stabilized Backfill), Complete in Place	3	EA	\$ 12,000.00	\$ 36,000.00	\$ 9,547.21	\$ 28,641.63
27	465	Junction Box (5'x4')(PB) with 3'x3' Riser (RH)	1	EA	\$ 13,500.00	\$ 13,500.00	\$ 11,918.30	\$ 11,918.30
28	465	Junction Box (5'x5')(PB) with 3'x3' Riser (RH)	1	EA	\$ 13,200.00	\$ 13,200.00	\$ 11,918.30	\$ 11,918.30
29	465	Junction Box (8.5'x4')(PB) with 3'x3' Riser (RH)	1	EA	\$ 23,000.00	\$ 23,000.00	\$ 33,910.10	\$ 33,910.10
30	465	Junction Box (11'x5')(PB) with 3'x3' Riser (RH)	1	EA	\$ 27,500.00	\$ 27,500.00	\$ 49,746.02	\$ 49,746.02
31	496	Remove Exist RCP Pipe (18"), Complete	416	LF	\$ 36.00	\$ 14,976.00	\$ 29.95	\$ 12,459.20
32	502	Barricades, Signs and Traffic Handling	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 20,963.35	\$ 20,963.35
33	506	Temporary Sediment Control Fence, Complete in Place	660	LF	\$ 4.25	\$ 2,805.00	\$ 35.24	\$ 23,258.40
34	506	Temporary Sediment Control Fence (Remove), Complete in Place	660	LF	\$ 2.00	\$ 1,320.00	\$ 10.25	\$ 6,765.00
35	529	Concrete Curb and Gutter (Ty II)(Reinforced), Complete in Place	7890	LF	\$ 40.00	\$ 315,600.00	\$ 37.21	\$ 293,586.90
36	530	Concrete Driveways (4"), Complete in Place	2189	SY	\$ 135.00	\$ 295,515.00	\$ 114.49	\$ 250,618.61
37	531	Concrete Sidewalk (4"), Complete in Place	2197	SY	\$ 100.00	\$ 219,700.00	\$ 95.56	\$ 209,945.32
38	531	Concrete Sidewalk (4") w/ Curb, Complete in Place	162	SY	\$ 140.00	\$ 22,680.00	\$ 141.29	\$ 22,888.98
39	531	Curb Ramp, Complete in Place	22	EA	\$ 4,000.00	\$ 88,000.00	\$ 4,032.46	\$ 88,714.12
40	560	Remove and Relocate Mailbox	2	EA	\$ 200.00	\$ 400.00	\$ 482.05	\$ 964.10
41	644	Remove and Relocate Sign Sup & Assm TY 10BWG	11	EA	\$ 410.00	\$ 4,510.00	\$ 803.51	\$ 8,838.61
42	2660	Remove Existing Fire Hydrant	3	EA	\$ 500.00	\$ 1,500.00	\$ 1,161.60	\$ 3,484.80
43	2660	Remove & Reinstall Water Valves	6	EA	\$ 1,500.00	\$ 9,000.00	\$ 1,466.45	\$ 8,798.70
44	2660	Remove & Reinstall Water Meters	3	EA	\$ 500.00	\$ 1,500.00	\$ 1,205.15	\$ 3,615.45
45	2660	Long Single Water Service Adjustment/Lowering (Remove Existing Service Line and Install New Service Line from Existing Corp Stop to Existing Curb Stop, Existing Meter and Box to remain), as Directed by Engineer	12	EA	\$ 1,800.00	\$ 21,600.00	\$ 2,452.42	\$ 29,429.04

Bid Tabulations  
Alamo Heights Street Drainage - Phases 1 2

Section VIII. Item #5.

ITEM NO.	SPEC NO.	DESCRIPTION	QUANTITY PER UNIT	UNIT	Lester Contracting		Mercer Construction	
					UNIT PRICE	AMOUNT BID (QTY. X UNIT PRICE)	UNIT PRICE	AMOUNT BID (QTY. X UNIT PRICE)
46	2660	Long Double Water Service Adjustment/Lowering (Remove Existing Service Line and Install New Service Line from Existing Corp Stop to Existing Curb Stop, Existing Meter and Box to remain), as Directed by Engineer	4	EA	\$ 2,000.00	\$ 8,000.00	\$ 4,624.31	\$ 18,497.24
47	2660	2" Water Main Lowering at Storm Crossing, as Directed by Engineer	1	EA	\$ 1,000.00	\$ 1,000.00	\$ 4,096.04	\$ 4,096.04
48	2660	6" Water Main Lowering at Storm Crossing, as Directed by Engineer	1	EA	\$ 3,750.00	\$ 3,750.00	\$ 6,342.87	\$ 6,342.87
49	2660	6" Water Main Horizontal Offset at Storm Inlet	5	EA	\$ 3,500.00	\$ 17,500.00	\$ 5,567.64	\$ 27,838.20
50	2660	Install Fire Hydrant Assembly (Ex Main)	3	EA	\$ 7,800.00	\$ 23,400.00	\$ 8,693.45	\$ 26,080.35
51	2730	Adjust Sanitary Sewer Manhole	5	EA	\$ 1,500.00	\$ 7,500.00	\$ 3,190.26	\$ 15,951.30
<b>TOTAL</b>						<b>\$3,417,591.75</b>		<b>\$ 3,713,138.36</b>
<b>CALENDAR DAYS</b>						<b>\$ 320.00</b>		<b>380</b>
<b>Add Alternate Bid - Owner's Option A</b>								
1	247	Flex Base (Ty A Gr 1-2) 10", Complete in Place	3020	CY	\$ 150.00	\$ 453,000.00	\$ 145.00	\$ 437,900.00
2	260	Lime Treat Subgrade (6"), Complete in Place	10916	SY	\$ 12.00	\$ 130,992.00	\$ 15.00	\$ 163,740.00
3	400	Cement Stabilized Backfill	438	CY	\$ 187.50	\$ 82,125.00	\$ 165.00	\$ 72,270.00
4		Geogrid (Tensar TX5, Tensar TX-130S, Tensar BX-1200, or Terra Grid RX-1200) Complete in Place	10916	SY	\$ 3.50	\$ 38,206.00	\$ 5.65	\$ 61,675.40
<b>TOTAL</b>						<b>\$3,392,434.75</b>		<b>\$ 3,719,395.20</b>
<b>CALENDAR DAYS</b>						<b>\$ 320.00</b>		<b>395</b>

<b>GRAND TOTAL BASE BID AND ADD ALTERNATE BID</b>		<b>\$8,972,231.00</b>		<b>\$ 9,926,558.17</b>
<b>CALENDAR DAYS</b>		<b>940</b>		<b>1026</b>
<b>GRAND TOTAL BASE BID AND ADD ALTERNATE BID - OWNER'S OPTION A</b>		<b>\$8,917,524.00</b>		<b>\$ 9,918,715.54</b>
<b>CALENDAR DAYS</b>		<b>940</b>		<b>1061</b>

# COMMUNICATION

**SUBJECT:** Consider Resolution No. R-010824-4 of the City of Port Lavaca requesting Financial Assistance from Texas Water Development Board (TWDB) for the Lynn's Bayou Wastewater Treatment Plant (WWTP) Expansion Project. Presenter is Jody Weaver

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## INFORMATION:

CITY OF PORT LAVACA

**MEETING:** JANUARY 8, 2024

**DATE:** 1.03.2024

**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**FROM:** JODY WEAVER, INTERIM CITY MANAGER

**SUBJECT:** **APPLICATION FOR FUNDING FROM THE CLEAN WATER STATE REVOLVING FUND (CWSRF)**

Background:

In December 2022, Council authorized AECOM Task Order No. 5 which included a 30% project design and assistance as needed to apply for a Texas Water Development Board (TWDB) loan for funding.

AECOM completed the 30% design and submitted a pre-application for project inclusion in the 2024 Intended Use Plan. On November 28, 2023, we received notification from the TWDB that our project was included in the 2024 IUP and we have been invited to submit an application for funding through the TWDB Clean Water State Revolving Fund. *See attached letter dated November 28, 2023.*

The deadline to submit the INTENT TO APPLY was December 28. We submitted this information to TWDB and edited the amount to reflect the construction cost estimate of \$39.315 M, which is the current estimate following the 30% design. Recall that AECOM’s construction estimate about 3 years ago was around \$15M, but with the increased cost of materials and construction and increased effluent limits likely to be imposed by TCEQ, the construction estimate has over doubled. Understand though that there is a 30% contingency included at this stage of design.

Note also that this is the project which DOW Chemical has made application to the Department of Energy for funding as well.

The deadline to apply for this funding from the FY 2024 State funds is January 29, 2024. I have authorized an amendment to AECOM’s contract for \$22,831 to prepare the required desktop environmental review required for the application.

Action needed at the January Council meeting is to approve a resolution requesting financial assistance from the TWDB, authorize the filing of the application, and make certain designations with regard to the application. *See attached Resolution language.*

Financial Considerations:

We have included our financial advisor in with the discussions regarding this application. This method of financing involves a low interest loan and is generally accepted as the best way to finance very large expenditures such as this. Bottom line, the city is under no obligation to follow through with this loan if offered, but there are narrow windows of opportunity to apply. Applying now, lets TCEQ know we continue to move forward with their requirement that we expand the capacity of the wastewater treatment plant. I can report that DOW’s application to the DOE did make it through to the second phase, but I have had no new updates in the last few weeks. Hopefully any loan with TWDB will be much less than \$39M.

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**CITY OF PORT LAVACA**

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Recommendation:

Staff recommends Council approve the resolution being form TWDB-0201A.

# Texas Water Development Board

P.O. Box 13231, 1700 N. Congress Ave.  
Austin, TX 78711-3231, [www.twdb.texas.gov](http://www.twdb.texas.gov)  
Phone (512) 463-7847, Fax (512) 475-2053

Official Electronic mail sent via email. No hard copy to follow.

November 28, 2023

Ms. JoAnna Weaver,P.E.  
City Manager  
City of Port Lavaca  
[jweaver@portlavaca.org](mailto:jweaver@portlavaca.org)

Re: **State Fiscal Year 2024 Clean Water State Revolving Fund (CWSRF)  
Application Invitation**

Dear Ms. Weaver:

Congratulations! We are pleased to notify you that the City of Port Lavaca is hereby invited to submit an application for funding through the Texas Water Development Board’s (TWDB) Clean Water State Revolving Fund.

Your project is listed in the Intended Use Plan (IUP) as being eligible to receive funding as shown below:

Project Description	Lynns's Bayou Wastewater Treatment Plant Expansion
Eligible Phases	Planning Design & Construction
Project Information Form Number	15151
Eligible Project Cost	\$ 33,610,765

*The maximum loan/bond commitment amount a project may receive under the SFY 2024 IUP is \$59 million.*

**Asset Management Funding Option**

If you indicated in your PIF that you will be preparing an asset management plan as part of your project, you may be eligible for up to \$100,000 in loan funding with an interest rate of 0% to prepare the plan under the CWSRF Program. Please ensure you mention the asset management plan in your project scope and include funds for these activities in your application budget, if interested.

<b>Our Mission</b>	:	<b>Board Members</b>
Leading the state's efforts in ensuring a secure water future for Texas	:	Brooke T. Paup, Chairwoman   George B. Peyton V, Board Member   L'Oreal Stepney, P.E., Board Member
	:	Jeff Walker, Executive Administrator



**Required Documentation and Deadlines**

To be considered for funding under the SFY 2024 CWSRF Program, please follow the requirements stated below:

- (1) **You must submit your Intent to Apply form to [CWSRF@twdb.texas.gov](mailto:CWSRF@twdb.texas.gov) by 5:00 P.M., CST on December 28, 2023.** If you fail to fully complete and submit the Intent to Apply Form by the deadline, your project will not be considered for funding. This will allow the TWDB to invite in rank order additional projects on the lists if an invited entity does not wish to pursue SRF funding for their project at this time.
- (2) If you intend to apply, **your complete application must be received by TWDB no later than 5:00 P.M., CST on January 29, 2024.** Applications will not be accepted after the deadline. We encourage you to submit your application before the deadline, which will allow us to begin a review of your application earlier. Application materials, such as, submittal instructions, guidance documents, frequently asked questions, and a link to our online application portal may be found on our website at [www.twdb.texas.gov/financial/applications/](http://www.twdb.texas.gov/financial/applications/).
- (3) **A pre-application meeting is required** for all CWSRF projects to ensure that the applicant and the corresponding TWDB staff discuss the project and ask initial questions prior to the application being submitted.

If you submit an Intent to Apply, please contact Ms. Diana Sanchez by phone at 512-475-1554 or by e-mail at [Diana.Sanchez@twdb.texas.gov](mailto:Diana.Sanchez@twdb.texas.gov) to schedule a pre-application meeting with the [WSI-RWPD-Team 5](#). She will be able to assist you with scheduling a meeting prior to your submission of the application.

To assist you in being successful, please take note of the following tips and reminders which are based on TWDB's experience reviewing prior SRF applications:

- Applicants that will be requesting a SRF loan will most likely be selling bonds to the TWDB. As such, a financial advisor and bond counsel will be required. We highly encourage you to engage these consultants prior to submitting the application and follow the [DBE requirements](#) (equivalency only) if you seek to fund their work using SRF monies.
- Be sure any changes to the project amount are reflected in both the Intent to Apply Form and the application budget.
- For bond purposes only, TWDB SRF loan amounts must be rounded up to the nearest \$5,000. Please round up any loan numbers in the application budget and confirm the dollar amounts with your TWDB project team before passing resolutions to minimize adjustment during the review period.

Ms. JoAnna Weaver,P.E.  
November 28, 2023  
Page 3

We look forward to working with the City of Port Lavaca on its SRF project and are committed to providing excellent customer service and prompt responses to any questions as you complete your application. Should you have any questions or concerns, please contact Heather O'Keefe, Team Lead SRF General Activities, by phone at (512) 475-1835 or by email at [CWSRF@twdb.texas.gov](mailto:CWSRF@twdb.texas.gov).

Sincerely,



Marvin Cole-Chaney  
Director, Program Administration and Reporting  
Water Supply and Infrastructure

Attachment: SFY 2024 CWSRF Intent to Apply Form

cc: Vinoth Manoharan, Project Manager, AECOM: [vinoth.manoharan@aecom.com](mailto:vinoth.manoharan@aecom.com)  
Dain Larsen, Team Manager: [WSI-RWPD-Team5@twdb.texas.gov](mailto:WSI-RWPD-Team5@twdb.texas.gov)

# Clean Water State Revolving Fund State Fiscal Year 2024 Intent to Apply

## Instructions

Please indicate your intention to apply for funding from the Clean Water State Revolving Fund (CWSRF) in the amount listed in the CWSRF SFY 2024 IUP.

**Deadline to submit your Intent to Apply is December 28, 2023.** Submit this document as an attachment to [CWSRF@TWDB.TEXAS.GOV](mailto:CWSRF@TWDB.TEXAS.GOV).

Failure to return this form by the deadline will be considered as no intention to apply and your project will not be considered for funding.

## General Information

PIF #: 15151

Entity (Applicant) Name: City of Port Lavaca

Project Name: Lynn's Bayou Wastewater Treatment Plant Expansion

## Intent to Apply

Entity intends to submit an application for this project:  Yes  No

Requested funding amount appearing in SFY 2024 CWSRF Intended Use Plan is confirmed:  Yes  No

If "No" above, please explain in the space provided below. Please note that due to limited program capacity, only decreases in requested funding amount may be considered. TWDB staff may contact you to follow up on any requested adjustments:

The estimated project cost (\$33.6M including \$2.4M in Engineering Fee) provided in Project Information Form was based on construction cost estimated at the beginning of the project without a 30% preliminary design. A revised construction cost estimate has been performed based on completed 30% design for the project. The revised construction cost estimate is \$36.9M; increased cost is mainly due to current and anticipated escalation in material and labor cost. The revised total estimated project cost is \$39,315,000 (including \$2.4M in Engineering and Planning Cost).

  
Signature

JoAnna P. "Jody" Weaver

Printed

Interim City Manager

Title

[jweaver@portlavaca.org](mailto:jweaver@portlavaca.org)

Email Address

### Application Filing and Authorized Representative Resolution

A RESOLUTION by the CITY COUNCIL of the City of Port Lavaca requesting financial assistance from the Texas Water Development Board; authorizing the filing of an application for assistance; and making certain findings in connection therewith.

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

SECTION 1: That an application is hereby approved and authorized to be filed with the Texas Water Development Board seeking financial assistance in an amount not to exceed \$ 39,315,000.00 to provide for the costs of Lynn's Bayou Wastewater Treatment Plant Expansion.

SECTION 2: That Interim City Manager JoAnna P. Weaver be and is hereby designated the authorized representative of the City of Port Lavaca for purposes of furnishing such information and executing such documents as may be required in connection with the preparation and filing of such application for financial assistance and the rules of the Texas Water Development Board.

SECTION 3: That the following firms and individuals are hereby authorized and directed to aid and assist in the preparation and submission of such application and appear on behalf of and represent the City of Port Lavaca before any hearing held by the Texas Water Development Board on such application, to wit:

- Financial Advisor: R. Dustin Traylor  
RBC Capital Markets
- Engineer: Vinoth Manoharan, PE  
AECOM Technical Services, Inc.
- Bond Counsel: Gregory Miller  
Bickerstaff Heath Delgado Acosta LLC (BHDA)

PASSED AND APPROVED, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

ATTEST: \_\_\_\_\_ By: \_\_\_\_\_

(Seal)

# COMMUNICATION

**SUBJECT:** Consider Interlocal Agreement between the City of Port Lavaca and the Calhoun County Appraisal District (CCAD) for the Assessment and Collection Functions of Taxes.  
Presenter is Jody Weaver

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## INFORMATION:

**Interlocal Agreement for the Assessment and Collection Functions of the CITY OF PORT LAVACA and the Calhoun County Appraisal District**

This agreement made and entered into on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the **City of Port Lavaca** (hereinafter referred to as “**CITY**”) and the **Calhoun County Appraisal District** (hereinafter referred to as “**DISTRICT**”) as duly authorized by the governing body of each party to the contract.

**Purpose and Authority**

The parties to this agreement wish to enter into an agreement whereby the assessment and collection of property taxes for **CITY** will be performed by the **DISTRICT**;

The parties enter into this agreement in order to eliminate duplication of services for the assessment and collection of taxes and to promote governmental efficiency; and

The parties enter into this agreement pursuant to the authority granted by section 6.23 and 6.24 of the Property Tax Code and Art. 4413 (32c) V.A.T.S., otherwise known as the Inter-local Cooperation Act.

In consideration of the premises and of the terms, provisions, and mutual promises herein contained, it is mutually agreed as follows:

**Length of Contract Period**

This contract shall be effective January 1, 2024, through December 31, 2026, and shall continue in full force and effect from year to year until such time as either party hereto, by written notice to the other, may terminate the same at the end of the contract year, such termination to be effective only if provided to the other party on or before September 1 of the year in which the party intends for the contract to terminate.

**Name of Office**

The consolidated office conducting the assessment and collection functions, including, but not limited to receipts, statements and correspondence, shall be referred to as the Calhoun County Appraisal District.

**Assessment Services to be Performed**

The **DISTRICT** shall perform, through a Texas Department of Licensing and Regulations registered or certified assessor(RTA/C), all the functions of assessment of ad valorem property taxes for **CITY** as provided under the Property Tax Code and the Texas Comptroller of Public Accounts, Property Tax Division rules, including the calculation and, if necessary, assistance with the publication of the tax rate of **CITY** according to Chapter 26 of the Texas Tax Code or other governing code or statute and the guidelines established by the **Texas Comptroller of Public Accounts, Property Tax Division**. The cost of publication of notices and tax rates will be the responsibility of the **CITY**. In the event that **CITY** proposes to adopt a tax rate exceeding the limits of section 26.05(c) and necessitating further publication of hearings per section 26.06, the costs will be a direct expense to **CITY**.

However, if **CITY** fails to adopt its tax rate by September 30th, or if **CITY’S** adopted tax rate is rolled back, the costs for additional publications and notices will be the responsibility of **CITY** and any additional assessing costs incurred by the **DISTRICT** for late and separate tax bill processing or issuance of corrected bills associated therewith



shall be strictly accounted for by the **DISTRICT** and shall be payable by **CITY** with submission of bills by the **DISTRICT**.

Should **CITY** offer discounts to its taxpayers under section 31.05(b) or 31.05(c), or both, the **DISTRICT** agrees that if a consolidated billing system is utilized by the **DISTRICT** that, upon request or attempted remittance by a taxpayer of taxes imposed by **CITY**, the **DISTRICT** will generate a separate billing for that account so that such remittance by taxpayer will not constitute a partial payment under section 31.07.

**CITY** hereby appoints the Chief Appraiser **and/or** his or her qualified designee as the officer designated to calculate the tax rates as specified in Chapter 26 of the Property Tax Code or other governing code or statute on behalf of the **CITY** and to comply with the statutory requirements for setting tax rates as specified in Chapter 26 of the Property Tax Code.

**Collection Services to be Performed**

The **DISTRICT** shall perform through a Texas Department of Licensing and Regulations registered or certified collector(RTA/C or RTC), all the functions of collection of ad valorem property taxes for **CITY** as provided under the Property Tax Code and the Texas Comptroller of Public Accounts, Property Tax Division rules, including required reports to **CITY**, notices to taxpayers including the 33.07 collection cost penalty notice and issuance of refunds under section 31.11. **CITY** agrees to transfer authority for performance of the taxing unit’s approval function for any request exceeding \$2,500.00, issuance of tax certificates, and auditor function under section 31.11 to be performed by the **DISTRICT**’s Chief Appraiser or his/her qualified designee.

**CITY** agrees to deliver or make available to the **DISTRICT** all delinquent and other tax records necessary for the performance of the **DISTRICT**’S duties under this contract. At any time **CITY** may have access to these records, and will be provided with a complete set of records in electronic format or disc if and when **CITY** may wish to terminate this contract agreement. Furthermore, **DISTRICT** agrees to protect against loss of records by providing for duplicate record storage at periodic intervals, at least weekly, and agrees to make accessible in electronic format, disc or printout, the delinquent records to any delinquent tax attorney operating on behalf of **CITY**.

In addition, the **DISTRICT**’S collector will be bonded in the amount of \$50,000, payable to the governing body of **CITY**. The **DISTRICT** shall also provide for an independent audit of its collection operation annually to be contracted by the **DISTRICT** with final reports from auditing firm to **CITY**.

**Payment of Services**

In consideration for the functions of assessing and collecting services to be performed as specifically provided in this contract and according to the Property Tax Code and the Texas Department of Licensing and Regulation rules, and as included in Exhibit A of this contract, **CITY** agrees to pay to the **DISTRICT** its pro rata share of the actual costs incurred by the **DISTRICT** for the assessing and collection functions based on an audit of actual costs incurred. The accounting period of such costs shall be from January 1 through December 31 of each year. Payment shall be made by **CITY** to **DISTRICT** in four (4) equal installments. Each installment shall be made by the end of each calendar quarter except that the first payment is due by December 31, of the preceding year.

Unless the governing body of a unit and the chief appraiser agree to a different method of payment, each taxing unit shall pay its allocation in four equal payments to be made at the end of each calendar quarter, and the first payment shall be made before January 1 of the year in which the budget takes effect. A payment is delinquent if not paid on the date it is due. A delinquent payment incurs a penalty of 5 percent of the amount of the payment and accrues interest



at an annual rate of 10 percent. If the budget is amended, any change in the amount of a unit’s allocation among the payments remaining.

**Delinquent Taxes**

**CITY** transfers to the **DISTRICT** the right to contract with a delinquent tax attorney of its choice under section 6.30 and 6.24(b) to enforce the collection of delinquent taxes for **CITY**. The attorney’s compensation under the contract shall not exceed that set forth in section 6.20 of the amount of taxes, penalty and interest collected. **CITY** further agrees that such fee as specified herein as attorney’s fees will be paid by **CITY** from the delinquent taxes, penalties and interest collected for **CITY** by said private legal counsel.

The **DISTRICT** shall make available the delinquent tax records to the specified attorney by July 1 of each year the contract remains in effect and each year the attorney is contracted to perform these functions. The **DISTRICT** further agrees that these records will be provided to the attorney contracted with in electronic format.

**Other Provisions and Definitions**

The **DISTRICT** shall not be liable to **CITY** on account of any failure to collect taxes nor shall the collector be liable unless the failure to collect taxes is a result of malfeasance.

All expenses incurred by the **DISTRICT** for the assessment and collection of taxes shall be clearly kept on the books and records of the **DISTRICT**. **CITY** or its designated representative is authorized to examine the records to be kept by the **DISTRICT** at such reasonable intervals as **CITY** deems fit. Such books and records will be kept in the offices of the **DISTRICT**.

In the event a contract dispute arises between the parties herein named to the contract, a mutually agreed upon third party will be named to act as independent arbitrator whose compensation will be paid in equal parts by both parties to the contract, whose decision regarding the dispute will be a binding decision on both parties to the contract.

For the purposes of this agreement, the term “assessment” shall include the following: 1) Submission to **CITY’S** governing body the appraised, assessed and taxable value of new properties and of all discovered, taxable properties in the unit; 2) Calculation of the tax rates ; 3) Application of the unit’s adopted tax rate to the values on the appraisal roll; 4) Submission of the appraisal roll to the governing body for approval and creation of **CITY’S** tax roll, proration of taxes, maintenance of the integrity of the tax roll through correction of clerical error in the tax roll; and 5) and all other assessment duties mandated under the Property Tax Code. The term “collection” for purposes of this agreement shall include the collection of tax liabilities, issuance of refunds, monthly, annual and other collection reports as provided by this contract, required notices to taxpayers including the collection cost penalty notice section 33.07, Property Tax Code, daily deposits to the **DISTRICT’S** designated depository for distribution of funds, issuance of tax certificates and all other collection functions mandated by the Property Tax Code.

**Exhibit "A"**  
**Basis of Annual Charge for**  
**Tax Assessment and Collection**

I. Expenses of the tax collection office of the **DISTRICT** used to determine the annual charges to **CITY** for assessment of property and the collection of taxes thereof are:

Payroll

All salaries and other payroll expenses are charged to the **DISTRICT'S** tax collection, including, but not limited to insurance, payroll taxes, workmen's compensation and health insurance.

Purchased and Contracted Services

All expenses incurred by the **DISTRICT'S** tax collection office for services rendered by firms, individuals, or professionals which are independent of the **DISTRICT** such as maintenance contracts, publications, legal fees, upkeep of grounds and buildings, utilities, rentals, and all other purchased and contracted services not mentioned above. This excludes fees of the delinquent tax attorney.

Supplies and Materials

All expenditures for supplies and materials necessary for the operation and maintenance of furniture, data processing equipment, janitorial, buildings and grounds, books, office supplies, printings, and all other material and supplies not mentioned above.

Other Operating Expenses

Expenditures necessary for the operation of the tax office such as travel, subsistence, insurance, bonding expense, fees and dues, and other miscellaneous expenses not mentioned above.

Capital Outlay

All expenditures for furniture, and equipment necessary in the operation of the tax office.

II. The following factors and formula will be used in determining the total yearly cost to **CITY** for assessment and collection:

- a. **Current tax levy of CITY**
- b. **Total current tax levy in all of Calhoun County by all jurisdictions.**
- c. **Sum of the costs and expenditures delineated in section I of this Exhibit.**

Formula:

$(a / b) \times c = \text{CITY'S cost for tax assessment/collection}$

**Approval of CITY**

We, the governing body of the City of Port Lavaca, do hereby approve the consolidation of the functions of assessment and collection as set forth in this contract and authorized by section 6.24(b) Property Tax Code and Art. 4413(32c) V,A,T,S. otherwise known as the Interlocal Cooperation Act.

\_\_\_\_\_  
Jack Whitlow, Mayor  
City of Port Lavaca, Texas

Date: \_\_\_\_\_

\_\_\_\_\_  
Commissioner Vern Lyssy, Chairman, Board of Directors  
Calhoun County Appraisal District

Date: \_\_\_\_\_

## **COMMUNICATION**

**SUBJECT:** Consider First reading of an Ordinance (G-1-24) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Changes; Chapter 38 Solid Waste Residential Rates; and providing an effective date . Presenter is Jody Weaver

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## **INFORMATION:**

**CITY OF PORT LAVACA**

**MEETING:** JANUARY 8, 2024 **AGENDA ITEM** \_\_\_\_\_

**DATE:** 1.03.24

**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**FROM:** JODY WEAVER, INTERIM CITY MANAGER

**SUBJECT:** Amendment to Fee Schedule

As per the 4<sup>th</sup> Amendment to our contract with Republic Services, the rates will be increased effective February 1, 2024 by 4%. Residential Trash pickup will be increased from \$19.53/month to \$20.31/month. We are proposing to amend the Fee Ordinance to reflect this additional 4%.

In looking into this, I realized that we have been charging customers who need/want one or more additional carts, the same fee per cart as the required cart for service. Republic charges the City a lesser amount for additional carts.

The attached spreadsheet shows that if we increase both single carts and multiple carts to the \$20.31 and keep the City-wide cleanup fee at \$0.35, we generate about \$81,935 a month.

If we reduce the multiple cart fee to \$16.11 (what Republic charges us) then the reduction in revenue is \$1,268 a month. If we divide this among our customers it equals \$0.35. So, if we increased the City-wide Cleanup fee to \$0.70 across the board, we would generate the same revenue as if we charge the multiple cart customers the same for all carts.

We are asking Council to consider 2 options to amend the garbage rate: Both options will generate equivalent revenue. The difference is that in Option A, the additional revenue is collected from multiple cart customers, whereas in Option B, it is spread equally across all customers.

**Option A:**

Section Number	Subject	Current Fee	New Fee Amt	Increase Amt for Garbage Rate for 1 cart
<a href="#">38-29</a>	Residential Rate Garbage/brush/bulk collection	\$19.53	\$20.31	
	Rate per Additional cart	\$19.53	\$20.31	
<a href="#">38-30</a>	City-wide cleanups	\$0.35	\$0.35	
	TOTAL Residential Fee	\$19.88	\$20.66	\$0.78

CITY OF PORT LAVACA

Option B:

Section Number	Subject	Current Fee	New Fee Amt	Increase Amt for Garbage Rate for 1 cart
<a href="#">38-29</a>	Residential Rate Garbage/brush/bulk collection	\$19.53	\$20.31	
	Rate per Additional cart	\$19.53	\$16.11	
<a href="#">38-30</a>	City-wide cleanups	\$0.35	\$0.70	
	TOTAL Residential Fee	\$19.88	\$21.01	\$1.13

Note: Regardless of the number of carts, each customer is allowed the 12 cy of brush/bulk per month, same as a single cart.

On an additional note, I have looked through the City's records and I do not find that the City has historically charged any additional percentage or fee above what Republic charges to account as an administration fee. It looks like the additional City-wide cleanup fee has fluctuated over the years and is the only additional fee charged above what Republic charges the City.

Recommendation:

We are asking Council to consider that Option B is more equitable among all customers, and may help encourage customers that really need a second cart to do get one. It should also be noted that the Cleanup Fee has been over \$1.00 in the past. Seventy cents per customer per month will generate a little over \$30,000 to go toward costs associated with the annual spring cleanup as well as Code Enforcement efforts involved in brush/bulk and other clean-up complaints and issues.

Council's motion should approve the amendments to the City's Fee Ordinance for Solid Waste Sections 38-29 and 38-30 as shown in Option A or B.

**OPTIONS TO AMEND GARBAGE RATES WITH REPUBLIC 4% INCREASE**

Current Garbage Fee for 1 cart = \$ 19.88 Current Garbage Fee for 2 carts 39.41  
 No. of customers with more than 1 cart = 245

**Option A: Projected Monthly Revenue with add'l carts charged the same as the 1st cart**

Total Garbage Fee for 1 cart =	\$ 20.66	Total Garbage Fee for 2 carts =	\$ 40.97
increase	\$ 0.78	increase	\$ 1.56

Totes	# customers	Base Cart		Additional Cart		Cleanup Rate	
		Rate	Total \$	Rate	Total \$		
6	2	\$ 20.31	\$ 40.62	\$ 20.31	\$ 203.10	\$ 0.35	\$ 0.70
5	2	\$ 20.31	\$ 40.62	\$ 20.31	\$ 162.48	\$ 0.35	\$ 0.70
4	17	\$ 20.31	\$ 345.27	\$ 20.31	\$ 1,035.81	\$ 0.35	\$ 5.95
3	9	\$ 20.31	\$ 182.79	\$ 20.31	\$ 365.58	\$ 0.35	\$ 3.15
2	215	\$ 20.31	\$ 4,366.65	\$ 20.31	\$ 4,366.65	\$ 0.35	\$ 75.25
1	3424	\$ 20.31	\$ 69,541.44	\$ 20.31	\$ -	\$ 0.35	\$ 1,198.40

3669 \$ 74,517.39 \$ 6,133.62 \$ 1,284.15 \$ 81,935.16  
 difference between Option A and B \$ 1,268.40  
 divide by # customers \$ 0.35  
 So to generate this \$1,268 we can add \$0.35 to City cleanup fee

**Option B: Projected Monthly Revenue with add'l cart fee = to Republic charge + incr City-wide cleanup fee**

Total Garbage Fee for 1 cart =	\$ 21.01	Total Garbage Fee for 2 carts =	\$ 37.12
increase:	\$ 1.13	decrease:	\$ (3.85)

Totes	# customers	Base Cart		Additional Cart		Cleanup Rate*	
		Rate	Total \$	Rate	Total \$		
6	2	\$ 20.31	\$ 40.62	\$ 16.11	\$ 161.10	\$ 0.70	\$ 1.40
5	2	\$ 20.31	\$ 40.62	\$ 16.11	\$ 128.88	\$ 0.70	\$ 1.40
4	17	\$ 20.31	\$ 345.27	\$ 16.11	\$ 821.61	\$ 0.70	\$ 11.90
3	9	\$ 20.31	\$ 182.79	\$ 16.11	\$ 289.98	\$ 0.70	\$ 6.30
2	215	\$ 20.31	\$ 4,366.65	\$ 16.11	\$ 3,463.65	\$ 0.70	\$ 150.50
1	3424	\$ 20.31	\$ 69,541.44	\$ 16.11	\$ -	\$ 0.70	\$ 2,396.80
	3669		\$ 74,517.39		\$ 4,865.22		\$ 2,568.30 \$ 81,950.91

\*This city-wide cleanup rate has been over \$1.00 at times in the past. It generates funds to help Public Works with the Spring Cleanup as well as Code Enforcement to handle brush/bulk issues. At \$0.70 that generates \$30,800 over a year.



**ORDINANCE #G-1-24**

AN ORDINANCE AMENDING THE ORDINANCE CODIFIED AND DESCRIBED IN THE CITY OF PORT LAVACA CODE OF ORDINANCES AS PART II, APPENDIX A – FEES, RATES AND CHARGES; AND PROVIDING AN EFFECTIVE DATE

ARTICLE I. GENERAL

WHEREAS, the City Council on March 12, 2012 approved and adopted Ordinance Number G-1-12 which is codified and described in the City of Port Lavaca Code of Ordinances as Part II, Appendix A – Fees, Rates and Charges; and

WHEREAS, the City of Port Lavaca staff has evaluated current fees, rates and charges and find the need to make some amendments and changes.

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

ARTICLE II. FEES TO BE AMENDED

The fees, rates and charges to be amended are in the Chapters listed below and described in full in the attached Exhibit “A”. Text that remains unchanged will be in black-colored letters, text that is new will be identified by bold red-colored letters and all text to be deleted, if any, will be identified as blue-colored letters with strikethroughs, and both highlighted in yellow:

- Chapter 38: Solid Waste (Residential Rate)
  - Sec. 38-29 Garbage/Brush Bulk Collection
  - Sec. 38-29 Rate per Additional Cart
  - Sec. 38-29 City-wide Cleanups

ARTICLE III.- EFFECTIVE DATE

This ordinance shall become effective upon adoption by City Council.

FIRST READING this 8<sup>th</sup> day of January, 2024.

\_\_\_\_\_  
Jack Whitlow, Mayor

SECOND AND FINAL READING this 12<sup>th</sup> day of February, 2024.

\_\_\_\_\_  
Jack Whitlow, Mayor

APPROVED AND ADOPTED this 12th day of February, 2024.

\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:

\_\_\_\_\_  
Mandy Grant, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Anne Marie Odefey, City Attorney

RECORD OF VOTE

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

Record of approval by City Council: City Council Minute Records, Volume 3-I, Page \_\_\_\_\_.

**EXHIBIT A**

**CHAPTER 38—SOLID WASTE**

**OPTION A:**

Section Number	Subject	Fee Amount
<a href="#">38-29</a>	Residential Rate	
	Garbage/brush/bulk collection	<del>\$19.53</del> <b>\$20.31</b>
	<b>Rate per Additional Cart</b>	<b>\$20.31</b>
	City-wide cleanups	\$0.35
<a href="#">38-30</a>	Commercial Rate	Per Contract
	Prices are per contract through the solid waste provider	

**OPTION B:**

Section Number	Subject	Fee Amount
<a href="#">38-29</a>	Residential Rate	
	Garbage/brush/bulk collection	<del>\$19.53</del> <b>\$20.31</b>
	<b>Rate per Additional Cart</b>	<b>\$16.11</b>
	City-wide cleanups	<del>\$0.35</del> <b>\$0.70</b>
<a href="#">38-30</a>	Commercial Rate	Per Contract
	Prices are per contract through the solid waste provider	

(Ord. No. G-5-93, §§ 12, 13, 9-30-1993; F-1-10 (New Solid Waste Ordinance); Ord. No. G-1-12, art. II, 3-12-2012; Ord. No. G-3-13, art. II, 9-9-2013; [Ord. No. G-10-16](#), art. II, 9-12-2016; Ord. No. [G-2-20](#), art. II, 4-13-2020; Ord. No. [G-3-21](#), art. II, 5-10-2021; Ord. No. [G-4-22](#), art. II, 5-9-2022)

END OF EXHIBIT A

## **COMMUNICATION**

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

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## **INFORMATION:**



# COMMUNICATION

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

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## INFORMATION:

