



CITY COUNCIL REGULAR MEETING

Monday, March 09, 2026 at 6:30 PM

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

PUBLIC NOTICE OF MEETING

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

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

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

AGENDA

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

MEETING PROCEDURE

Public notice is hereby given that the City Council of the City of Port Lavaca, Texas, will hold a regular meeting Monday, March 09, 2026 beginning at 6:30 p.m., at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas to consider the following items of business.

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

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

Join Zoom Meeting:

<https://us02web.zoom.us/j/83301352843?pwd=7uiqYGleM77I8zls2nS9tZSNpwK61b.1>

Meeting ID: 833 0135 2843

Passcode: 754010

One Tap Mobile+13462487799,,83301352843#,,, *754010# 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 February 09, 2026 Regular Meeting
- B. Minutes of February 23, 2026 Special Meeting and Workshop Session
- C. Review of Credit Card Statement
- D. Receive Monthly Financial Highlight Report
- E. Receive Employee Training Review Acknowledgment report ending 02.28.2026
- F. Receive Office of Court Administrators (OCA) Monthly report ending 02.28.2026
- G. Receive Victoria Economic Development Corporation (VEDC) Monthly Report

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

1. Consider Resolution No. R-030926-1 of the City of Port Lavaca authorizing publication of a Notice of Intention to Issue Combination Tax and Surplus Revenue Certificates of Obligation for the Lynn's Bayou Wastewater Treatment Plant Expansion project, which project is identified as Texas Water Development Board Project No. 73963. Presenter is Jody Weaver
2. Consider request from the Texas Gulf Coast Press Association and the South Texas Press Association for use of the Nautical Landings Meeting Room and Deck on April 16, 2026, and Lighthouse Beach Pavilion on April 17, 2026, in conjunction with their joint convention, including consideration of a waiver of facility rental fees with the exception of required alcohol-related permit fees. Presenter is Tania French
3. Consider request from Snappy Company to allow a vehicle inside the Bauer Community Center for event use, and provide direction regarding facility guidelines, safety requirements, and insurance provisions. Presenter is Tania French
4. Consider request from Cowboy Fellowship of Port Lavaca for use of the pavilion at Bayfront Peninsula Park for the annual Easter Sunrise Service on Sunday, April 05, 2026, and consideration of a waiver of all associated pavilion rental fees. Presenter is Tania French
5. Consider request from American Legion Post 167 for use of the Veteran's Memorial and large pavilion at Bayfront Peninsula Park on Monday, May 25, 2026, for the Memorial Day and Flag Retirement Ceremony, including waiver of all associated fees. Presenter is Tania French

6. Consider request to approve overnight use of Bayfront Peninsula Park on Friday, June 19, 2026 and Saturday, June 20, 2026 in conjunction with Juneteenth celebration activities. Presenter is Tania French
7. Consider request to approve the Juneteenth procession route, on Saturday, June 20, 2026 beginning at 10:00 a.m., starting at City Hall, traveling Virginia Street to Main Street, and proceeding to the Bayfront; authorize traffic control assistance; and approve waiver of applicable city fees associated with the event. Presenter is Tania French
8. Consider a request to temporarily close Colorado Street between Main Street and Live Oak Street from 8:00 p.m. to 2:00 a.m. on Friday, June 19, 2026 for a Juneteenth After-hours Community Event hosted by Kenny Banks. Presenter is Tania French
9. Consider a request from United Way for use of Bayfront Peninsula Park, including both pavilions, for the Family Fun Day event scheduled for Saturday, September 19, 2026, and consideration of a waiver of all associated park rental fees. Presenter is Tania French
10. Consider proposal from LSPS Solutions for Mapping Wastewater Collection System Infrastructure. Presenter is Wayne Shaffer
11. Consider the electrical power issues at the Lynn Haven Lift station. Presenter is Wayne Shaffer
12. Consider award of Administration Services Agreement for Community Development Block Grant – Disaster Relief (CDBG-DR) Local Community Program Grant Application. Presenter is Jody Weaver
13. 13. Consider approval of a list of qualified engineers in the category of Drainage or Streets and Drainage, for Community Development Block Grant – Disaster Relief (CDBG-DR) Local Community Program Grant Application, in response to the RFQ #02-11-2026-E, as recommended by the scoring committee. Presenter is Jody Weaver
14. Consider Resolution No. R-030926-2 of the City of Port Lavaca declaring April 2026 as Fair Housing Month. Presenter is Jody Weaver
15. Consider Resolution No. R-030926-3 of the City of Port Lavaca suspending the April 18, 2026 effective date of the proposal by CenterPoint Energy Resources Corp., D/B/A CenterPoint Energy Entex and CenterPoint Energy Texas Gas – South Texas Division to Implement Interim Grip Rate Adjustments for Gas Utility Investment in 2025 and requiring delivery of this resolution to the Company and Legal Counsel. Presenter is Anne Marie Odefey
16. Consider Resolution No. R-030926-4 of the City of Port Lavaca Texas, for Advance Funding Agreement (AFA) for a Highway Safety Improvement Program Off-System from the Texas Department of Transportation with the City of Port Lavaca. Presenter is Jody Weaver
17. Consider Resolution No. R-030926-5E of the City of Port Lavaca to appoint Election Judges for the City of Port Lavaca General Officers Election held on the uniform date of May 02, 2026. Presenter is Mandy Grant
18. Consider Lease Agreement with Calhoun County for use of Electronic Voting Equipment for the City of Port Lavaca General Officers Election held on the uniform date of May 02, 2026. Presenter is Mandy Grant

19. Consider Second and Final Reading of an Ordinance (S-1-26) of the City of Port Lavaca approving a Project and Financing Plan for Tax Increment Reinvestment Zone (TIRZ) Number One, City of Port Lavaca, Texas; making various findings related to such plan; providing for severability; and providing an effective date. Presenter is Jody Weaver
20. Consider First Reading of an Ordinance (S-2-26) of the City of Port Lavaca for amendment(s) to the Base Ordinance S-4-25 for 2025-2026 fiscal year budget; providing for Budget Amendment(s); providing for severability, providing a repealing clause; and providing an effective date. Presenter is Reyann Grimaldo
21. Consider First reading of an Ordinance (G-2-26) of the City of Port Lavaca amending the basic Traffic Control Devices Ordinance G-6-86, Section 3, by adding traffic control signs in Original Townsite Subdivision, District One (1); providing for severability; providing a repealing clause; and providing an effective date. Presenter is Colin Rangnow
22. Consider First Reading of an Ordinance (G-3-26) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca’s Code of Ordinances as Part II, Chapter 8 Amusement and Entertainments, Section 8-22 Location and number of machines allowed within city limits; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith
23. Consider First Reading of an Ordinance (G-4-26) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca’s Code of Ordinances as Part II, Chapter 12 Buildings and Building Regulations by adding new Article VII, Congregate Living Facility; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith
24. Consider First Reading of an Ordinance (G-5-26) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Charges; Chapter 12 Buildings and Building Regulations, Article VII, Congregate Living Facility; and providing an effective date. Presenter is Derrick Smith
25. Consider request of The Harbor Children’s Alliance and Victim Center for closure of streets adjacent to 215 W. Railroad Street for the annual hosting of “Celebrate the Child Picnic” on Saturday, March 28, 2026 from 9:00 a.m. to 2:00 p.m. The streets to be closed are N. Benavides from the rear of the library driveway to W. Railroad and W. Railroad from N. Benavides to N. Ann St. Presenter is Colin Rangnow
26. Consider recommendation of Planning Board for a variance to the front building setback line to allow for a carport, Property ID 18459. The legal description is Block 3 of the Lana Park Mobile Home Addition (800 Elm Street). Presenter is Derrick Smith
27. Consider recommendation of Planning Board for an ice and water vending machine to be located on the corner of Benavides St. and Austin St., Property ID 17399. The legal description is Lot 5 & 6 of Block 44 of the Original Townsite (405 S. Benavides Street). Presenter is Derrick Smith
28. 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).

- To discuss Personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (to discuss the appointment, employment, evaluation, duties and responsibilities, reassignment, discipline, or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee: [Interim City Manager and Chief of Police]).

29. 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, March 09, 2026**, beginning at 6:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Tuesday, March 03, 2026**.

Mandy Grant, *City Secretary*

ADA NOTICE

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

COMMUNICATION

SUBJECT: Minutes of February 09, 2026 Regular Meeting

INFORMATION:



CITY COUNCIL REGULAR MEETING

Monday, February 09, 2026 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 9th day of February 2026, 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 |
| Vacant Seat | Council Member, District 3 |
| Rosie G. Padron | Councilwoman, District 4, Mayor Pro Tem |
| Rose Bland-Stewart | Councilwoman, District 5 |
| Justin Burke | Councilman, District 6 |

And with the following absent:

None

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

II. CALL TO ORDER

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

III. INVOCATION

- Councilwoman District 5 Bland-Stewart gave the invocation.

IV. PLEDGE OF ALLEGIANCE

- Mayor Whitlow – Pledge of Allegiance.

V. PRESENTATION(S) BY THE MAYOR

- Proclamation for:
 - Rotary Peacebuilding and Conflict Prevention Month

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

- Mayor asked for comments from the public and the following citizens spoke:
 - Russell Cain commented on drain and soil problems at 119 W. Harbor Drive
 - Felicia Harral, 119 W. Harbor Drive, drain and soil problems

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

- A. Minutes of January 12, 2026 Regular Meeting**
- B. Minutes of January 26, 2026 Special Meeting**
- C. Review of Credit Card Statement**
- D. Receive Monthly Financial Highlight Report**
- E. Receive Employee Training Review Acknowledgment report ending 01.31.2026**
- F. Receive Office of Court Administrators (OCA) Monthly report ending 01.31.2026**
- G. Receive Victoria Economic Development Corporation (VEDC) Monthly Report**
- H. Receive Quarterly Investment Report for 10.01.2025 to 12.31.2025**
- I. Ratify Lease at City Harbor Tracts 7, 8, 11 with Federation at Southern Co-op**
- J. Ratify Southern Gulf Systems Purchase Order for work at Harbor Drive West**
- K. Consider Change Order No. 1 for City Hall Security Upgrade**

Councilman Dent requested consent agenda item “I” Ratify Lease at City Harbor Tracts 7, 8, 11 with Federation at Southern Co-op, be pulled for discussion.

Councilman Burke requested consent agenda item “K” Consider Change Order No. 1 for City Hall Security Upgrade, be pulled for discussion.

Motion made by Councilman District 2 Dent

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

THAT, in accordance with recommendation of staff, Council hereby approves all consent agenda items, with the exception of “I” Ratify Lease at City Harbor Tracts 7, 8, 11 with Federation at Southern Co-op and “K” Consider Change Order No. 1 for City Hall Security Upgrade, as listed.

Seconded by Councilman District 6 Burke

Voting Yea:

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

Motion made by Councilman District 2 Dent

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

THAT, in accordance with recommendation of staff, Council hereby approves consent agenda item "I" Ratify Lease at City Harbor Tracts 7, 8, 11 with Federation at Southern Co-op and "K" Consider Change Order No. 1 for City Hall Security Upgrade, as listed.

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

Voting Nay:

Councilman District 6 Burke

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

- 1. Receive annual report from the Police Department for Racial Profiling. Presenter is Colin Rangnow

Police Chief Rangnow presented Council with the annual report from the Police Department for Racial Profiling.

No action necessary and none taken.

- 2. Consider approval of Matagorda Bay Mitigation Trust (MBMT) Contract No. 105 for the City of Port Lavaca Mid-Coast Birding Festival and Education Outreach Boat Tours as part of the 2nd Annual City of Port Lavaca Midcoast Texas Bird Festival. Presenter is Jody Weaver

Interim City Manager Weaver advised Council that on January 06, 2026, the City received notice from Matagorda Bay Mitigation Trust (MBMT) that our submitted proposal entitled "The RN Archimedes Research Vessel Floating Classroom Tours of Chester Island during the 2nd Annual City of Port Lavaca Mid-Coast Birding Festival" was approved.

The contract providing for \$16,250.00 of Grant funds for the project, is summarized as follows:

Task 1: Educational Boat Tours – Mid-Coast Birding Festival (Port Lavaca).

As part of the Annual City of Port Lavaca Mid-Coast Birding Festival, educational boat tours will showcase the waterways and birdlife of Calhoun County.

- Friday, April 10: Six educational boat tours will be offered, with three distinct tour routes. Each tour will run once in the morning and once in the evening.

- Saturday, April 11: The same three tours will be offered in the morning. The photography tour will travel through Hog Bayou or the Guadalupe River via Highway 35.
- Sunday, April 12: The three tours from Friday morning will be repeated.

Task 2: R/V Archimedes Floating Classroom Tours of Chester Island.

During the 151st Annual City of Port Lavaca Mid-Coast Birding Festival (April 09 to 12, 2026), the R/V Archimedes Research Vessel will provide floating classroom tours to Chester Island, a nationally significant bird rookery near Port O'Connor.

Several hundred birding enthusiasts are expected to attend the festival. Chester Island, formerly Sundown Island, played a critical role in the restoration of the Brown Pelican, which faced near extinction in the 1960s. Created from dredge material in 1962, the island is now home to over 22,000 birds representing 22 species, including more than 2,000 Brown Pelicans, approximately 120 participants, including festival attendees, local students, and community leaders.

This is the same contract language that has been used for our previous contracts with MBMT. The Contract period is from February 01, 2026 until July 31, 2026.

Financial Implication:

The total project cost is \$20,050.00, with \$3,800.00 allocated for registration fees. The grant reimbursement is \$16,250.00.

Staff recommends approving Contract #105 with Matagorda Bay Mitigation Trust Fund.

Motion made by Councilman District 6 Burke

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

THAT, in accordance with recommendation of staff, Council hereby approves Matagorda Bay Mitigation Trust (MBMT) Contract No. 105 for the City of Port Lavaca Mid-Coast Birding Festival and Education Outreach Boat Tours as part of the 2nd Annual City of Port Lavaca Midcoast Texas Bird Festival, in the amount of \$16,250.00.

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

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

3. **Consider approval of Matagorda Bay Mitigation Trust (MBMT) Contract No. 107 for the Clement Cove Wetlands Public Access Shared Use Path. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that on January 06, 2026, the City received notice from Matagorda Bay Mitigation Trust (MBMT) that our submitted proposal entitled “Clement Cove Wetlands Public Access Shared Use Path” was approved.

The contract providing for \$549,800.00 of Grant funds for the project, is summarized as follows:

This project will construct an ADA-compliant 10-ft-wide solar-lighted pedestrian/bike trail along and within natural wetlands on “Clement Cove” property owned by the City of Port Lavaca, connecting the existing trail system at Bayfront Park to the Municipal (City) Harbor. The project includes approximately 1,100 linear feet of poured-in-place concrete walk, 635 linear feet of elevated timber boardwalk with SureStep™ environmentally friendly polypropylene decking, which allows light penetration, educational signage, and a shaded bench.

This is the same contract language that has been used for our three previous contracts with MBMT. The ending date is contractually set at December 31, 2027, which should provide adequate time to acquire the COE permit and construct.

Financial Implication:

The total project budget is \$768,450.00. The grant will reimburse up to \$549,800.00, so our match is \$218,650.00.

Staff recommends approving Contract #107 with Matagorda Bay Mitigation Trust Fund.

Motion made by Councilman District 2 Dent

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

THAT, in accordance with recommendation of staff, Council hereby approves Matagorda Bay Mitigation Trust (MBMT) Contract No. 107 for the Clement Cove Wetlands Public Access Shared Use Path, in the amount of \$549,800.00.

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

Seconded by Councilman District 6 Burke

Voting Yea:

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

- 4. Consider approval of Urban Engineering Task Order No. 38-R for \$61,650.00 for professional surveying and engineering services for the Clement Cove Boardwalk and Walking Trail. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that as was discussed in the previous agenda item, the City has been awarded a grant from the Matagorda Bay Mitigation Trust (MBMT) to construct the project "Clement Cove Wetlands Public Access Shared Use Path."

There is a Task Order from Urban Engineering for the Surveying, permitting, design, bid documents and construction administration for this project in the amount of \$61,650.00.

Per the contract, this entire fee amount for engineering is eligible for reimbursement, so our required match will not be needed until the latter part of the construction project, which will likely be during Fiscal Year 2026-2027.

Financial Implication:

The entire engineering fee is reimbursable from the MBMT grant.

Recommendation:

Staff recommends approving Urban Engineering Task Order No. 38R.

Motion made by Councilman District 6 Burke

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

THAT, in accordance with recommendation of staff, Council hereby approves Urban Engineering Task Order No. 38-R for professional surveying and engineering services for the Clement Cove Boardwalk and Walking Trail, in the amount \$61,650.00.

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

Seconded by Councilwoman District 5 Bland-Stewart

Voting Yea:

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

5. **Consider approval of a 60 ft wide access easement across Corporation Ditch to Equalizer, Inc. to provide access between two portions of Property ID #37357. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that Equalizer is in the planning stages of shifting their operations from Victoria to Port Lavaca and are working to construct new facilities to store and handle liquid and bulk fertilizer on property they own on FM 1090 across from the Harbor of Refuge. Council approved the Conceptual Plan for this development in November 2025.

Equalizer owns land on both sides of Corporation Ditch and is requesting an access easement across the ditch in order to build a crossing structure to facilitate their proposed operations and limit the truck traffic on FM 1090.

The key issue that must be resolved in an Access Easement Agreement is the protection of the existing and future drainage capacity of Corporation Ditch. Any crossing must be designed so as not to impair the ditch’s hydraulic performance. Mott McDonald is currently engaged in designing improvements to Corporation Ditch as part of the GLO CDBG-MIT Round 2 project, but the design capacity of the ditch in that location will not be available until their study is complete.

The proposed resolution portion of the easement states that the easement provides a valid public benefit as follows:

- a) increased safety to the traveling public by minimizing truck traffic entering and exiting FM 1090 on either side of Corporation Ditch;
- b) less wear and tear and required maintenance on FM 1090 due to increased truck traffic in a short section of the highway.

Staff recommends approving the Access Easement for Equalizer as presented.

Motion made by Councilman District 1 Aguirre

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

THAT, in accordance with recommendation of the Port Commission and staff, Council hereby approves a 60 ft wide access easement across Corporation Ditch to Equalizer, Inc. to provide access between two portions of Property ID #37357.

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

Seconded by Councilman District 6 Burke

Voting Yea:

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

6. **Consider approval of a Pipeline Easement Agreement with Equalizer, Inc. for a pipeline across Harbor of Refuge Tract 3. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that Equalizer is in the planning stages of shifting their operations from Victoria to Port Lavaca and are working to construct new facilities to store and handle liquid and bulk fertilizer on property they own on FM 1090 across from the Harbor of Refuge. Council approved the Conceptual Plan for this development in November 2025.

There is shown a Pipeline easement across the northeast boundary line of the Harbor of Refuge Tract 3. Equalizer is proposing to construct a pipeline (6”-8” diameter) to transport liquid fertilizer UAN 32 to/from barges docked on the public dock of the Harbor of Refuge to storage tanks that will be built as part of the Equalizer Facility. This is the same product that Helena and Simplot receive into their terminals.

Financial Implication:

There is no rent or fee associated with the portion of the easement that is within the boundary of the Harbor of Refuge Tract 3 as long as Equalizer has a valid lease agreement with the city for Tract 3.

The annual fee for the 10 ft wide x 100' long easement across the public dock is calculated at \$600.00, which will be paid in monthly installments of \$50.00 concurrent with the lease payment for Tract 3.

Recommendation:

- The Port Commission has discussed this in conjunction with the long-term lease of Harbor of Refuge Tract 3 to Equalizer, Inc. and recommends approval of the easement as presented.
- Approve the Pipeline Easement Agreement with Equalizer as presented, contingent upon final approval by City Attorney Odefey*.

*Equalizer's legal team has not fully completed their review of the easement language and may possibly request minor changes. As long as City Attorney Odefey approves any such request for change, we'd like to move forward with the easement without having to bring it back to Council.

Motion made by Councilman District 1 Aguirre

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

THAT, in accordance with recommendation of the Port Commission and staff, Council hereby approves the Pipeline Easement Agreement with Equalizer as presented, contingent upon final approval by the City Attorney.

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

Seconded by Councilman District 6 Burke

Voting Yea:

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

7. **Consider approval of a 5-year Lease Agreement, with 3 each 5-year extensions available, for Harbor of Refuge Tract 3 with Equalizer, Inc. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that Equalizer is in the planning stages of shifting their operations from Victoria to Port Lavaca and are working to construct new facilities to store and handle liquid and bulk fertilizer on property they own on FM 1090 across from the Harbor of Refuge. Council approved the Conceptual Plan for this development in November 2025.

Part of their planning involves leasing the Harbor of Refuge Tract No. 3 (4.3 acres) from the City of Port Lavaca. This lease became available for rent in December at the termination of Encore's lease on November 30.

The lease language is based upon the City’s Standard lease form and has been negotiated with and accepted by the Port Commission and reviewed and approved for format by City Attorney Odefey.

Financial Implication:

Monthly Rent: \$4,200.00; MCI adjustment each October 1st; 5-year term with 3 options for an additional 5 years each. So, the potential term of this lease is 20 years.

The \$4,200 was agreed upon based upon a land valuation of \$2.37/sf and \$60,000 for the building and a 10-year rate of return for the annual rent. The Port Commission recommends approval of the Harbor of Refuge Tract 3 lease with Equalizer, Inc., as presented.

Motion made by Councilman District 6 Burke

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

THAT, in accordance with recommendation the Port Commission, Council hereby approves a 5-year Lease Agreement, with 3 each 5-year extensions available, for Harbor of Refuge Tract 3 with Equalizer, Inc., as presented.

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

8. **Consider approval of the 2026 Agreement with the YMCA for operation of the City Pool. Presenter is Wayne Shaffer**

Public Works Director Shaffer and Calhoun County YMCA Executive Director Michelle Morales advised Council that the proposed 2026 Pool Management agreement is the same as the 2025 agreement. For reference, the attendance at the pool for 2024 and 2025 are shown in this table. Unfortunately, during 2025 we were plagued with a few electrical power surges that destroyed pumps and there were a few periods when the pool was down after having to replace pumps and regain proper water quality standards.

<u>Pool Attendance:</u>	<u>In 2024</u>	<u>In 2025</u>
May	622	697
June	2,198	631
July	1,986	528
August	635	398

Financial Implication:

There is \$50,000.00 budgeted in Swimming Pool Operations for Fiscal Year 2025-2026 to pay for the City’s obligations under this contract.

For reference, actual dollars spent in previous budgets:

<u>Budget Fiscal Year</u>	<u>Actual Dollars Spent</u>
2024-2025	\$36,546.00
2023-2024	\$41,000.00

Staff recommends approval of the 2026 Pool Management Agreement with the YMCA.

Motion made by Councilwoman District 5 Bland-Stewart

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 Agreement between the City of Port Lavaca and the Calhoun County YMCA for Operation of the Municipal Swimming Pool from April 01, 2026 to September 22, 2026.

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

9. Consider amendments to the City’s HR and Workplace Policies, Chapter 7 Work Environment and Workplace Safety. Presenter is Revann Grimaldo

Interim Finance Director Grimaldo presented Council with amendments to the City’s HR and Workplace Policies, Chapter 7 Work Environment and Workplace Safety.

Motion made by Councilman District 2 Dent

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

THAT, in accordance with recommendation of staff, Council hereby approves amendments to the City’s HR and Workplace Policies, Chapter 7 Work Environment and Workplace Safety.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

- 10. **Consider Second and Final Reading of an Ordinance (G-1-26) of the City of Port Lavaca; amending Code of Ordinances, Appendix A, Fees, Rates and Charges; Chapter 38, Solid Waste, Article II, Collection and Disposal, Sec 38-29 Residential Rate, Garbage/brush/bulk collection; providing for purpose of ordinance; providing for severability; providing a repealing clause; and providing an effective date. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that as per the 4th Amendment to our contract with Republic Services, the rates, beginning February 2024, increase each year in February by 4%. Per the letter from Republic, Residential Trash pickup will be increased from \$21.12/month to \$21.96/month. The rate for additional carts will be increased from \$16.75/month to \$17.42 per month.

Unless Council does decide to accept a minimum 3-year extension to Republic Contract (see previous agenda item #2), this 4% increase will become effective on February 01, 2026. We have therefore brought to you a first reading of an ordinance amending the solid waste rates to reflect this additional 4%. If Council approves a contract extension on January 26, 2026, then we do not have to bring this rate change back for a second reading.

Motion made by Councilman District 2 Dent

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

THAT, in accordance with the recommendation of staff, Council hereby approves the Second and Final reading of an Ordinance (G-1-26) of the City of Port Lavaca; amending Code of Ordinances, Appendix A, Fees, Rates and Charges; Chapter 38, Solid Waste, Article II, Collection and Disposal, Sec 38-29 Residential Rate, Garbage/brush/bulk collection.

Seconded by Councilman District 6 Burke

Voting Yea:

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

- 11. **Consider First Reading of an ordinance (S-1-26) of the City of Port Lavaca approving a project and financing plan for tax increment reinvestment zone number one, City of Port Lavaca, Texas; making various findings related to such plan; providing for severability; and providing an effective date. Presenter is Jody Weaver**

Motion made by Councilman District 6 Burke

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

THAT, in accordance with the recommendation of staff, Council hereby approves First reading of an Ordinance (S-1-26) of the City of Port Lavaca; approving a project and financing plan for tax increment reinvestment zone number one, City of Port Lavaca, Texas; making various findings related to such plan; providing for severability; and providing an effective date.

Seconded by Councilman District 2 Dent

Voting Yea:

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

Mayor Whitlow announced that Council would go into Recess at 8:03 p.m.

Mayor Whitlow announced Council was back in Session at 8:12 p.m.

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

- **For consultation with City Attorney on matters in which the duty of the Attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act (Title 5, Chapter 551, Section 551.071(2) of the Texas Government Code). Presenter is Mayor Whitlow**
- **For consultation with City Attorney concerning contemplated or pending litigation in accordance with Title 5, CH 551, Section 551.071(1) of the Texas Government Code:**
- **To discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (to discuss appointment, employment, evaluation, responsibilities and duties, reassignment, discipline or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee [Interim City Manager]). Presenter is Mayor Whitlow**

Mayor Whitlow announced that Council would retire into closed session at 8:13 p.m.

13. **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 10:36 p.m.

Motion #1: {GC 551.071(1) Pending Litigation}:

Motion made by Councilwoman District 5 Bland-Stewart

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

THAT, Council hereby authorizes the City Manager to contract for Pipe Repairs at 110 Harbor Drive West in an amount up to \$10,000.00.

Seconded by Councilman District 2 Dent

Voting Yea:

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

IX. ADJOURNMENT

Mayor asked for motion to adjourn.

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

Seconded by Councilwoman District 5 Bland-Stewart

Voting Yea:

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

Meeting adjourned at 10:39 p.m.

ATTEST:

Jack Whitlow, Mayor

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Minutes of February 23, 2026 Special Meeting and Workshop Session

INFORMATION:



CITY COUNCIL SPECIAL/WORKSHOP MEETING

Monday, February 23, 2026 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 23rd day of February, 2026, the City Council of the City of Port Lavaca, Texas, convened in a special meeting 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 |
| Vacant Seat | Councilmember, District 3 |
| Rosie G. Padron | Councilwoman, District 4, Mayor Pro Tem |
| Rose Bland-Stewart | Councilman, District 5 |
| Justin Burke | Councilman, District 6 |

And with the following absent:

None

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 5:31 p.m. and presided.
- Mayor Whitlow read aloud a proclamation for the “Rotary International Day”

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. **Consider recommendation of the Port Commission to award a construction contract for the Matagorda Bay Mitigation Trust (MBMT) Downtown Public Access improvements project, Phase 2. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that as part of a grant awarded by the Matagorda Bay Mitigation Trust, the City of Port Lavaca is undertaking the Downtown Waterfront Public Access Improvements – Parking Lot & Sidewalk Improvements, Phase 2 project.

The project will include improvements to the parking lot and a new 10-ft wide shared use path and adjacent sidewalk to enhance public access to the downtown waterfront area.

On February 12, 2026, at 2:00 p.m., the City publicly opened bids for the project and received two (2) bids from responsive bidders:

- Lester Contracting, Inc. \$238,848.75 90 days to substantial completion
- Sylva Construction, LLC \$285,464.25 130 days to substantial completion

The project engineers, Urban Engineering, reviewed the bid tabulation and submitted a letter of recommendation identifying Lester Contracting, Inc. as the lowest responsive and responsible bidder.

The Port Commission reviewed the bids and recommendation at their regular meeting on February 17, 2026 and voted to recommend to City Council a contract award to Lester Contracting, Inc. in the contract amount of \$238,848.75, with 90 calendar days to substantial completion and staff concurs.

Financial:

This recommended project award is within budget, allowing remaining budgeted funds to be used to add plants and possibly other improvements to the green infrastructure drainage components.

Motion made by Councilman District 6 Burke

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

THAT, in accordance with the recommendation of the Port Commission and staff, Council hereby approve the award of a construction contract for the Downtown Waterfront Public Access Improvements – Parking Lot & Sidewalk Improvements, Phase 2 project to Lester Contracting, Inc. in the Total Base Bid amount of \$238,848.75, with 90 calendar days to substantial completion, after receipt of Order to Proceed.

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

2. Consider approval of the Justification Letter to Texas Department of Transportation (TxDOT) regarding the transfer of ownership of Main Street from Virginia Street to Commerce Street from TxDOT to the City of Port Lavaca. Presenter is Jody Weaver

Interim City Manager Weaver advised Council that the following is the letter sent by Mayor Whitlow to TxDOT on behalf of the City of Port Lavaca:

The City of Port Lavaca respectfully submits this letter as a strategic justification for transferring the right-of-way of US 87 (Main Street), from FM 1090 (Virginia Street) to SH 238 (Commerce Street). Securing this transfer is an essential step in implementing the City's Downtown Waterfront Master Plan and realizing the full value proposition of a one-way, eastbound corridor that supports the City's long-term mobility, placemaking, and economic competitiveness objectives.

Although currently classified as a state facility, this segment of US 87 functions as a high-value local mobility asset rather than a regional throughput corridor. Regional travel demand is already efficiently absorbed by SH 35 and SH 238, positioning this three-block segment of Main Street as a downtown access spine that directly supports retail vitality, visitor activity, and civic engagement. Re-aligning ownership with actual functional use is therefore both operationally rational and strategically aligned with TxDOT's asset management principles.

Following a robust, multi-channel public engagement process - including a Community Visioning Committee, a public workshop, and a public hearing - the City Council formally adopted the Downtown Waterfront Master Plan in June 2023. The plan outlines a targeted mobility strategy: converting three blocks of US 87 and Railroad Street to coordinated one-way operations to optimize circulation, improve the user experience, and create a more predictable and intuitive transportation network for residents, businesses, and visitors.

Currently, this Main Street segment spans a 55-foot right-of-way with a 38-foot-wide roadway, two-way traffic, parallel parking, and 8-foot-6-inch sidewalks. The corridor hosts a mix of commercial businesses, restaurants, a church, a live theatre, a public pocket park, and several redevelopment-ready parcels. However, the existing geometry generates inefficiencies including higher vehicle speeds, constrained pedestrian zones, and limited sight visibility, that restrict the City's ability to activate the downtown district and fully leverage its economic potential.

Transitioning this corridor to a one-way configuration will reduce conflict points, enhance multimodal safety, and optimize traffic flow within the historic core. More importantly, it creates the structural flexibility needed to reinvest excess pavement width into value-enhancing placemaking features, including:

- Expanded sidewalks to increase pedestrian capacity and ADA compliance;
- Improved crosswalks and connections that strengthen the Main Street District's walkability and coherence;

- Strategic landscaping, lighting, and furnishing upgrades that drive foot traffic, extend dwell time, and amplify the district's market attractiveness.

These improvements directly support the City's broader economic development strategy. The 2016 Comprehensive Plan identifies the downtown as a high-potential asset with strong upside for reinvestment but also highlights right-of-way constraints as a key barrier to transformation.

Local control of this segment of US 87 will unlock new project delivery pathways, enabling Port Lavaca to more efficiently implement capital improvements, pursue place-based economic development, and catalyze private-sector reinvestment.

We value our strong partnership with the Texas Department of Transportation and respectfully request favorable consideration of this right-of-way transfer. The City remains prepared to collaborate as needed to advance a solution that supports regional mobility goals while strengthening the long-term vitality of the downtown district.

Motion made by Councilman District 2 Dent

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

THAT, Council hereby approves the Justification Letter to the Texas Department of Transportation (TxDOT) regarding the transfer of ownership of Main Street from Virginia Street to Commerce Street from TxDOT to the City of Port Lavaca.

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

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

- 3. Consider approval of Resolution No. R-022326-1 requesting the transfer of Main Street from Virginia Street to Commerce Street from Texas Department of Transportation (TxDOT) to the City of Port Lavaca. Presenter is Jody Weaver**

Motion made by Councilwoman District 5 Bland-Stewart

WHEREAS, the City of Port Lavaca wishes to undertake full jurisdiction, control, and maintenance of the property, for public road purposes, which property is situated within the Downtown of the City of Port Lavaca and more particularly described in Exhibit "A" attached hereto; and

WHEREAS, following a thorough process of public engagement, the City of Port Lavaca adopted a Downtown Waterfront Masterplan on July 10, 2023; and

WHEREAS, the right-of-way width of the public roadway described in Exhibit “A” is insufficient to provide adequate space for landscaping and other amenities necessary to enhance walkability within this downtown area; and

WHEREAS, the adopted City of Port Lavaca Downtown Waterfront Masterplan recommends modifying the traffic pattern of the subject property to a single lane of one-way traffic with parallel parking on one side only, thereby providing sufficient width for the improvements needed to enhance the walkability of this downtown area; and

WHEREAS, the City of Port Lavaca affirms its commitment to maintain and improve the subject property in perpetuity for public access purposes.

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

THAT, the City Council of the City of Port Lavaca, Texas hereby:

- 1) requests transfer of the property more particularly described in Exhibit “A” attached hereto from the State of Texas, by and through the Texas Transportation Commission, to the City of Port Lavaca, and
- 2) agrees to **undertake full jurisdiction, control, and maintenance of the property for public road purposes**, with the understanding that if the property ceases to be used for such public road purposes, it shall immediately and automatically revert to the State of Texas.

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

V. ADJOURN SPECIAL MEETING

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

Special Meeting adjourned at 5:50 p.m.

WORKSHOP SESSION

VI. CALL TO ORDER

- Mayor Whitlow called the workshop to order at 5:51 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 whether to issue a Notice of Intent (NOI) to issue bonds for the Wastewater Treatment Plant (WWTP) expansion at the March 09, 2026 regular council meeting. Presenter is Jody Weaver**

Council discussed this agenda item.

No action necessary and none taken.

2. **Discuss proposed amendments to Chapter 8 - Article II. - Amusements Machines of the Code of Ordinances. Presenter is Derrick Smith**

Council discussed this agenda item.

No action necessary and none taken.

3. **Discuss a proposed ordinance regulating shared living homes. 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 5 Bland-Stewart

Voting Yea:

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

Workshop adjourned at 7:17 p.m.

ATTEST:

Jack Whitlow, Mayor

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Review of Credit Card Statement

INFORMATION:

Account Number : 5569 6345 5558 7698
 Unique ID: XXXX XXXX XXXX 1588
 City Of Port Lavaca
 Statement Date : 02-09-2026



Corporate Account Summary	
Previous Balance	\$5,707.51
Purchases and Other Charges	\$13,601.32
Cash Advances	\$0.00
Cash Advance Fees	\$0.00
Late Payment Charges	\$0.00
Credits	\$602.52 CR
Payments	\$5,707.51 PY
New Balance	\$12,998.80
Disputed Amount	\$0.00

Payment Information	
Amount Due	\$12,998.80
Payment due in accordance with your agreement with U.S. Bank.	
QUESTIONS OR TO REPORT A LOST OR STOLEN CARD, CALL CUSTOMER SERVICE 1-800-344-5696	
To overnight or courier a payment, please send to: Corporate Payment Systems 3180 Rider Trail S, Department 790428 Earth City, MO 63045-1518	

Corporate Account Activity

City Of Port Lavaca Total Corporate Activity
 Account Number: 5569 6345 5558 7698 \$5,707.51 CR
 Unique ID: XXXX XXXX XXXX 1588

Post Date	Tran Date	Reference Number	Transaction Description	Amount
01-14	01-14	75569636014601400010216	PAYMENT-THANK YOU Q	5,707.51 PY

New Activity

Police Department	Purchases	\$2,887.14	Total Activity	\$2,284.62
Account Number: 5569 6372 5237 7909	Cash Advances	\$0.00		
Unique ID: XXXX XXXX XXXX 6484	Cash Advances Fees	\$0.00		
	Credits	\$602.52 CR		

Post Date	Tran Date	Reference Number	Transaction Description	Amount
01-12	01-09	55432866010202350563868	TOWNEPLACE STES CRP CH CORPUS CHRIST TX	417.69
			BQ JE ARRIVAL:01-09-26	
01-14	01-13	82117556014500004259950	TX POLICE* O #23312 ELGIN TX	370.00
01-15	01-13	55432866014203689335990	SPRINGHILL SUITES CONROE TX	288.94
			RM 581 ARRIVAL:01-11-26	
01-21	01-20	82117556021500004978006	BANNON & ASSOCIATES WHITNEY TX	393.75
01-22	01-21	51043236021067066804242	ADVANCEDPOL 8664464272 FL	325.00

(transactions continued on next page)

☞ Payment may be made electronically or by check made payable to Corporate Payment Systems.

CORPORATE PAYMENT SYSTEMS
 P.O. BOX 6343
 FARGO, ND 58125-6343

5569634555587698 001299880 001299880

Account Number: 5569 6345 5558 7698
 Unique ID: XXXX XXXX XXXX 1588
 Amount Due: \$12,998.80

Amount Enclosed \$

If paying by check, include coupon with payment to address below.

106481728386487 S 2

 CITY OF PORT LAVACA
 ATTN FINANCE DEPT.
 202 N. VIRGINIA ST
 PORT LAVACA TX 77979-3431

CORPORATE PAYMENT SYSTEMS
 P.O. BOX 790428
 ST. LOUIS, MO 63179-0428

Account Number : 5569 6345 5558 7698
 Unique ID: XXXX XXXX XXXX 1588
 Statement Date : 02-09-2026

New Activity cont				
01-23	01-21	55432866022206404086756	COURTYARD BY MARRIOTT MCALLEN TX ZC JE ARRIVAL:01-21-26	287.50
02-02	01-30	55432866030209026175262	SQ *TEXAS CRIMINAL JUS LUBBOCK TX	360.00
02-02	01-30	55432866031209314408325	TOWNEPLACE STES CRP CH CORPUS CHRIST TX BQ 736 ARRIVAL:01-25-26	4.26
02-05	01-28	55436876035170285878188	HILTON ADVPURCH8002367 MEMPHIS TN 2330128142 ARRIVAL:01-26-26	602.52 CR
02-05	02-04	55500806035637704239299	TEXAS NARCOTIC OFFICER EL PASO TX	40.00
02-05	02-04	55500806035637704239307	TEXAS NARCOTIC OFFICER EL PASO TX	400.00

Mandy Grant	Purchases	\$2,207.06	Total Activity	\$2,207.06
Account Number: 5569 6372 9674 4908	Cash Advances	\$0.00		
Unique ID: XXXX XXXX XXXX 0699	Cash Advances Fees	\$0.00		
	Credits	\$0.00 CR		

Post Date	Tran Date	Reference Number	Transaction Description	Amount
01-13	01-13	75187426013000000763853	TEXAS MUNICIPAL CLERKS DENTON TX	125.00
01-13	01-13	75187426013000000763861	TEXAS MUNICIPAL CLERKS DENTON TX	125.00
01-23	01-21	05140486022710031605016	CHICK-FIL-A #05052 VICTORIA TX	11.14
01-23	01-21	75120716022900011887505	KALAHARI RESORT - TX ROUND ROCK TX RCI5MCD4X ARRIVAL:01-21-26	267.93
01-26	01-23	05140486023740279978055	H-E-B GAS #434 PORT LAVACA TX	21.88
01-26	01-23	55432866024207105555915	IN-N-OUT PFLUGERVILLE PFLUGERVILLE TX	11.75
01-26	01-22	75120716023900016834444	KRR RESTAURANT ROUND ROCK TX	27.12
01-26	01-23	75120716024900012087558	KALAHARI RESORT - TX ROUND ROCK TX RCI5MCD4X ARRIVAL:01-21-26	30.78
01-27	01-27	12302026027000033812060	AFP*TEXAS COURT CLERKS WOODWAY TX	65.00
01-27	01-27	12302026027000033828066	AFP*TEXAS COURT CLERKS WOODWAY TX	65.00
01-27	01-26	82305096027500014097790	TMCEC AUSTIN TX	484.54
01-30	01-29	82305096030500006607288	TMCEC AUSTIN TX	175.00
01-30	01-29	82305096030500006965033	TMCEC AUSTIN TX	175.00
02-05	02-04	57540246035742917239081	GUESTRS*FAIRFIELD 8004683578 CT	135.96
02-05	02-04	57540246035742917382576	GUESTRS*FAIRFIELD 8004683578 CT	135.96
02-05	02-04	82305096036500004779067	TMCEC AUSTIN TX	175.00
02-05	02-05	82305096036500033817870	TMCEC AUSTIN TX	175.00

(transactions continued on next page)



Account Number : 5569 6345 5558 7698
 Unique ID: XXXX XXXX XXXX 1588
 Statement Date : 02-09-2026

New Activity cont

Cynthia Heysquierdo	Purchases	\$2,561.36	Total Activity	\$2,561.36
Account Number: 5569 6373 1524 6885	Cash Advances	\$0.00		
Unique ID: XXXX XXXX XXXX 2270	Cash Advances Fees	\$0.00		
	Credits	\$0.00 CR		

Post Date	Tran Date	Reference Number	Transaction Description	Amount
01-14	01-14	55432866014203477592513	TEEX ECOMMERCE COLLEGE STATI TX	25.00
01-19	01-16	05314616017500298108062	HWY 35 BAYWASH INC PORT LAVACA TX	8.00
01-19	01-16	25457336017000011218249	PREP BLAST NASHVILLE TN	43.50
01-19	01-16	25457336017000011230954	PREP BLAST NASHVILLE TN	43.50
01-21	01-20	55432866020205822933443	SQ *HAIR PERFORMANCE PORT LAVACA TX	105.00
01-22	01-21	55546506021622591001158	KNOX COMPANY PHOENIX AZ	535.00
01-26	01-23	25457336024000013389478	PREP BLAST NASHVILLE TN	43.50
01-28	01-28	55432866028208090007249	TEEX ECOMMERCE COLLEGE STATI TX	500.00
01-28	01-27	57540246027742593372016	SUPPLYHOUSE.COM 8887574774 NY	693.38
01-29	01-28	25457336029000014849327	PREP BLAST NASHVILLE TN	43.50
01-29	01-28	57540246028744766525544	SUPPLYHOUSE.COM 8887574774 NY	499.88
02-06	02-05	75500596036900015800025	IDEAL ALUMINUM SIDING VICTORIA TX	21.10

Brittney Hogan	Purchases	\$442.16	Total Activity	\$442.16
Account Number: 5569 6372 3417 2576	Cash Advances	\$0.00		
Unique ID: XXXX XXXX XXXX 4906	Cash Advances Fees	\$0.00		
	Credits	\$0.00 CR		

Post Date	Tran Date	Reference Number	Transaction Description	Amount
01-12	01-09	55432866009201934248049	CCSI EFAX CORPORATE LOS ANGELES CA	137.94
02-05	02-03	52704876035372656050353	HOLIDAY INN CORPUS CHRIST TX 21310212 ARRIVAL:02-01-26	304.22

Juan Luna	Purchases	\$2,311.85	Total Activity	\$2,311.85
Account Number: 5569 6373 9714 4966	Cash Advances	\$0.00		
Unique ID: XXXX XXXX XXXX 9649	Cash Advances Fees	\$0.00		
	Credits	\$0.00 CR		

Post Date	Tran Date	Reference Number	Transaction Description	Amount
01-13	01-12	55263526013613478064715	HARBOR FREIGHT TOOLS34 PORT LAVACA TX	236.48
01-26	01-23	55263526024625479505493	HARBOR FREIGHT TOOLS34 PORT LAVACA TX	178.95
01-26	01-25	55500376025627291249666	DSHS REGULATORY PROG AUSTIN TX	64.00
01-26	01-23	55506296023625103002444	FLEETPRIDE900 VICTORIA TX	113.99
01-26	01-25	87021306026500009456056	BOATUS FOUNDATION SPRINGFIELD VA	11.00
01-30	01-29	55432866029208661287922	SQ *SIGNZDIRECT CORONA CA	1,707.43

Karen Neal	Purchases	\$664.05	Total Activity	\$664.05
Account Number: 5569 6372 3279 1682	Cash Advances	\$0.00		
Unique ID: XXXX XXXX XXXX 4767	Cash Advances Fees	\$0.00		
	Credits	\$0.00 CR		

Post Date	Tran Date	Reference Number	Transaction Description	Amount
01-09	01-07	85456676008900010915924	ACTION TARGETS MINNEAPOLIS MN	337.45
01-14	01-13	55500376013614255443612	TCOLE PAYMENT AUSTIN TX	36.04
01-14	01-13	55500376013614255443638	TCOLE PAYMENT AUSTIN TX	36.04
01-14	01-13	55500376013614255443653	TCOLE PAYMENT AUSTIN TX	36.04
01-16	01-15	55500366015616373294461	TEXAS S.O.S. SVC HAGERSTOWN MD	0.57
01-16	01-15	55500366015616377066246	TEXAS SECRETARY OF STA AUSTIN TX	21.00
01-16	01-15	55500376015616456459436	TX SEC OF STATE AUSTIN TX	20.71

(transactions continued on next page)

Account Number : 5569 6345 5558 7698
 Unique ID: XXXX XXXX XXXX 1588
 Statement Date : 02-09-2026

New Activity cont				
01-16	01-15	55547506016261172093700	NOTARY PUBLIC UNDERWRI TALLAHASSEE FL	176.20

James Rudellat	Purchases	\$30.50	Total Activity	\$30.50
Account Number: 5569 6372 9325 1337	Cash Advances	\$0.00		
Unique ID: XXXX XXXX XXXX 0433	Cash Advances Fees	\$0.00		
	Credits	\$0.00 CR		

Post Date	Tran Date	Reference Number	Transaction Description	Amount
01-21	01-20	55432866020205692571257	SQ *THE DONUT PALACE PORT LAVACA TX	30.50

Wayne Shaffer	Purchases	\$1,103.75	Total Activity	\$1,103.75
Account Number: 5569 6373 4548 4209	Cash Advances	\$0.00		
Unique ID: XXXX XXXX XXXX 5171	Cash Advances Fees	\$0.00		
	Credits	\$0.00 CR		

Post Date	Tran Date	Reference Number	Transaction Description	Amount
01-19	01-16	55500376016617582398158	TCEQ EPAYMENT AUSTIN TX	113.75
01-30	01-30	55432866030208760033828	TEEX ECOMMERCE COLLEGE STATI TX	495.00
01-30	01-30	55432866030208760033836	TEEX ECOMMERCE COLLEGE STATI TX	495.00

Derrick Smith	Purchases	\$643.45	Total Activity	\$643.45
Account Number: 5569 6374 2849 3408	Cash Advances	\$0.00		
Unique ID: XXXX XXXX XXXX 2272	Cash Advances Fees	\$0.00		
	Credits	\$0.00 CR		

Post Date	Tran Date	Reference Number	Transaction Description	Amount
01-26	01-24	55480776024187275202807	RECONYX HOLMEN WI	200.00
01-26	01-24	55480776024187275202815	RECONYX HOLMEN WI	200.00
01-27	01-26	05436846027000265052637	DOLLARTREE PORT LAVACA TX	27.60
01-30	01-29	55547506029266832000883	RECONYX, INC HOLMEN WI	146.85
02-09	02-07	55432866038201665468225	INT'L CODE COUNCIL INC COUNTRY CLUB IL	69.00

Jody Weaver	Purchases	\$750.00	Total Activity	\$750.00
Account Number: 5569 6372 2162 9430	Cash Advances	\$0.00		
Unique ID: XXXX XXXX XXXX 3652	Cash Advances Fees	\$0.00		
	Credits	\$0.00 CR		

Post Date	Tran Date	Reference Number	Transaction Description	Amount
01-28	01-28	82117556028500007754258	CAMPGROUND LAUNCH NORWALK IA	750.00
			Department: 00000	Total: \$12,998.80
			Division: 00000	Total: \$12,998.80

COMMUNICATION

SUBJECT: Receive Monthly Financial Highlight Report

INFORMATION:



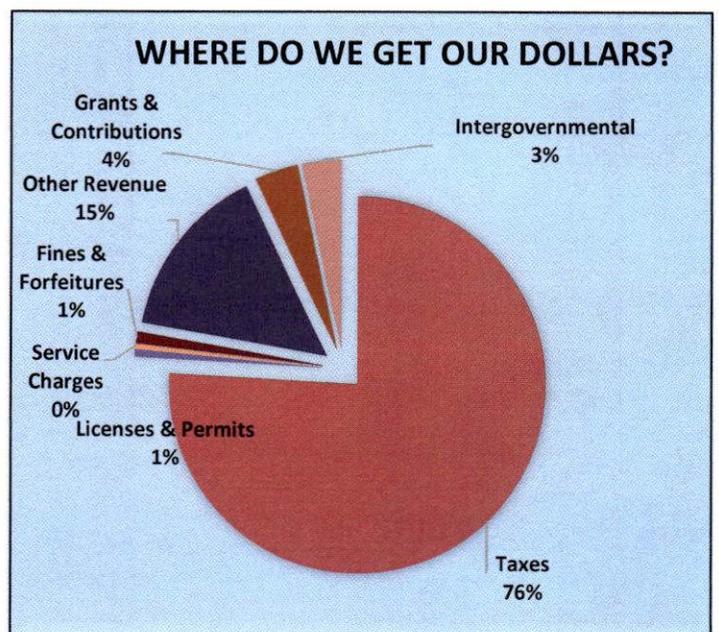
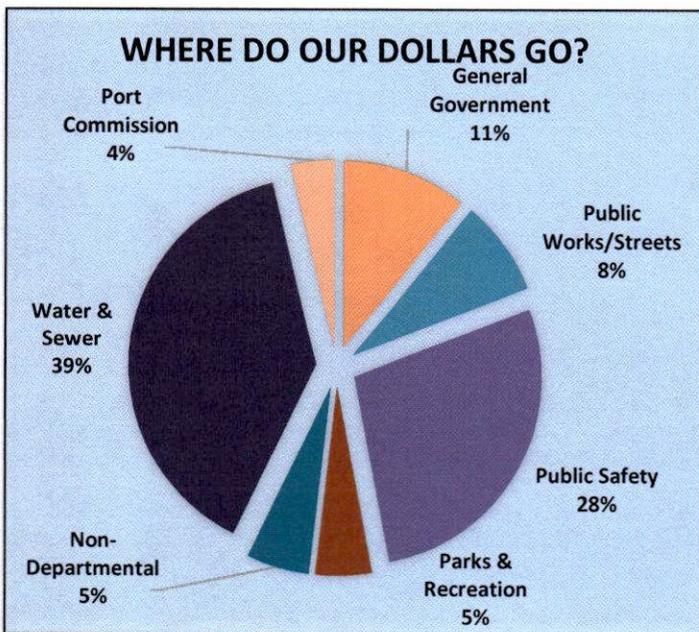
**CITY OF
PORT LAVACA**

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

To: Mayor and Members of the City Council
From: Brittney Hogan, Finance Director *(Signature)*
Subject: FY 25-26 Financial Highlights through February 28, 2026
Date: March 3, 2026

Revenue by Type	Feb-26	Feb-25	Variance
Taxes	6,733,093	6,289,496	443,597
Licenses & Permits	57,253	84,827	(27,574)
Service Charges	35,050	35,229	(179)
Fines & Forfeitures	89,592	102,041	(12,449)
Other Revenue	1,332,140	132,174	1,199,966
Grants & Contributions	327,832	245,703	82,130
Intergovernmental	300,034	127,090	172,944
Total Revenue for Major Funds	8,874,993	7,016,560	1,858,434

By Object (Operational Funds)	Feb-26	Feb-25	Variance
General Government	937,630	1,220,475	(282,845)
Public Works/Streets	711,962	734,199	(22,237)
Public Safety	2,432,385	2,424,366	8,019
Parks & Recreation	421,100	601,704	(180,604)
Non- Departmental	473,073	521,828	(48,755)
Water & Sewer	3,389,602	3,315,944	73,658
Port Commission	326,537	289,149	37,388
Total Expenditures	8,692,289	9,107,664	(415,375)





GENERAL FUND OVERVIEW

Revenue Highlights:

Property Tax collections, as reported by CCAD, are **\$5,528,264** for the year as of **January**. Collections in **FY 25-26** are **85.51%** of the total adjusted tax levy. Total current-year Property Taxes Outstanding as of **January** are **\$936,720**.

In the General Fund, revenues through **02/28/2026** total **\$8,874,993** or **71%** of budget. In addition:

- *Current Property Tax* collections are **\$4,982,977** for the year as of **February**. Collections in **FY 25-26** are **97%** of the budget.
- *Sales Tax* collections through **February** were **\$1,520,467** or **42%** of budget. Collections through **February** in **FY 24-25** were **\$1,573,787**.
- *Licenses & Permits* collections are **\$57,253** for the year, or **18%** of the budget. Collections through **February** in **FY 24-25** were **\$84,827**.
- *Bauer Center Rentals* through **February** are **\$30,765** or **31%** of the budget. Collections through **February** in **FY 24-25** were **\$33,460**.
- *Court Fines* are **\$37,368** for the year, or **31%** of the budget. Collections through **February** in **FY 24-25** were **\$45,891**.

Expenditure Highlights:

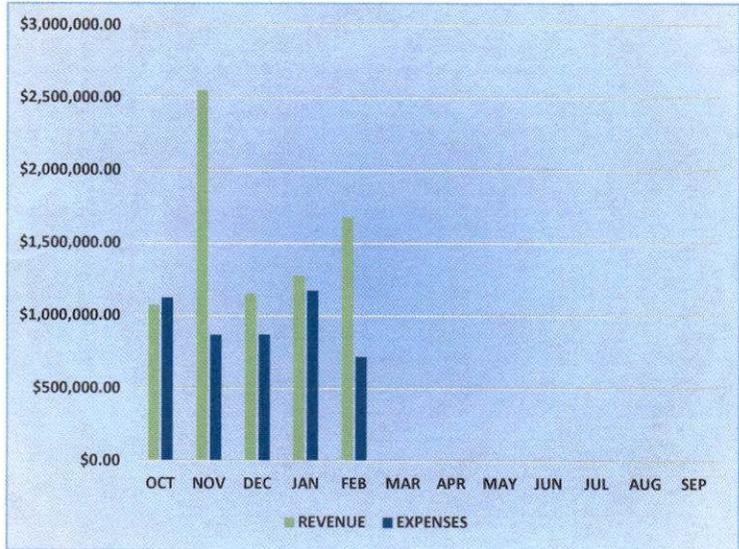
In the General Fund, expenditures through **02/28/2026** total **\$4,906,576** or **38%** of the budget. This places overall spending **below** budgeted benchmark. Budgets that are above the budget target are primarily due to the timing of payments and will presumably need a budget amendment:

- *Technology* - Technology expenditures reached 70% of the annual budget. This variance is to payments for yearly subscriptions for the fiscal year.
- *Non-Departmental* - Non-Departmental expenditures reached 55% of the annual budget. This variance is due to contracted services for creation of TIRZ.
- *Human Resources* - Human resources expenditures reached 48% of the annual budget. This variance is due to contracted services for onboarding.

All other General Fund departments remained at or **below** the projected benchmark as of **February 28, 2026** indicating they are staying within their budgetary expectations.

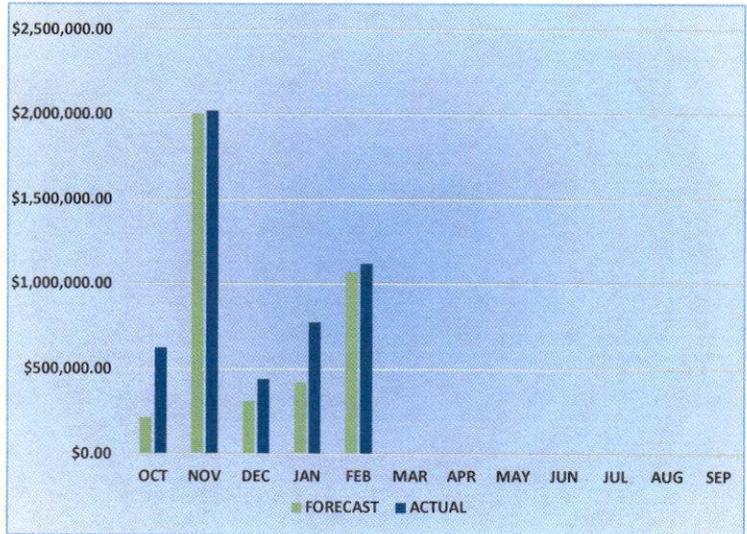
GENERAL FUND REVENUES VS EXPENSES FY 2026

MONTH	2026 REVENUE	2026 EXPENSES	MONTHLY VARIANCE
OCT	\$1,073,069.12	\$1,124,654.13	\$ (51,585.01)
NOV	\$2,550,672.93	\$867,906.98	\$ 1,682,765.95
DEC	\$1,150,108.21	\$871,186.69	\$ 278,921.52
JAN	\$1,274,889.48	\$1,173,247.73	\$ 101,641.75
FEB	\$1,677,797.17	\$718,874.88	\$ 958,922.29
MAR			\$ -
APR			\$ -
MAY			\$ -
JUN			\$ -
JUL			\$ -
AUG			\$ -
SEP			\$ -
TOTAL	\$7,726,536.91	\$4,755,870.41	\$ 2,970,666.50



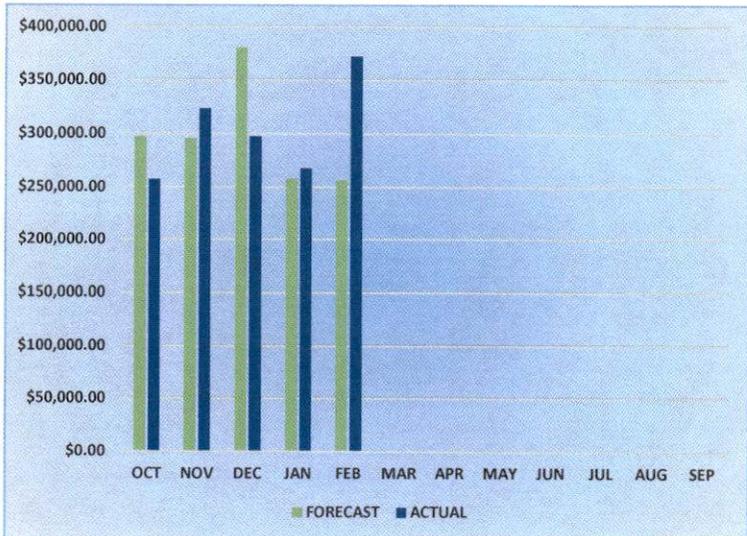
PROPERTY TAXES FY 2026

MONTH	2026 FORECAST	2026 ACTUAL	MONTHLY VARIANCE
OCT	\$214,607.05	\$623,590.73	\$ 408,983.68
NOV	\$2,006,746.06	\$2,022,772.25	\$ 16,026.19
DEC	\$312,223.83	\$441,847.54	\$ 129,623.71
JAN	\$423,557.57	\$775,742.88	\$ 352,185.31
FEB	\$1,065,927.10	\$1,121,516.60	\$ 55,589.50
MAR			\$ -
APR			\$ -
MAY			\$ -
JUN			\$ -
JUL			\$ -
AUG			\$ -
SEP			\$ -
TOTAL	\$4,023,061.61	\$4,985,470.00	\$ 962,408.39



SALES TAX FY 2026

MONTH	2026 FORECAST	2026 ACTUAL	MONTHLY VARIANCE
OCT	\$296,979.00	\$257,674.00	\$ (39,305.00)
NOV	\$295,269.56	\$323,621.93	\$ 28,352.37
DEC	\$380,490.00	\$297,572.96	\$ (82,917.04)
JAN	\$257,909.43	\$267,963.56	\$ 10,054.13
FEB	\$256,654.69	\$372,304.20	\$ 115,649.51
MAR			\$ -
APR			\$ -
MAY			\$ -
JUN			\$ -
JUL			\$ -
AUG			\$ -
SEP			\$ -
TOTAL	\$1,487,302.68	\$1,519,136.65	\$ 31,833.97





**CITY OF
PORT LAVACA**

202 N. Virginia, Port Lavaca, Texas 77979-0105 www.portlavaca.org
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General Fund

Target Benchmark is 42%

	Feb-26			Feb-25		
	25-26 Budget	25-26 Adopted	%	24-25 Budget	24-25 Adopted	%
	Actual YTD	Budget		Actual YTD	Budget	
Revenues						
Taxes	6,733,093	9,554,538	70%	6,289,496	9,092,373	69%
Licenses and Permits	57,253	318,900	18%	84,827	268,410	32%
User and Svc Charges	35,050	116,000	30%	35,229	103,250	34%
Fines and Forfeitures	89,592	300,000	30%	102,041	294,000	35%
Other Revenue	1,332,140	421,450	316%	132,174	566,550	23%
Grant and Contribution	327,832	858,108	38%	245,703	520,120	47%
Intergovernmental Revenue	300,034	884,264	34%	127,090	1,567,641	8%
Total Revenue	\$ 8,874,993	\$ 12,453,260	71%	\$ 7,016,560	\$ 12,412,344	57%
Expenditures						
City Council	11,734	33,570	35%	12,963	30,884	42%
City Manager	91,218	1,177,883	8%	476,509	778,245	61%
City Secretary	92,189	241,760	38%	85,515	251,461	34%
Human Resource	50,089	103,781	48%	33,909	100,395	34%
Municipal Court	61,747	177,046	35%	75,882	177,937	43%
Technology	404,735	602,080	67%	352,746	510,222	69%
Finance	176,701	461,887	38%	156,090	405,888	38%
City Hall	49,217	495,568	10%	26,862	549,299	5%
Police	1,191,156	3,127,787	38%	1,351,280	2,898,150	47%
Fire	985,395	2,458,278	40%	843,416	2,149,964	39%
Animal Control	72,435	246,808	29%	89,951	256,834	35%
Code Enforcement/Inspect	183,399	498,366	37%	139,719	520,935	27%
Streets	711,962	2,220,730	32%	734,199	3,103,602	24%
Parks and Recreation	218,273	1,121,931	19%	404,906	881,503	46%
Bauer Center	133,253	492,784	27%	139,333	315,614	44%
Non-Departmental	473,073	866,817	55%	521,828	866,703	60%
Total Expenditures	\$ 4,906,576	\$ 14,327,076	34%	\$ 5,445,106	\$ 13,797,636	39%

Revenues Over/**Under** **\$3,968,417**

\$1,571,454

* Expenditures do not include encumbrances



CITY OF
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PUBLIC UTILITY FUND OVERVIEW

Revenue Highlights:

In the Public Utility Fund, revenues through **02/28/2026** total **\$3,413,303** or **38%** of budget. In addition:

- *Metered Water* sales through **February** were **\$1,348,102** or **36%** of budget. Collections through February in **FY 24-25** were **\$1,187,915**.
- *Residential Sewer* sales are **\$668,962** for the year, or **41%** of the budget. Collections through **February** in **FY 24-25** were **\$667,138**.
- *Garbage Billings* through **February** are **\$424,128** or **40%** of the budget. Collections through **February** in **FY 24-25** were **\$421,351**.

Expenditure Highlights:

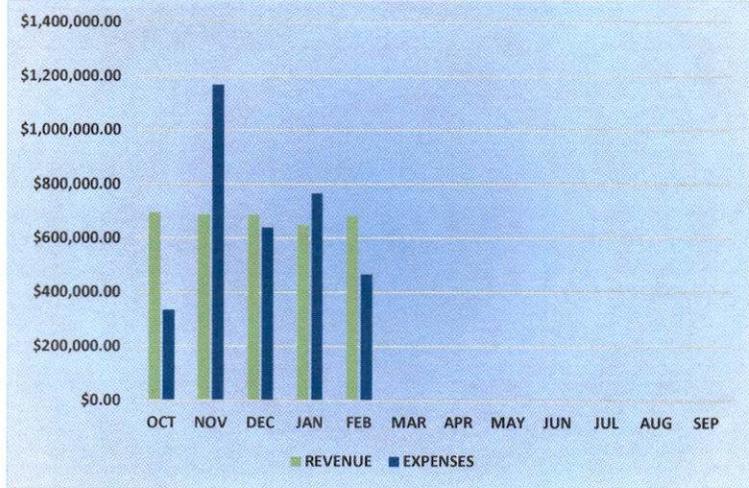
In the Public Utility Fund, expenditures through **02/28/2026** total **\$3,389,602** or **34%** of the budget. This places overall spending **below** budgeted benchmark. Budgets that are above the budget target are primarily due to the timing of payments and will presumably need a budget amendment:

- *Technology* - Technology expenditures reached 56% of the annual budget. This variance is due to payments for yearly maintenance for Incode software for the fiscal year.

All other Public Utility Fund departments remained at or below the projected benchmark as of **February 28, 2026** indicating they are staying within their budgetary expectations.

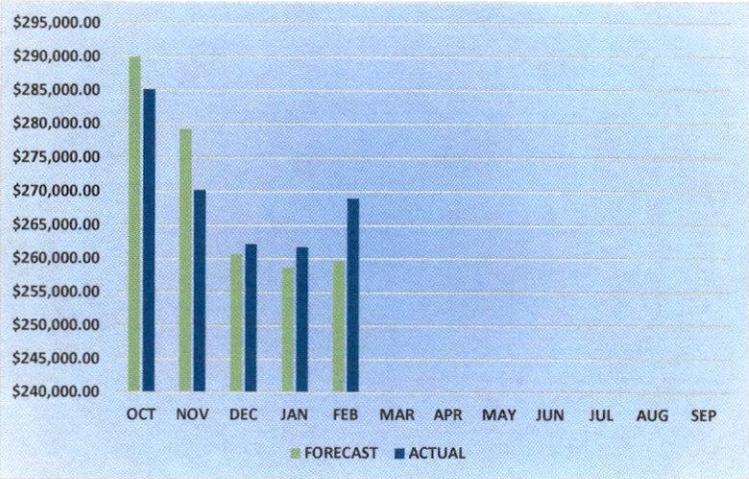
PUBLIC UTILITY FUND REVENUES VS EXPENSES FY 2026

MONTH	2026 REVENUE	2026 EXPENSES	MONTHLY VARIANCE
OCT	\$695,183.46	\$335,241.17	\$ 359,942.29
NOV	\$686,989.93	\$1,167,196.38	\$ (480,206.45)
DEC	\$685,775.34	\$639,311.65	\$ 46,463.69
JAN	\$647,559.53	\$765,808.96	\$ (118,249.43)
FEB	\$681,649.48	\$466,037.76	\$ 215,611.72
MAR			\$ -
APR			\$ -
MAY			\$ -
JUN			\$ -
JUL			\$ -
AUG			\$ -
SEP			\$ -
TOTAL	\$3,397,157.74	\$3,373,595.92	\$ 23,561.82



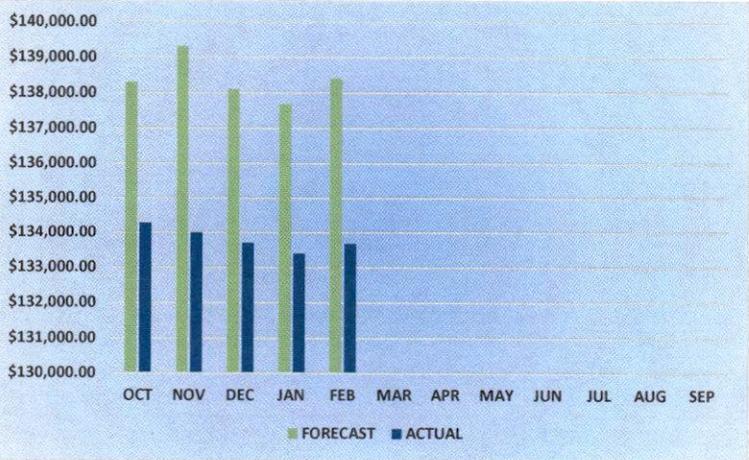
WATER REVENUES FY 2026

MONTH	2026 FORECAST	2026 ACTUAL	MONTHLY VARIANCE
OCT	\$289,992.54	\$285,159.97	\$ (4,832.57)
NOV	\$279,175.90	\$270,206.33	\$ (8,969.57)
DEC	\$260,637.04	\$262,209.75	\$ 1,572.71
JAN	\$258,612.45	\$261,702.32	\$ 3,089.87
FEB	\$259,627.94	\$268,969.97	\$ 9,342.03
MAR			\$ -
APR			\$ -
MAY			\$ -
JUN			\$ -
JUL			\$ -
AUG			\$ -
SEP			\$ -
TOTAL	\$1,348,045.88	\$1,348,248.34	\$ 202.46



SEWER REVENUES FY 2026

MONTH	2026 FORECAST	2026 ACTUAL	MONTHLY VARIANCE
OCT	\$138,304.28	\$134,270.99	\$ (4,033.29)
NOV	\$139,308.68	\$133,998.22	\$ (5,310.46)
DEC	\$138,102.28	\$133,703.17	\$ (4,399.11)
JAN	\$137,678.43	\$133,391.08	\$ (4,287.35)
FEB	\$138,407.68	\$133,674.12	\$ (4,733.56)
MAR			\$ -
APR			\$ -
MAY			\$ -
JUN			\$ -
JUL			\$ -
AUG			\$ -
SEP			\$ -
TOTAL	\$691,801.34	\$669,037.58	\$ (22,763.76)





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HOTEL OCCUPANCY TAX FUND OVERVIEW

Revenue Highlights:

In the HOT Fund, revenues as of 02/28/26 are \$169,659 or 24% of the budget. In addition:

1. Hotel Occupancy Taxes through February are \$149,828 or 21% of the budget. Collection through February FY 24-25 was \$208,820.

Expenditure Highlights:

In the HOT Fund expenditures through 02/28/2026 total \$347,717 or 44% of budget. This places overall spending **above** the budgeted benchmark.

Budget Administration-Hotel Occupancy Tax Fund

Target Benchmark is 42%

	Feb-26			Feb-25		
	25-26 Budget Actual YTD	25-26 Adopted Budget	%	24-25 Budget Actual YTD	24-25 Adopted Budget	%
Revenues						
Taxes	149,828	700,000	21%	208,820	600,000	35%
Other Revenue	19,831	15,000	132%	29,971	15,000	200%
Intergovernmental Revenue	-	-	0%	-	-	0%
Total Revenue	\$ 169,659	\$ 715,000	24%	\$ 238,790	\$ 615,000	39%
Expenditures						
Hotel Occupancy Tax	347,717	870,489	40%	299,464	785,214	38%
Total Expenditures	\$ 347,717	\$ 870,489	40%	\$ 299,464	\$ 785,214	38%

Revenues Over/Under (\$178,058)

(\$60,673)

* Expenditures do not include encumbrances



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BEACH FUND OVERVIEW

Revenue Highlights:

In the Beach Fund, revenues as of **02/28/26** are **\$68,198** or **15%** of the budget. In addition:

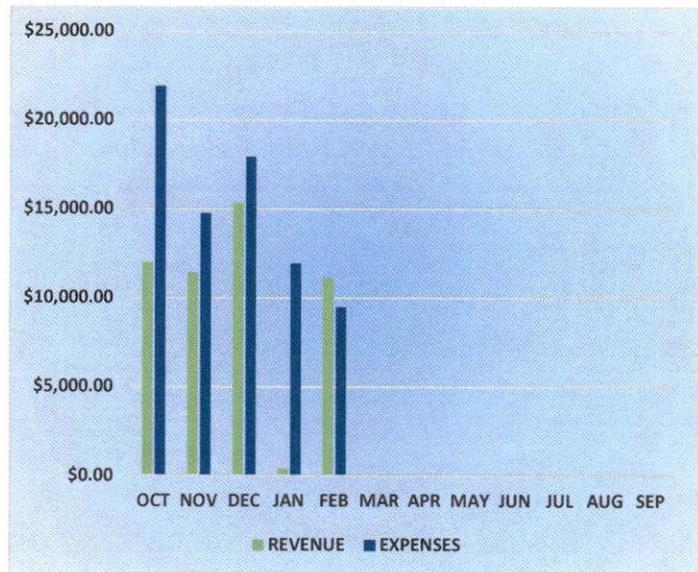
1. *RV Rentals* through **February** are **\$31,933** or **26%** of the budget. Collections through **February** in **FY 24-25** were **\$21,295**.

Expenditure Highlights:

In the Beach Operating Fund expenditures through **02/28/2026** are **\$76,622** or **11%** of the budget. This places overall spending **below** the budgeted benchmark.

BEACH FUND REVENUES VS EXPENSES FY2026

<u>MONTH</u>	<u>2026 REVENUE</u>	<u>2026 EXPENSES</u>	<u>MONTHLY VARIANCE</u>
OCT	\$11,966.15	\$21,894.56	\$ (9,928.41)
NOV	\$11,402.53	\$14,737.67	\$ (3,335.14)
DEC	\$15,323.46	\$17,914.85	\$ (2,591.39)
JAN	\$385.22	\$11,923.75	\$ (11,538.53)
FEB	\$11,112.15	\$9,472.09	\$ 1,640.06
MAR			\$ -
APR			\$ -
MAY			\$ -
JUN			\$ -
JUL			\$ -
AUG			\$ -
SEP			\$ -
TOTAL	\$50,189.51	\$75,942.92	\$ (25,753.41)





**CITY OF
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Beach Fund

Target Benchmark is 42%

	Feb-26			Feb-25		
	25-26 Budget Actual YTD	25-26 Adopted Budget	%	24-25 Budget Actual YTD	24-25 Adopted Budget	%
Revenues						
User and Svc Charges	56,176	190,000	30%	21,892	235,000	9%
Other Revenue	12,021	32,500	37%	11,970	32,500	37%
Intergovernmental Revenue	-	-	0%	-	-	0%
Grant & Contribution	-	237,000	0%	-	-	0%
Total Revenue	\$ 68,198	\$ 459,500	15%	\$ 33,862	\$ 267,500	13%
Expenditures						
Technology Services	7,048	-	0%	-	-	0%
Operations & Admin	69,574	693,777	10%	57,465	307,330	19%
Total Expenditures	\$ 76,622	\$ 693,777	11%	\$ 57,465	\$ 307,330	19%

Revenues Over/Under (\$8,424)

(\$23,603)

* Expenditures do not include encumbrances



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PORTS & HARBORS FUND OVERVIEW

Revenue Highlights:

In the Ports & Harbors Fund, revenues as of **02/28/2026** are **\$930,787** or **63%** of the budget. In addition:

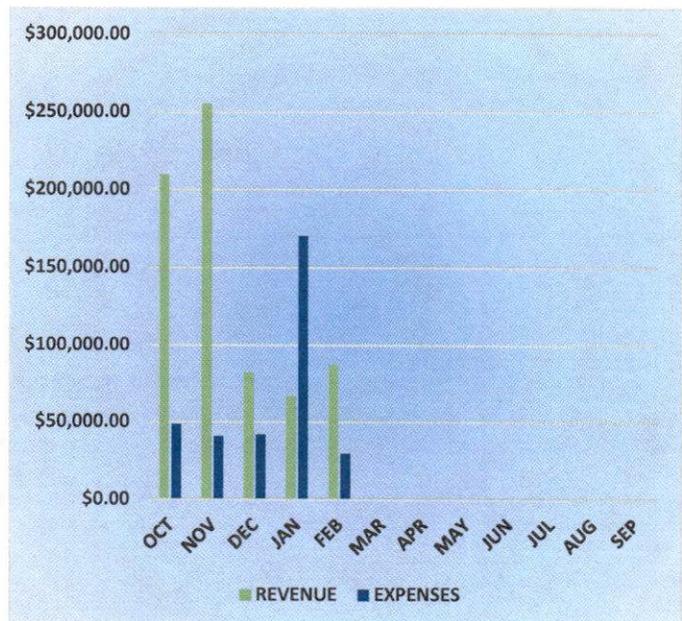
1. Dock Leases through **February** are **\$209,224** or **44%** of the budget. Collections through **February** in FY 24-25 were **\$204,712**.
2. Tariffs through **February** are **\$55,776** or **43%** of the budget. Collections through **February** FY 24-25 were **\$48,668**.
3. NL Building Lease through **February** is **\$41,918** or **44%** of the budget. Collections through **February** in FY 24-25 were **\$38,104**.

Expenditure Highlights:

In the Ports & Harbors Fund expenditures through **02/28/2026** are **\$326,611** or **23%** of the budget. This places overall spending **below** the budgeted benchmark.

PORTS AND HARBORS FUND REVENUES VS EXPENSES FY2026

<u>MONTH</u>	<u>2026 REVENUE</u>	<u>2026 EXPENSES</u>	<u>MONTHLY VARIANCE</u>
OCT	\$209,551.26	\$48,577.00	\$ 160,974.26
NOV	\$255,253.15	\$40,847.23	\$ 214,405.92
DEC	\$81,935.79	\$41,898.46	\$ 40,037.33
JAN	\$66,572.21	\$170,315.09	\$ (103,742.88)
FEB	\$86,973.49	\$29,739.24	\$ 57,234.25
MAR			\$ -
APR			\$ -
MAY			\$ -
JUN			\$ -
JUL			\$ -
AUG			\$ -
SEP			\$ -
TOTAL	\$700,285.90	\$331,377.02	\$ 368,908.88





**CITY OF
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Ports & Harbors Fund
Target Benchmark is 42%

	Feb-26			Feb-25		
	25-26 Budget Actual YTD	25-26 Adopted Budget	%	24-25 Budget Actual YTD	24-25 Adopted Budget	%
Revenues						
User and Svc Charges	358,607	792,072	45%	344,035	818,955	42%
Fines and Forfeitures	3,059	500	612%	264	500	53%
Other Revenue	13,770	35,500	39%	13,024	35,600	37%
Grant and Contribution	459,067	556,872	82%	25,200	550,000	5%
Intergovernmental Revenue	96,284	96,284	0%	116,184	116,184	0%
Total Revenue	\$ 930,787	\$ 1,481,228	63%	\$ 498,707	\$ 1,521,239	33%
Expenditures						
Technology	4,215	6,424	66%	3,215	1,422	226%
City Harbor	-	8,000	0%	-	7,000	0%
Harbor of Refuge	2,500	100,000	3%	5,000	200,000	3%
Smith Harbor	-	11,000	0%	4,875	11,000	44%
Nautical Landings Marina	4,817	18,000	27%	5,618	35,000	16%
Operations	315,006	1,585,137	20%	270,440	1,390,279	19%
Total Expenditures	\$ 326,537	\$ 1,728,561	19%	\$ 289,149	\$ 1,644,701	18%

Revenues Over/Under **\$604,251**

\$209,558

* Expenditures do not include encumbrances

COMMUNICATION

SUBJECT: Receive Employee Training Review Acknowledgment report ending 02.28.2026

INFORMATION:

DATE: 03/09/2026
TO: COUNCIL - REGULAR CITY COUNCIL MEETING
SUBJECT: TRAINING REVIEW AND ACKNOWLEDGEMENT FORMS

Police:

Emp: Burris, James
Training Title: Organizational Leadership Courage
Date: February 10, 2026 – February 11, 2026

Emp: Jaramillo Avila
Training Title: Fundamentals of Interviewing and Interrogations
Date: February 18, 2026 – February 19, 2026

Human Recourses

Emp: Rachel Garza
Training Title: Labor Law Posters
Date: February 9, 2026

Finance

Emp: Kateryna Thomas
Training Title: GFOA Budget
Date: February 2, 2026 – February 3, 2026

City Secretary:

Emp: Lorena Diaz-Perez
Training Title: Election Law Seminar 2026
Date: January 22, 2026 – January 23, 2026

Public Works:

Emp: Carey Justice
Training Title: Wastewater Treatment Class C license
Date: February 24, 2026 – February 26, 2026



TRAINING REVIEW & ACKNOWLEDGEMENT FORM

This form must be completed and submitted to your supervisor within 3 working days of returning from any training or conference that was paid for by the City.

EMPLOYEE NUMBER: 2030 EMPLOYEE NAME: JAMES BURRIS

DEPARTMENT: Police TRAINING / CONFERENCE DATE(S): Feb 10th - 11th

TRAINING/ CONFERENCE TITLE: Organizational Leadership Courage Charac

LOCATION: Kyle, TX PD

1. Purpose of Training/ Conference

(Briefly explain the reason for attending and what the training was intended to accomplish)

Expand knowledge of organizational management methods

2. Summary of Activities or Topics Covered

(What sessions, classes, or workshops did you attend?)

Two (2) day lecture

3. Key Takeaways or Skills Learned

(What did you learn or gain from this experience?)

Organizations need strong leaders for success

EMPLOYEE SIGNATURE: JAMES BURRIS

DATE: 02/12/2026

DEPARTMENT HEAD SIGNATURE: _____

DATE: _____

HR SIGNATURE: [Signature]

DATE: 2-12-26

RECEIVED
FEB 12 2026
CITY OF PORT LAVACA
CITY MANAGER



TRAINING REVIEW & ACKNOWLEDGEMENT FORM

This form must be completed and submitted to your supervisor within 3 working days of returning from any training or conference that was paid for by the City.

EMPLOYEE NUMBER: 2018 EMPLOYEE NAME: JARAMILLO AVILA

DEPARTMENT: Police TRAINING / CONFERENCE DATE(S): 02/18/26 - 02/19/26

TRAINING/ CONFERENCE TITLE: FUNDAMENTALS OF INTERVIEWING AND INTER

LOCATION: 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TX

1. Purpose of Training/ Conference

(Briefly explain the reason for attending and what the training was intended to accomplish)

I attended this course to enhance my skills in conducting professional, lawful, and effective interviews with victims, suspects, and witnesses.

2. Summary of Activities or Topics Covered

(What sessions, classes, or workshops did you attend?)

The course discussed the Code of Criminal Procedure, the 5th and 6th Amendments, and case law regarding the interview/interrogation process.

3. Key Takeaways or Skills Learned

(What did you learn or gain from this experience?)

I reinforced my knowledge of constitutional safeguards and legal requirements to ensure interviews are conducted lawfully and ethically.

EMPLOYEE SIGNATURE: *[Handwritten Signature]*

DATE: 02/23/2026

DEPARTMENT HEAD SIGNATURE: _____

DATE: _____

HR SIGNATURE: *[Handwritten Signature]*

DATE: _____

RECEIVED
FEB 26 2026
CITY OF PORT LAVACA
CITY MANAGER



TRAINING REVIEW & ACKNOWLEDGEMENT FORM

This form must be completed and submitted to your supervisor within 3 working days of returning from any training or conference that was paid for by the City.

EMPLOYEE NUMBER: 1135 EMPLOYEE NAME: RACHEL GARZA

DEPARTMENT: Human Resources TRAINING / CONFERENCE DATE(S): 02/09/2026

TRAINING/ CONFERENCE TITLE: LABOR LAW POSTERS & WHAT TO EXPECT

LOCATION: SHRM WEBINAR

1. Purpose of Training/ Conference

(Briefly explain the reason for attending and what the training was intended to accomplish)

To gain a better understanding of labor law poster requirements and compliance obligations.
To ensure the organization is properly displaying required labor law posters in accordance with federal and state regulations.
To stay informed about updates and changes to labor law posting requirements.

2. Summary of Activities or Topics Covered

(What sessions, classes, or workshops did you attend?)

- Which posters you need
- Where to display them
- State and local posting changes
- Federal updates
- How keep up with it all

3. Key Takeaways or Skills Learned

(What did you learn or gain from this experience?)

U.S. employers, regardless of size (even one employee), are required to display both federal and state labor law posters. Labor laws, especially state and local minimum wages, paid leave, and safety regulations, change frequently. Posters must be displayed in a "common place" accessible to all employees, such as a break room, HR office, or near a time clock. Posters inform employees of their rights regarding minimum wage, overtime, workplace safety (OSHA), anti-discrimination (EEOC), Family Medical Leave Act (FMLA.)

EMPLOYEE SIGNATURE: RACHEL GARZA

DATE: 02/09/2026

DEPARTMENT HEAD SIGNATURE: _____

DATE: _____

HR SIGNATURE: [Signature]

DATE: 2-9-26

RECEIVED
FEB 09 2026
CITY OF PORT LAVACA
CITY MANAGER



TRAINING REVIEW & ACKNOWLEDGEMENT FORM

This form must be completed and submitted to your supervisor within 3 working days of returning from any training or conference that was paid for by the City.

EMPLOYEE NUMBER: 1650 EMPLOYEE NAME: KATERYNA VOROBYOVA

DEPARTMENT: Finance TRAINING / CONFERENCE DATE(S): February 2-3, 2026

TRAINING/ CONFERENCE TITLE: GFOA Budget Academy

LOCATION: Hilliard Center in Corpus Christi

1. Purpose of Training/ Conference

(Briefly explain the reason for attending and what the training was intended to accomplish)

This training focuses on the fundamentals of developing a municipal budget and is intended to strengthen practical knowledge of governmental budgeting best practices. The session covers key components of the budget development process, including personnel planning, capital planning, forecasting techniques, revenue and expenditure analysis, truth-in-taxation requirements, and tax rate planning.

Attendance enhances the participant's ability to prepare accurate, transparent, and policy-driven municipal budgets, improve long-term financial planning, and ensure compliance with statutory and best-practice standards. In addition, the training supports the development of a high-quality budget document aligned with the GFOA Distinguished Budget Award criteria, helping the organization improve financial communication and accountability to stakeholders.

2. Summary of Activities or Topics Covered

(What sessions, classes, or workshops did you attend?)

This training provides an overview of the fundamental principles and best practices involved in developing a municipal budget. The session is designed to enhance understanding of governmental budgeting processes, improve analytical and forecasting skills, and strengthen compliance with statutory requirements. Participants gain practical tools to support informed decision-making, long-term financial planning, and the preparation of a transparent and effective budget document aligned with professional standards.

Activities / Topics Covered:

- Overview of the municipal budget development process
Personnel budgeting and staffing cost analysis
Capital planning and integration with the Capital Improvement Plan (CIP)...

3. Key Takeaways or Skills Learned

(What did you learn or gain from this experience?)

Through this training, I strengthened my skills in municipal budgeting and Capital Improvement Program (CIP) development, including aligning operating budgets with long-term capital planning. I enhanced my ability to analyze personnel costs, evaluate capital project funding strategies, and integrate CIP priorities into the annual and multi-year budgeting process.

I improved my proficiency in revenue and expenditure forecasting, financial modeling, and scenario analysis to support sustainable budget decisions. I also developed stronger skills in tax rate planning, Truth-in-Taxation compliance, and assessing the financial impact of policy decisions.

Additionally, I applied GFOA best practices to prepare clear, transparent, and well-structured budget and CIP documents that improve financial communication, accountability, and long-term financial planning for the organization...

EMPLOYEE SIGNATURE: KATERYNA VOROBYOVA

DATE: 02/17/2026

DEPARTMENT HEAD SIGNATURE:

DATE:

HR SIGNATURE:

DATE:

RECEIVED FEB 18 2026 CITY OF PORT LAVACA CITY MANAGER



CITY OF PORT LAVACA

TRAINING REVIEW & ACKNOWLEDGEMENT FORM

This form must be completed and submitted to your supervisor within 3 working days of returning from any training or conference that was paid for by the City.

EMPLOYEE NUMBER: 1270 EMPLOYEE NAME: LORENA PEREZ-DIAZ

DEPARTMENT: City Secretary TRAINING / CONFERENCE DATE(S): 01/22/26-01/23/26

TRAINING/ CONFERENCE TITLE: 54TH ANNUAL ELECTION LAW SEMINAR 2026

LOCATION: ROUND ROCK, TEXAS

1. Purpose of Training/ Conference

(Briefly explain the reason for attending and what the training was intended to accomplish)

The 54th Annual TMCA Election Law Seminar is an opportunity for municipal clerks and other election officials who handle local elections to get some essential training. This seminar will help make sure your municipality is ready to manage elections smoothly.

The training included the latest legal updates, best practices, and expert advice, all of which are important for running elections accurately and efficiently. Clerks and election officials will gain the knowledge and tools needed to tackle the ins and outs of election laws and maintain the integrity of the electoral process in their communities.

2. Summary of Activities or Topics Covered

(What sessions, classes, or workshops did you attend?)

- These are the session that I attended:
- Candidate Packets and Orientation
- Recruiting & Training Election Workers
- Ballots & Election Notices
- Recall Elections
- Runoffs, Vacancies, & Recounts
- Updated Legislation
- What Happens Before & After an Election

3. Key Takeaways or Skills Learned

(What did you learn or gain from this experience?)

This seminar provided a valuable opportunity to understand key election laws, including the details of voter registration, ballot design and counting, and the compliance rules that protect the integrity of the electoral system.

During the sessions, I learned about several tools and resources that will help election workers and address issues that may arise during early voting and on election day. I discovered different tools I can provide to our election workers to better prepare them for the upcoming election. I also gained knowledge about various types of elections. Additionally, I learned about resources to help build candidate packets to better inform our candidates.

Furthermore, I was informed about all the required postings needed for our website and gained insights into runoff elections and recounts. Since I had never encountered these processes, it was beneficial to learn how they are handled.

Overall, this seminar was very informative because election laws change from year to year, and being informed is imperative.

EMPLOYEE SIGNATURE: LORENA PEREZ-DIAZ

DATE: 3/2/2024
RECEIVED

DEPARTMENT HEAD SIGNATURE: [Signature]

DATE: 03-02-2026

HR SIGNATURE: [Signature]

DATE: MAR 02 2026

CITY OF PORT LAVACA
CITY MANAGER



TRAINING REVIEW & ACKNOWLEDGEMENT FORM

This form must be completed and submitted to your supervisor within 3 working days of returning from any training or conference that was paid for by the City.

EMPLOYEE NUMBER: 4940 EMPLOYEE NAME: CAREY JUSTICE

DEPARTMENT: Utility WWTP TRAINING / CONFERENCE DATE(S): 2/24 to 2/26

TRAINING/ CONFERENCE TITLE: Wastewater Treatment

LOCATION: League City

1. Purpose of Training/ Conference

(Briefly explain the reason for attending and what the training was intended to accomplish)
class needed for advancement to Class C wastewater license

2. Summary of Activities or Topics Covered

(What sessions, classes, or workshops did you attend?)
Aspects of wastewater treatment

3. Key Takeaways or Skills Learned

(What did you learn or gain from this experience?)
Advanced wastewater treatment techniques

EMPLOYEE SIGNATURE: CAREY JUSTICE

DATE: **RECEIVED**

DEPARTMENT HEAD SIGNATURE: _____

DATE: **MAR 02 2026**

HR SIGNATURE: [Signature]

DATE: 3-2-26
CITY OF PORT LAVACA
CITY MANAGER

COMMUNICATION

SUBJECT: Receive Office of Court Administrators (OCA) Monthly report ending
02.28.2026

INFORMATION:

OFFICE OF COURT ADMINISTRATION
TEXAS JUDICIAL COUNCIL



OFFICIAL MUNICIPAL COURT MONTHLY REPORT

Month February Year 2026

Municipal Court for the City of PORT LAVACA

Presiding Judge RAYMOND B. PEREZ

If new, date assumed office _____

Court Mailing Address 202 N. VIRGINIA STREET

City PORT LAVACA, TX Zip 77979

Phone Number 361-552-9793

Fax Number 361-552-7933

Court's Public Email COURT@PORTLAVACA.ORG

Court's Website <https://portlavaca.org/city-departments/municipal-court/>

THE ATTACHED IS A TRUE AND ACCURATE REFLECTION OF THE RECORDS OF THIS COURT.

Prepared by SANDRA NOVELO

Date 3/4/2026 Phone Number 361-552-9793

PLEASE RETURN THIS FORM NO LATER THAN 20 DAYS FOLLOWING THE END OF THE MONTH REPORTED TO:

OFFICE OF COURT ADMINISTRATION
P O BOX 12066
AUSTIN, TX
78711-2066

PHONE: (737) 295-2330
FAX: (512) 463-1648

CRIMINAL SECTION

Section VII. Item #F.

CRIMINAL SECTION

Court: City of Port Lavaca			Traffic Misdemeanors			Non-Traffic Misdemeanors		
Month	Year		Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
FEBRUARY	2026							
1. Cases Pending First of Month			2,869	14	28	2,873	72	196
a. Active Cases			1,665	12	21	1,659	52	156
b. Inactive Cases			1,204	2	7	1,214	20	40
2. New Cases Filed During Month			57	0	0	8	5	0
3. Cases Reactivated			21	0	2	13	0	0
4. All Other Cases Added			0	0	0	0	0	0
5. Total Cases on Docket <i>(Sum of Lines 1a, 2, 3 & 4)</i>			1,743	12	23	1,680	57	156
6. Dispositions Prior to Court Appearance or Trial								
a. Uncontested Dispositions <i>(Disposed without appearance before a judge (CCP, Art. 27.14 (c)))</i>			0	0	0	5	0	0
b. Cases Dismissed by Prosecution			0	0	0	0	0	0
7. Final Dispositions in Open Court or at Trial								
a. Convictions								
1) Guilty Plea or Nolo Contendere			40	1	1	13	0	0
2) By the Court			0	0	0	0	0	0
3) By the Jury			0	0	0	0	0	0
b. Acquittals								
1) By the Court			0	0	0	0	0	0
2) By the Jury			0	0	0	0	0	0
c. Cases Dismissed by Prosecution			0	0	0	0	0	0
8. Compliance Dismissals								
a. After Driving Safety Course <i>(CCP, Art. 45.0511)</i>			3					
b. After Deferred Disposition <i>(CCP, Art. 45.051 or CCP, Art. 45.054)</i>			4	0	0	2	0	0
c. After Teen Court <i>(CCP, Art. 45.052)</i>			0	0	0	0	0	0
d. After Tobacco Awareness Course <i>(HSC, Sec. 161.253)</i>							0	
e. After Treatment for Chemical Dependency <i>(CCP, Art. 45.053 and HSC, Ch. 462)</i>						0	0	
f. After Proof of Financial Responsibility <i>(TC, Sec. 601.193)</i>			4					
g. All Other Transportation Code Dismissals			0	0	0	0	0	0
9. All Other Dispositions			0	0	0	0	0	0
10. Total Cases Disposed <i>(Sum of Lines 6, 7, 8 & 9)</i>			51	1	1	20	0	0
11. Placed on Inactive Status			30	0	0	3	1	0
12. Cases Pending End of Month			2,875	13	27	2,861	77	196
a. Active Cases <i>(Equals Line 5 minus the sum of Lines 10 & 11)</i>			1,662	11	22	1,657	56	156
b. Inactive Cases <i>(Equals Line 1b minus Line 3 plus Line 11)</i>			1,213	2	5	1,204	21	40
13. Show Cause and Other Required Hearings Held			8	0	0	4	0	0
14. Cases Appealed								
a. After Trial			0	0	0	0	0	0
b. Without Trial			0	0	0	0	0	0

CIVIL/ADMINISTRATIVE SECTION

Section VII. Item #F.

CIVIL SECTION

Court CITY OF PORT LAVACA	
Month FEBRUARY Year 2026	TOTAL CASES
1. Cases Pending First of Month	313
a. Active Cases	309
b. Inactive Cases	4
2. New Cases Filed During Month	0
3. Cases Reactivated	0
4. All Other Cases Added	0
5. Total Cases on Docket <i>(Sum of Lines 1a, 2, 3 & 4)</i>	309
DISPOSITIONS	
6. Uncontested Civil Fines or Penalties	0
7. Default Judgments	0
8. Agreed Judgments	0
9. Trial or Hearing by Judge or Hearing Officer	0
10. Trial by Jury	0
11. Cases Dismissed for Want of Prosecution	0
12. All Other Dispositions	0
13. Total Cases Disposed <i>(Sum of Lines 6 through 12)</i>	0
14. Placed on Inactive Status	0
15. Cases Pending End of Month	313
a. Active Cases <i>(Equals Line 5 minus the sum of Lines 13 & 14)</i>	309
b. Inactive Cases <i>(Equals Line 1b minus Line 3 plus Line 14)</i>	4
16. Cases Appealed	
a. After Trial	0
b. Without Trial	0

JUVENILE/MINOR ACTIVITY

Section VII. Item #F.

JUVENILE/MINOR ACTIVITY

Court CITY OF PORT LAVACA	
Month FEBRUARY Year 2026	TOTAL
1. Transportation Code Cases Filed <i>(TC, Section 729.001)</i>	0
2. Non-Driving Alcoholic Beverage Code Cases Filed	0
3. Driving Under the Influence of Alcohol Cases Filed <i>(ABC, Sec. 106.041)</i>	0
4. Drug Paraphernalia Cases Filed <i>(HSC, Sec. 481.125(a))</i>	0
5. Tobacco and E-Cigarettes Cases Filed <i>(HSC, Sec. 161.252)</i>	3
6. Truancy Cases Filed <i>(Fam. Code, Sec. 65.003(a))</i>	0
7. Education Code Cases Filed	0
8. Violation of Local Daytime Curfew Ordinance Cases Filed <i>(Local Govt. Code, Sec. 341.905 or Sec. 351.903)</i>	0
9. All Other Non-Traffic Fine-Only Cases Filed	0
10. Transfer to Juvenile Court:	
a. Mandatory Transfer <i>(Fam. Code, Sec. 51.08(b)(1))</i>	0
b. Discretionary Transfer <i>(Fam. Code, Sec. 51.08(b)(2))</i>	0
11. Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct) <i>(CCP, Art. 45.050(c)(1) and Fam. Code, Sec. 65.251)</i>	0
12. Held in Contempt by Criminal Court (Fined and/or Denied Driving Privileges) <i>(CCP, Art. 45.050(c)(2) and Fam. Code Sec. 65.251)</i>	0
13. Juvenile Statement Magistrate Warning:	
a. Warnings Administered	0
b. Statements Certified <i>(Fam. Code, Sec. 51.095(a)(1)(D))</i>	0
14. Detention Hearings Held <i>(Fam. Code, Sec. 54.01)</i>	0
15. Orders for Non-Secure Custody Issued <i>(CCP, Art. 45.058)</i>	0
16. Parent Contributing to Nonattendance Cases Filed <i>(Ed. Code, Sec. 25.093)</i>	0

ADDITIONAL ACTIVITY

Section VII. Item #F.

Court: CITY OF PORT LAVACA		NUMBER GIVEN	NUMBER REQUESTS FOR COUNSEL
Month FEBRUARY	Year 2026		
1. Magistrate Warnings			
a. Class C Misdemeanors		0	
b. Class A and B Misdemeanors		0	0
c. Felonies		0	0
			TOTAL
2. Arrest Warrants Issued			
a. Class C Misdemeanors			0
b. Class A and B Misdemeanors			0
c. Felonies			0
3. Capiases Pro Fine Issued (CCP, Art. 45.045)			0
4. Search Warrants Issued			0
5. Warrants for Fire, Health and Code Inspections Issued (CCP, Art. 18.05)			0
6. Examining Trials Conducted (CCP, Art. 16.01)			0
7. Emergency Mental Health Hearings Held (HSC, Sec. 573.012)			0
8. Magistrate's Orders for Emergency Protection (CCP, Art.17.292)			0
9. Magistrate's Orders for Ignition Interlock Device Issued (CCP, Art. 17.441)			0
10. All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond (CCP, Art. 17)			0
11. Driver's License Denial, Revocation or Suspension Hearings Held (TC, Sec. 521.300)			0
12. Disposition of Stolen Property Hearings Held (CCP, Ch. 47)			0
13. Peace Bond Hearings Held (CCP, Art. 7.03)			0
14. Cases in Which Fine and Court Costs Satisfied by Community Service (CCP, Art. 45.049 or 45.0492)			
a. Partial Satisfaction			0
b. Full Satisfaction			0
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit			5
16. Cases in Which Fine and Court Costs Waived for Indigency (CCP, Art. 45.0491)			0
17. Amount of Fines and Court Costs Waived for Indigency (CCP, Art. 43.091)			\$0.00
18. Total Fines, Court Costs and Other Amounts Collected			
a. Retained by City			\$13,818.69
b. Remitted to State			\$6,654.31
c. Total			\$20,473.00

COMMUNICATION

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

INFORMATION:

COMMUNICATION

SUBJECT: Consider Resolution No. R-030926-1 of the City of Port Lavaca authorizing publication of a Notice of Intention to Issue Combination Tax and Surplus Revenue Certificates of Obligation for the Lynn's Bayou Wastewater Treatment Plant Expansion project, which project is identified as Texas Water Development Board Project No. 73963. Presenter is Jody Weaver

INFORMATION:

RESOLUTION NO. R-030926-1
RESOLUTION AUTHORIZING PUBLICATION
OF NOTICE OF INTENTION TO ISSUE
COMBINATION TAX AND SURPLUS 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 surplus revenue certificates of obligation of said City, as hereinafter provided; and

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

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

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

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 9th day of March, 2026.

Mayor Jack Whitlow

ATTEST:

City Secretary Mandy Grant

[CITY SEAL]

Exhibit “A”

**NOTICE OF INTENTION TO ISSUE
COMBINATION TAX AND SURPLUS 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 6:30 p.m. on May 11, 2026 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 surplus revenue certificates of obligation in an aggregate principal amount not to exceed \$39,150,000 for the purpose of paying contractual obligations of the City to be incurred for (i) the expansion, renovation, and updating of the City of Port Lavaca’s Lynn’s Bayou Wastewater Treatment Plant, which project is identified as Texas Water Development Board Project No. 73963 (the “Treatment Plant Expansion Project”), and the following activities which are part of and integral to the Treatment Plant Expansion Project: construction and construction phase services, development of specifications and bidding for services, design, engineering, equipping, improving, planning, preparing environmental information and discharge permit applications, and other services necessary or useful for the completion of the Treatment Plant Expansion Project, and (ii) 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 surplus revenues of the City’s Waterworks and Sewer System within the limits prescribed by law. 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 \$19,935,000.
- (B) The current combined principal and interest required to pay all outstanding debt obligations of the City on time and in full is \$8,967,791.
- (C) The maximum principal amount of the certificates to be authorized is \$39,150,000.
- (D) The estimated combined principal and interest required to pay the certificates to be authorized on time and in full is approximately \$66,484,078.
- (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 02/15/2056.

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 request from the Texas Gulf Coast Press Association and the South Texas Press Association for use of the Nautical Landings Meeting Room and Deck on April 16, 2026, and Lighthouse Beach Pavilion on April 17, 2026, in conjunction with their joint convention, including consideration of a waiver of facility rental fees with the exception of required alcohol-related permit fees. Presenter is Tania French

INFORMATION:

MEETING: MARCH 09, 2026

DATE: 3/2/2026

TO: MANDY GRANT

FROM: TANIA FRENCH

SUBJECT: COUNCIL AGENDA – PRESS ASSOCIATION CONVENTION

Attached is a request submitted by Schelly Bartels, Publisher of *The Port Lavaca Wave* and Board Member of the Texas Gulf Coast Press Association, regarding use of city facilities for the upcoming Texas Gulf Coast Press Association and South Texas Press Association Joint Convention scheduled for April 16–18, 2026.

This marks the first time in history that these two longstanding non-profit organizations — TGCPA (88 years) and STPA (100 years) — will host their joint convention in Port Lavaca. The event will bring newspaper publishers, editors, and media leaders from across Texas into our community for multiple days.

From an events and tourism perspective, this convention presents:

- Direct economic impact through hotel stays, dining, and local shopping
- Valuable statewide exposure for Port Lavaca
- An opportunity to showcase Lighthouse Beach, Nautical Landings, and our waterfront amenities
- Long-term relationship building with media leaders who influence community coverage across Texas
-

The requested use of the Nautical Landings Meeting Room and Deck (April 16) and Lighthouse Beach Pavilion (April 17) aligns well with our goal of promoting Port Lavaca as a welcoming destination for meetings and conventions.

I believe hosting this group at these venues will leave a positive and lasting impression and further position Port Lavaca as a premier coastal gathering location.

February 20, 2026

Mayor and Council Members,

On behalf of the Texas Gulf Coast Press Association (TGCPA) and the South Texas Press Association (STPA), I am pleased to share that our joint convention will be held in Port Lavaca for the first time in history on April 16–18, 2026.

The Texas Gulf Coast Press Association has served Texas newspapers for 88 years, and the South Texas Press Association has proudly represented its members for 100 years. These nonprofit organizations are comprised of newspaper publishers, editors, and media professionals from communities across the state. We are excited to welcome these groups to Port Lavaca and to showcase the hospitality, charm, and coastal beauty our community offers.

In order to provide a warm welcome and highlight our city’s amenities, we respectfully request:

- **Use of the Nautical Landings Meeting Room and Deck** on Thursday, April 16, 2026, for a Welcome Reception.
- **Use of the Lighthouse Beach Pavilion** on Friday, April 17, 2026, for an evening event.

On behalf of the TGCPA Board and STPA board, I respectfully request a waiver of facility rental fees for these events, with the exception of the required alcohol-in-the-park fee.

Hosting this historic joint convention presents a meaningful opportunity for economic impact and positive statewide exposure for Port Lavaca. Attendees will include newspaper leaders from across Texas, many of whom influence tourism coverage, community features, and regional reporting. This event allows us to demonstrate firsthand the strength, hospitality, and vibrancy of our city.

Thank you for your consideration of this request. We look forward to welcoming these distinguished organizations to Port Lavaca.

Respectfully submitted,



Schelly Bartels
Publisher, *The Port Lavaca Wave*
Board Member, Texas Gulf Coast Press Association

COMMUNICATION

SUBJECT: Consider request from Snappy Company to allow a vehicle inside the Bauer Community Center for event use, and provide direction regarding facility guidelines, safety requirements, and insurance provisions. Presenter is Tania French

INFORMATION:

CITY OF PORT LAVACA

MEETING **MARCH 09, 2026**

DATE: 3/2/2026

TO: MANDY GRANT

FROM: TANIA FRENCH

SUBJECT: VEHICLE ACCESS INSIDE BAUER COMMUNITY CENTER

The City has received a request from Snappy Company, owned by Jake and Mackenzie Garrett, seeking permission to bring a van into the Bauer Community Center as part of a mobile photo booth setup for private events.

I met with the owners to discuss the request and measure access points within the facility. The van measures 58 inches at its widest point. The narrowest door opening at the Bauer is 64 inches (rear entrance), and the widest opening is 66 inches (chamber-side entrance). While the vehicle would technically fit through both openings, clearance would be minimal.

BACKGROUND

Prior to Hurricane Harvey, the rear of the Bauer Community Center included a roll-up door. During post-Harvey renovations, the roll-up door was removed after city leadership at the time determined the building was not designed to accommodate vehicles.

CONCERNS

I have discussed this request with Wayne Shaffer and Joe Reyes. Collectively, we have identified the following concerns:

1. The Bauer does not have an adequate ventilation system to safely exhaust vehicle fumes.
2. The building does not have a sprinkler system.
3. Clearance at the widest entrance would be minimal, creating potential for damage to door frames or the structure.
4. The vehicle would need to travel across tile flooring to enter the facility, which could result in floor damage.
5. There is potential for both property damage and personal injury.

COMPARISON TO OTHER FACILITIES

The City of Victoria does allow vehicles inside the Victoria Community Center; however, the building is better suited for such use. The Victoria Fire Marshal requires the following precautions:

- Plywood or other hard, absorbent material placed beneath the vehicle to protect flooring and absorb potential oil or fuel leaks.
- Battery cables disconnected from the battery.
- Fuel door taped shut if the fuel cap does not lock.
- Lessee shall not store any motor fuel in the Community Center.
- Fuel tanks, boats, vehicles, or equipment on display will be secured in accordance with instructions by the Fire Marshal.

RENTAL IMPACT

While the inclusion of a vehicle inside the building would be unique, it is not anticipated to increase rentals. In January and February, the Bauer was fully booked on weekends. Currently, only two weekends remain available between now and the end of the year (August 15 and October 31).

Staff believes the same novelty could be achieved by positioning the van near the entrance of the Bauer, rather than inside the facility.

POLICY CONSIDERATIONS

The City does not currently have established rules or guidelines regarding vehicles inside the Bauer Community Center. Therefore, staff is seeking Council direction on the following:

1. Does Council wish to allow vehicles inside the Bauer Community Center?
2. If allowed, what guidelines and insurance requirements should be established?

Should Council choose to permit vehicles inside the building, staff recommends adopting, at minimum, the City of Victoria Fire Marshal’s guidelines listed above. In addition, we recommend requiring general liability insurance in the minimum amount of \$1,000,000.00 to protect the City against loss from liability imposed by law for bodily injury and/or property damage.

Such insurance should name the City of Port Lavaca, its officers, employees, agents, and, if required, any other public entity involved in the event, as additional insured by separate endorsement for the duration of the event.

We respectfully request Council’s guidance and direction on this matter.



COMMUNICATION

SUBJECT: Consider request from Cowboy Fellowship of Port Lavaca for use of the pavilion at Bayfront Peninsula Park for the annual Easter Sunrise Service on Sunday, April 05, 2026, and consideration of a waiver of all associated pavilion rental fees. Presenter is Tania French

INFORMATION:

MEETING: MARCH 09, 2026

DATE: 3/2/2026

TO: MANDY GRANT

FROM: TANIA FRENCH

SUBJECT: COUNCIL AGENDA – EASTER SUNRISE SERVICE

On behalf of Cowboy Fellowship of Port Lavaca, I am requesting the use of the pavilion at Bayfront Peninsula Park for the church’s annual Easter Sunrise Service on Sunday, April 5, 2026. This annual event is open to the entire community, providing an opportunity for fellowship and worship.

Cowboy Fellowship of Port Lavaca respectfully requests a waiver of any fees associated with the use of the pavilion.

COMMUNICATION

SUBJECT: Consider request from American Legion Post 167 for use of the Veteran's Memorial and large pavilion at Bayfront Peninsula Park on Monday, May 25, 2026, for the Memorial Day and Flag Retirement Ceremony, including waiver of all associated fees. Presenter is Tania French

INFORMATION:

CITY OF PORT LAVACA

MEETING: MARCH 09, 2026

DATE: 3/2/2026

TO: MANDY GRANT

FROM: TANIA FRENCH

SUBJECT: Consider request from American Legion Post 167 to conduct the Memorial Day and Flag Retirement Ceremony at Bayfront Peninsula Park on Monday, May 25, 2026, including use of the Veteran’s Memorial and large pavilion, and waiver of all associated fees.

BACKGROUND:

American Legion Post 167, has expressed their desire to once again host the annual Memorial Day Ceremony and Flag Retirement Ceremony. The event is scheduled for Monday, May 25, 2026, in observance of Memorial Day.

The ceremony will honor the men and women who gave their lives in service to our country and will provide the community an opportunity to respectfully retire unserviceable American flags in accordance with proper protocol. While final event details are still being coordinated, the plan would include use of the Veteran’s Memorial and the large pavilion at Bayfront Peninsula Park.

American Legion Post 167 respectfully requests use of these park facilities and a waiver of any associated rental or usage fees to support this community-wide observance.

RECOMMENDATION:

Approval of American Legion Post 167’s request for use of Bayfront Peninsula Park, including the Veteran’s Memorial and large pavilion, and waiver of all related fees for the Memorial Day and Flag Retirement Ceremony on May 25, 2026.

COMMUNICATION

SUBJECT: Consider request to approve overnight use of Bayfront Peninsula Park on Friday, June 19, 2026 and Saturday, June 20, 2026 in conjunction with Juneteenth celebration activities. Presenter is Tania French

INFORMATION:

MEETING: MARCH 09, 2026

DATE: 3/2/2026

TO: MANDY GRANT

FROM: TANIA FRENCH

SUBJECT: REQUEST FOR OVERNIGHT USE OF BAYFRONT PENINSULA PARK – JUNETEENTH CELEBRATION (JUNE 19–21)

Background

Juneteenth activities are scheduled for June 19–21. As part of the celebration, we are requesting approval for overnight use of Bayfront Peninsula Park on Friday and Saturday nights to allow families and visitors to barbecue, fellowship, and participate in outdoor games in a safe and designated public space.

Juneteenth is a nationally recognized holiday commemorating the emancipation of enslaved African Americans and serves as an opportunity for community gathering, reflection, and celebration. As in the past few years, allowing overnight park use during this designated weekend will support cultural observance and community engagement.

Request

Approval is requested to permit overnight use of Bayfront Peninsula Park on:

- **Friday, June 19**
- **Saturday, June 20**

The extended hours would allow attendees to remain in the park overnight for barbecuing and recreational activities associated with the Juneteenth celebration.

Public Safety & Coordination

Event organizers will coordinate with local law enforcement and city staff to ensure:

- Compliance with park regulations
- Appropriate waste disposal
- Overnight security will be secured.
- Respect for park facilities and surrounding areas

COMMUNICATION

SUBJECT: Consider request to approve the Juneteenth procession route, on Saturday, June 20, 2026 beginning at 10:00 a.m., starting at City Hall, traveling Virginia Street to Main Street, and proceeding to the Bayfront; authorize traffic control assistance; and approve waiver of applicable city fees associated with the event. Presenter is Tania French

INFORMATION:

CITY OF PORT LAVACA

MEETING: MARCH 09, 2026

DATE: 3/2/2026

TO: MANDY GRANT

FROM: TANIA FRENCH

**SUBJECT: COUNCIL AGENDA - JUNETEENTH PROCESSIONAL ROUTE,
TRAFFIC CONTROL, AND FEE WAIVER REQUEST**

As part of the Juneteenth celebration scheduled for June 19–21, organizers are planning a community processional event to promote unity, reflection, and celebration.

The parade is scheduled for Saturday, June 20, 2026 beginning at 10:00 a.m.

The proposed route will:

- Begin at City Hall
- Travel down Virginia Street
- Turn left onto Main Street
- Proceed along Main Street to the Bayfront

The procession will primarily consist of pedestrians and golf carts, with a limited number of vehicles participating.

Organizers respectfully request:

1. Approval of the proposed route for the Juneteenth procession.
2. Traffic control assistance from the City to ensure participant and public safety along the route.
3. Waiver of applicable city fees associated with traffic control and any required permits in support of the Juneteenth celebration.

COMMUNICATION

SUBJECT: Consider a request to temporarily close Colorado Street between Main Street and Live Oak Street from 8:00 p.m. to 2:00 a.m. on Friday, June 19, 2026 for a Juneteenth After-hours Community Event hosted by Kenny Banks. Presenter is Tania French

INFORMATION:

CITY OF PORT LAVACA

MEETING: MARCH 09, 2026

DATE: 3/2/2026

TO: MANDY GRANT

FROM: TANIA FRENCH

SUBJECT: COUNCIL AGENDA - REQUEST FOR TEMPORARY CLOSURE OF COLORADO STREET (MAIN STREET TO LIVE OAK STREET) – JUNETEENTH AFTER-HOURS EVENT (JUNE 19)

Background

As part of the Juneteenth celebration weekend scheduled for June 19–21, an after-hours community event is being planned for Friday, June 19, hosted by Kenny Banks. This event will serve as a secondary private event that is open to the community.

Request

Approval is requested for the temporary closure of Colorado Street between Main Street and Live Oak Street from:

- 8:00 p.m. to 2:00 a.m.
- Friday, June 19

The street closure will help ensure public safety by restricting through-traffic in the immediate event area.

Security & Safety

- Security for the event will be provided by Kenny Banks.
- Kenny Banks will coordinate with city events coordinator and law enforcement as necessary.
- Emergency vehicle access will be maintained at all times.

COMMUNICATION

SUBJECT: Consider a request from United Way for use of Bayfront Peninsula Park, including both pavilions, for the Family Fun Day event scheduled for Saturday, September 19, 2026, and consideration of a waiver of all associated park rental fees. Presenter is Tania French

INFORMATION:

CITY OF PORT LAVACA

MEETING: MARCH 09, 2026

DATE: 3/2/2026

TO: MANDY GRANT

FROM: TANIA FRENCH

SUBJECT: COUNCIL AGENDA – UNITED WAY EVENT 9/19

United Way is planning its Family Fun Day for Saturday, Sept. 19, 2026. As in year's past the group requests use of Bayfront Peninsula Park for activities and games including both pavilions.

The event is open to the public and community members are welcome to participate in the activities. This does not impact other use of the park.

United Way requests waiver of fees for use of the park and pavilions.

COMMUNICATION

SUBJECT: Consider proposal from LSPS Solutions for Mapping Wastewater Collection System Infrastructure. Presenter is Wayne Shaffer

INFORMATION:

CC MEETING:

AGENDA ITEM #

DATE: 3.3.2026

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

FROM: WAYNE SHAFFER, PUBLIC WORKS DIRECTOR

SUBJECT: Proposal for Mapping Wastewater Collection System Infrastructure

BACKGROUND:

To reduce inflow and infiltration (I&I) issues the city is facing, the utility department has been undergoing an Inflow and Infiltration program to identify areas with defective or deteriorated sanitary sewer collection appurtenances in order to schedule necessary repairs, with the goal of reducing I&I. To date, Smoke Testing investigations have been completed as follows: 2023 – Ann Street Sub-basin; 2024 – FM 1090, Hillside Terrace, Alamo Heights and Vela sub-basins, 2025 – Main Lift Station basin. The google map at the following link will help illustrate the locations of these sub-basins.

[https://www.google.com/maps/d/u/0/edit?mid=1wnt37KBUGAgW-
endfQVNu5UBhDYklZBp&usp=sharing](https://www.google.com/maps/d/u/0/edit?mid=1wnt37KBUGAgW-
endfQVNu5UBhDYklZBp&usp=sharing)

Last year, Undine, LLC provided their engineer, Doug Hearn, P.E., as a resource to review lift station flows and rainfall data from our system and provide his insights and recommendations at no cost to the City. In a June 2025 report, Mr. Hearn identified the primary sub-basins of interest as Alamo Heights, Ann Street, Brookhollow, and Loop 1090, all of which have been included in one of these smoke testing inspections. Our next proposed action of our I&I strategy is to map all manholes in the collection system and inspect each (831) for deterioration and leaks. This will be a citywide project that also completes our sewer collection system mapping.

We reached out to Doug Hearn last week to ask whether he agreed that investing \$133K to conduct an inventory and inspection of all our manholes was a worthwhile expense as a next step item in our I&I program strategy, or whether he thought there was something else that should

come first. He replied that *“inventorying and inspecting all of the manholes should be a high priority. The graphs in the lift station report show the direct correlation to high runtimes (flow) and rain events. Locating manholes that are submerged during this major rain events will help find the major sources of inflow. What you are describing is a big step forward in this process.”*

FINANCIAL IMPLICATIONS:

Failing to continue this program could cause areas with high inflow and infiltration to overburden our lift stations and collection system, leading to sanitary sewer overflows (SSOs), wastewater treatment facility (WWTF) permit violations, and potential TCEQ enforcement actions. Below is a record of our expenses associated with I&I inspection over the past few fiscal years. As you can see, due in part to delays in invoicing, we have not been consistent in spending our annual budgeted funds. We are working to catch up and work more closely with our consultants to ensure timely invoices. With the significant impact of Inflow and Infiltration to our collection system, we are requesting a budget amendment to add \$130,000 so we can issue the PO for this manhole work now and not have to wait until FY 2026-27.

Fiscal Year	Budgeted Amount	PO Amount	Actual Cost	Invoice Date	Notes
2021–2022	\$75,000	\$60,930.50	\$0	N/A	PO encumbered; no expenditures
2022–2023	\$75,000	—	\$56,018	11/16/2022	2023 - Ann Street Sub-Basin
2023–2024	\$75,000	—	\$0	N/A	No activity
2024–2025	\$75,000	\$63,800	\$57,420	6/18/2025	2024 - FM 1090, Hillside Terrace, and Vela Sub-basins
2025–2026	\$90,000	\$87,065	\$87,065	1/29/2026	2025 - Main Lift Station

IMPACT ON COMMUNITY SUSTAINABILITY:

Through proper maintenance and repair, the sanitary sewer system will continue to provide services that improve the quality of life for our citizens.

RECOMMENDATION:

Staff recommends approving this budget amendment to move forward with option 2 of the proposal from LSPS Solutions, amounting to \$132,960.00.

ATTACHMENTS:

- Proposal for Mapping Wastewater Collection System Infrastructure and Requisition for P.O. #
- Request for Approval of Budgetary Amendment

CITY OF PORT LAVACA
 Request For Approval of Budgetary Amendment
 Fiscal Year 2025-2026

Amendment # PUF-002

FUND: PUBLIC UTILITY FUND - 501

Required Balance \$ 2,052,903.21

Unreserved Fund Balance at 10/01/2025 \$ 5,074,725 *
 Current Surplus/Deficit in Budget 41,962
 Net Increase/(Decrease) this Request (130,000)
 Amended Unreserved Fund Balance \$ 4,986,687 *

Date Requested: 5/1/2025

Account No.					Original Budget	Increase/ (Decrease)	Amended Budget	Reason
Fund	Dept.	Line-item	DEPT	---- Description ----				
501	55133	544.70	UTILITY MAINT	I&I IMPROVEMENTS	90,000	130,000	\$ 220,000	MANHOLE INSPECTION
NET INCREASE/(DECREASE) TO UNRESERVED FUND BALANCE								
								<u>(130,000)</u>

Approvals:
 COUNCIL: YES X NO

Entered: _____

City Manager _____

Initials: _____

Director of Finance Britney Logon

Date: _____

*Subject to change pending all audit entries for FY 2024-2025



City of Port Lavaca
 Finance Department
 202 N. Virginia St.
 Port Lavaca, Tx 77979
 accountspayable@portlavaca.org

**CITY OF PORT LAVACA
 REQUISITION REQUEST FORM**

Expedited Review

PURCHASE ORDER #

(Assigned by Finance)

DATE: 1/30/26

Name of Vendor: LSPS Solutions

G/L Acct #: 501-55133544.70

Project #: _____ Line #: _____

Total: \$132,960.00

Section 1 - General Information

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

Department: Utility Maintenance Wastewater

Project: Sewer system mapping and manhole inspections

Description of Goods/Services: Provide GIS mapping of sewer systems and inspect manholes for I&I

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

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

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

HUB #1

HUB #2

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

Section III - Competitive Quotation Documentation

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

Cooperative Purchase? Yes No PSA/Contract # _____
 Sole Source? Yes No
 Single Source? Yes No
 Professional Services? Yes No
 Emergency Purchase? Yes No

* If yes, City Manager authorization _____

Competitive Bid? Yes No

Attach bid tabulation and Council minutes

	Quotation #1 \$1,001 - \$5,000	Quotation #2 \$5,001 - \$10,000	Quotation #3 \$10,001 - \$49,999
	PO NOT REQUIRED	\$3,000	HUB Vendor Search \$49,999
Name of Company	LSPS Solutions, LLC		
Telephone Number	361-212-8243		
Contact Person	Lynn Short		
Email Address	lshort@lspssolutions.com		
Quotation #			
Total Price Quoted	\$132,960.00		

Section IV - Approvals

Department Head or Designee:

Date: 2/2/24

To be routed for signature by Finance staff:

Finance Director:	_____	Date: _____
City Manager:	_____	Date: _____



LSPS Solutions, LLC
203 Windwood Lane
Victoria, Texas 77904
361 / 212-8243

February 4, 2025

Mr. Wayne Shaffer
Public Works Director
City of Port Lavaca
202 N. Virginia
Port Lavaca, Texas 77979

Re: Updated Proposal for Mapping Wastewater Collection System Infrastructure

Wayne,

Thank you for allowing me the opportunity to propose on mapping the City of Port Lavaca's wastewater collection system infrastructure.

This is one of the asset management tools that LSPS Solutions, LLC specializes in. For this proposal, we are offering two options for your consideration:

Option 1 – Mapping Only

To accurately map the collection system, we would field locate and record sub-meter accuracy GPS locations for all of the manholes and cleanouts in your system. All of that data would be recorded in an electronic notebook and would then be used to generate a GIS shape file. The GIS shape file would then be uploaded into Diamond Maps and the sanitary sewer lines would be drawn in between the manholes and cleanouts.

Option 2 – Mapping and Geo-database Propagation

This option includes the same mapping process as in Option 1 but also includes camera inspection and field data collection on each of the manholes and propagation of the geo-database with the data collected in the field. The data collected and associated with each manhole in the GIS layer would include the information fields shown on Attachment 1 of this proposal.



Proposal

LSPS Solutions, LLC proposes to perform the following work activities to successfully create a GIS shape file to accurately capture and record the existing location of the City of Port Lavaca's sanitary sewer collection system:

- LSPS Solutions, LLC technicians will import the electronic mapping information obtained from the City into our Trimble P.L.A.N.I.T. data collection app and/or manually create points for each of the manholes and/or cleanouts that are to be mapped.
- Using the information gained from the previous tasks, LSPS Solutions, LLC staff will create electronic data collection forms for gathering the field data associated with each of the attributes and will attach these data collection forms to the previously created data points.
- Upon completion of the form development process, LSPS Solutions LLC staff will begin making trips to the project sites and collecting the gps location and any remaining field data for each of the data points.
- LSPS Solutions GIS Technicians will import the field collected data into the management tool files and will begin geo-referencing the infrastructure and drawing in the sanitary sewer lines.
- Once the field data collection has been completed and all of the data has been imported into the management tools, LSPS Solutions staff will complete the geo-referencing process and conduct a quality control check on the finished products.
- Once the initial mapping and geo-referencing has been completed, LSPS technicians will meet with the City staff to review the preliminary maps in order to identify any readily visible inaccuracies.
- Following this meeting, LSPS Solutions technicians will remedy any errors identified and begin creating the final deliverables for the project.

Deliverables

LSPS Solutions, LLC will upload the completed GIS shape file onto the Diamond Maps platform for each of the City of Port Lavaca and will also email a Google Earth .kmz file to the City.



Fee

LSPS Solutions, LLC agrees to perform the above referenced mapping services for the City of Port Lavaca for the following unit price amounts:

- **Option 1 – Mapping Only – \$98.00 per Manhole (\$81,438.00 based on 831 manholes)**
- **Option 2 – Mapping + Inspection – \$160.00 per Manhole (\$132,960.00 based on 831 manholes)**

Terms

LSPS Solutions, LLC will invoice the City of Port Lavaca during the last week of each month for the portion of the work completed during that month. The City of Port Lavaca agrees to make payment on the invoice within 30 days of receipt of the invoice.

Upon your review of this proposal, should you have questions or concerns regarding this matter, please contact me at 361 / 212-8243. I look forward to working with you and your staff on this very important project.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynn Short", with a stylized flourish at the end.

Lynn Short, President

COMMUNICATION

SUBJECT: Consider the electrical power issues at the Lynn Haven Lift station. Presenter is Wayne Shaffer

INFORMATION:

COMMUNICATION

SUBJECT: Consider award of Administration Services Agreement for Community Development Block Grant – Disaster Relief (CDBG-DR) Local Community Program Grant Application. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

COUNCIL MEETING: MARCH 9, 2026

DATE: 03.03.2026

TO: JODY WEAVER, INTERIM CITY MANAGER

FROM: KATERYNA THOMAS, GRANTS & CIP COORDINATOR

SUBJECT: REVIEW OF PROPOSALS AND CONSIDERATION OF CONTRACT AWARD FOR GRANT ADMINISTRATION SERVICES CDBG-DR LOCAL COMMUNITY PROGRAM (LCP)

The City of Port Lavaca is considering submitting one or more grant application(s) to the Texas General Land Office (GLO) under the 2024 Community Development Block Grant – Disaster Recovery (CDBG-DR) Local Community Program (LCP). These funds are intended to support eligible activities related to disaster relief, long-term recovery, infrastructure restoration, and economic revitalization resulting from the 2024 Texas Severe Storms, Straight-line Winds, Tornadoes, and Flooding (DR-4781) and Hurricane Beryl (DR-4798). In preparation for these potential applications, the City issued a Request for Proposals (RFP) to procure qualified Grant Administration services in accordance with applicable state and federal procurement requirements.

The City received two (2) responsive proposals for Grant Administration services:

- GRANTWORKS, Inc.
- KSBR, LLC

Evaluation Process

Proposals were reviewed and evaluated by a Scoring Committee comprised of the following: Grants and CIP Coordinator Kateryna Thomas, Interim Finance Director Reyann Grimaldo, Interim City Manager Jody Weaver and Councilwoman Rose Stewart. Scores were provided based on criteria outlined in the RFP, including but not limited to experience with CDBG-DR programs, capacity to administer federally funded disaster recovery grants, project approach, past performance, and cost. A summary of evaluation scores is provided in the attached Score Summary.

Recommendation

The Scoring Committee has reviewed the proposals and evaluation results and recommends that City Council consider awarding a Grant Administration Services contract to KSBR, LLC, receiving the highest overall score, as reflected in the attached Score Summary, to assist the City with preparation and submission of CDBG-DR LCP application(s) and, if awarded, administration and implementation of one or more grant contracts.

Financial Implication

There is no immediate financial impact to the City at this time. Grant Administration costs are anticipated to be an eligible expense reimbursable through the CDBG-DR program, subject to grant award and GLO approval.

Review Score Summary and consider an Administration Services award contract to assist the City of Port Lavaca in its application(s) for CDBG-DR Local Community Program (LCP) and implementation of one or more contracts, if awarded.

Action Requested:

Consider the award of a Grant Administration Services contract to KSBR, LLC for the CDBG-DR Local Community Program (LCP).

Attachments:

Score Summary
References

DRAFT

Administration Services
2024 CDBG -DR Local Community Program
RFP No. 02-11-2026-A 3/2/2026

		Experience/25	Work Performance/ 30	Capacity to Perform/16	Proposed Cost/20	TOTAL/ 91
Reyann Grimaldo	KSBR	25	28	16	20	89
	Grant Works	25	28	16	17.8	86.8
Jody Weaver	KSBR	25	30	16	20	91
	Grant Works	23	29	16	18	86
Rose Bland-Stewart	KSBR	24	29	15	20	88
	Grant Works	25	29	16	20	90
Kateryna Thomas	KSBR	25	30	16	20	91
	Grant Works	25	27	15	18	85

Average Scores	Total
KSBR	359
Grant Works	347.8

KSBR IS A HISTORICALLY UNDERUTILIZED BUSINESS (HUB) FIRM

PROPOSED COST OF SERVICES 2024 CDBG-DR Local Community Program RFP No. 02-11-2026-A

KSBR

Award Amounts			
	\$500,000-\$749,999	\$750,000-\$999,999	\$1,000,000-\$5,000,000
KSBR Price	\$40,000-\$60,000	\$65,000-\$80,000	\$300,000*
Percent %	8%-8%	8.6%-9%	30%-6%

***KSBR will not exceed \$300,000 if the award amount increases beyond \$1 million**
 \$300,000 fee shown for the range \$1,000,000 - \$5,000,000 is a maximum and a fee would be negotiated depending upon the exact award in the range. No fee regardless of award would exceed \$300,000.

GrantWorks

Proposed Percent Fee Schedule By Grant Amount				
Grant Minimum	Grant Maximum	Percent	Fee Minimum	Fee Maximum
\$ 500,000.00	\$ 749,999.99	9.5%	\$ 47,500	\$ 71,250
\$ 750,000.00	\$ 999,999.99	8.9%	\$ 66,750	\$ 89,000
\$ 1,000,000.00	\$ 1,999,999.99	7.5%	\$ 75,500	\$ 151,000
\$ 2,000,000.00	\$ 2,999,999.99	7.3%	\$ 145,000	\$ 217,500
\$ 3,000,000.00	\$ 3,999,999.99	7.0%	\$ 208,500	\$ 278,000
\$ 4,000,000.00	\$ 5,000,000.00	6.8%	\$ 270,000	\$ 337,500



Re: Reference Check Request – KSBR, LLC (CDBG Administration Services)

From Jim Gibson <jim.gibson@rockdalemdd.org>
Date Mon 3/2/2026 10:11 AM
To Kateryna Thomas <kthomas@portlavaca.org>

Good morning. Generally, I had a really good experience with KSBR. They were the only firm who submitted a response to an RFQ for a TDA Downtown Revitalization Program (DRP) grant way back in 2022 or 2023. We were not awarded the grant at first, but KSBR (Veronica in particular) stayed on top of it and eventually we were able to sneak in and get the award. I feel that Veronica communicated very well and consistently throughout the process. I would use them again.

From: Kateryna Thomas <kthomas@portlavaca.org>
Sent: Friday, February 27, 2026 12:30 PM
To: Jim Gibson <jim.gibson@rockdalemdd.org>
Cc: Jody Weaver <jweaver@portlavaca.org>; Wayne Shaffer <wshaffer@portlavaca.org>; Brittney Hogan <bhogan@portlavaca.org>; Reyann Grimaldo <rgrimaldo@portlavaca.org>
Subject: Reference Check Request – KSBR, LLC (CDBG Administration Services)

Good afternoon Jim,

The City of Port Lavaca is currently soliciting proposals for Administration Services in connection with a Community Development Block Grant (CDBG) project. As part of the procurement and award process, the City is conducting reference checks.

KSBR, LLC submitted a proposal in response to this solicitation and listed you as a reference for prior work on Downtown Revitalization Program projects. We would greatly appreciate your feedback regarding your experience working with KSBR, LLC.

If you are willing, please take a few moments to provide your input by responding to the questions below. Your feedback will help the City finish its evaluation process.

1. How would you rate KSBR's knowledge, requirements, and compliance standards? Very good
2. Did KSBR meet project deadlines and grant milestones? If not, how were delays handled? Yes
3. How effective was KSBR's communication with your staff, consultants, and state or federal agencies? Very good
4. Were grant reporting, reimbursements, and documentation prepared accurately and submitted on time? I didn't handle that part but I believe so
5. How did KSBR handle challenges or unexpected issues during the project? See narrative above
6. Would you describe KSBR's staff as professional, responsive, and knowledgeable? Yes

7. Overall, how satisfied were you with KSBR's performance? Very

8. Would you hire KSBR, LLC again for future grant administration services? Yes

Thank you in advance for your time and assistance.

Please feel free to contact me if you have any questions.

Sincerely,
Kateryna Thomas
Grants & CIP Coordinator
City of Port Lavaca, TX
(361) 552-9793 ext:224
kthomas@portlavaca.org





Re: Reference Check Request – KSBR, LLC (CDBG Administration Services)

From Javier Perez <javier@lucemco.com>
Date Mon 3/2/2026 1:20 PM
To Kateryna Thomas <kthomas@portlavaca.org>
Cc Jody Weaver <jweaver@portlavaca.org>; Brittney Hogan <bhogan@portlavaca.org>; Wayne Shaffer <wshaffer@portlavaca.org>; Reyann Grimaldo <rgrimaldo@portlavaca.org>

Hello,

Please refer to responses below.

Thank you.

From: Kateryna Thomas <kthomas@portlavaca.org>
Date: Friday, February 27, 2026 at 2:57 PM
To: Javier Perez <javier@lucemco.com>
Cc: Jody Weaver <jweaver@portlavaca.org>, Brittney Hogan <bhogan@portlavaca.org>, Wayne Shaffer <wshaffer@portlavaca.org>, Reyann Grimaldo <rgrimaldo@portlavaca.org>
Subject: Reference Check Request – KSBR, LLC (CDBG Administration Services)

Good afternoon Javier,

The City of Port Lavaca is currently soliciting proposals for Administration Services in connection with a Community Development Block Grant (CDBG) project. As part of the procurement and award process, the City is conducting reference checks.

KSBR, LLC submitted a proposal in response to this solicitation and listed you as a reference for prior work on CDBG projects. We would greatly appreciate your feedback regarding your experience working with KSBR, LLC.

If you are willing, please take a few moments to provide your input by responding to the questions below. Your feedback will help the City finish its evaluation process.

1. How would you rate KSBR's knowledge, requirements, and compliance standards?

KSBR is well versed in CDBG-DR regulations. I would not hesitate to use them as administrators/SMEs

2. Did KSBR meet project deadlines and grant milestones? If not, how were delays handled?

All my work with KSBTR met the required contractual and grant performance requirements

3. How effective was KSBR's communication with your staff, consultants, and state or federal agencies?

KSBR always maintained clear communication with me and my staff

4. Were grant reporting, reimbursements, and documentation prepared accurately and on time?

Section VIII. Item #12.

All reports submitted by KSBR were clear, concise and submitted on schedule

5. How did KSBR handle challenges or unexpected issues during the project?

KSBR always brought a set of recommendations/potential solutions when a challenge was encountered. They have always been easy to work with in high production situations

6. Would you describe KSBR's staff as professional, responsive, and knowledgeable?

Absolutely!

7. Overall, how satisfied were you with KSBR's performance?

Very satisfied. I would not hesitate to work with KSBR again

8. Would you hire KSBR, LLC again for future grant administration services?

Yes

Thank you in advance for your time and assistance.

Please feel free to contact me if you have any questions.

Sincerely,

Kateryna Thomas

Grants & CIP Coordinator

City of Port Lavaca, TX

(361) 552-9793 ext:224

kthomas@portlavaca.org



CITY OF PORT LAVACA
TEXAS



PROUD TO BE
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KRISTEN E. KUBECKA
COUNTY AUDITOR
 MATAGORDA COUNTY
 2200 SEVENTH STREET, ROOM 208
 BAY CITY, TEXAS 77414

CRYSTAL MORONES
 GRANT ADMINISTRATOR

TELEPHONE
 (979) 479-7256

March 3, 2026

Kateryna Thomas
 Grants & CIP Coordinator
 City of Port Lavaca, TX

Re: Reference Check Request – GrantWorks, Inc.

Good afternoon Kateryna,

Please find my responses to your inquiries below.

1. How would you rate GrantWorks' knowledge, requirements, and compliance standards?

On a scale of 1–10, I would rate GrantWorks a 9. I have worked with several project managers at GrantWorks who specialize in funding programs such as FEMA, GLO, TxDOT, ARPA, TDA, and TDHCA. Each has demonstrated strong knowledge of program requirements and has done an excellent job keeping the County compliant and up to date with evolving regulations. Melinda Kapelka, who oversees our CDBG, CDV, and CDBG-CV grants, has provided exceptional expertise and guidance within her area.

2. Did GrantWorks meet project deadlines and grant milestones?

Yes, GrantWorks has consistently met project deadlines and grant milestones. Their project managers remain proactive in tracking timelines and have ensured that monthly, quarterly, and annual reporting requirements are completed accurately and on time.

3. How effective was GrantWorks' communication with your staff, consultants, and state or federal agencies?

GrantWorks has maintained excellent communication with County staff, engineers, contractors, funding agencies, and other local partners. Their responsiveness and coordination have contributed greatly to the smooth progression of our projects.

4. Were grant reporting, reimbursements, and documentation prepared accurately and submitted on time?

Overall, reporting, reimbursement requests, and documentation have been accurate and timely. While there were minor delays with some TDA and FEMA reimbursement requests, all CDBG-related submissions have been consistently accurate and submitted within required timeframes.

5. How did GrantWorks handle challenges or unexpected issues during the project?

GrantWorks effectively communicates with funding agencies regarding any issues or concerns and demonstrates strong problem-solving abilities. Their management team is responsive and works quickly to support project managers in resolving complications as they arise.

6. Would you describe GrantWorks' staff as professional, responsive, and knowledgeable?

Yes, GrantWorks staff are consistently professional, responsive, and knowledgeable. They handle complex situations with professionalism and maintain a high level of organization and communication, including during virtual meetings.

7. Overall, how satisfied were you with GrantWorks' performance?

We have utilized GrantWorks for several years, even prior to my time as a grant administrator. Our experience has consistently been positive, and their support has significantly streamlined grant management processes.

8. Would you hire GrantWorks again for future grant administration services?

Yes, based on their continued strong performance and high standards of service, we would welcome the opportunity to work with GrantWorks again for future grant administration services.

Thank you for taking the time to review my responses. I wish you the best of luck in selecting a grant administration service provider and in your upcoming projects.

Sincerely,



Crystal Morones
County Grant Administrator
Matagorda County

COMMUNICATION

SUBJECT: 13. Consider approval of a list of qualified engineers in the category of Drainage or Streets and Drainage, for Community Development Block Grant – Disaster Relief (CDBG-DR) Local Community Program Grant Application, in response to the RFQ #02-11-2026-E, as recommended by the scoring committee. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

COUNCIL MEETING: MARCH 9, 2026

DATE: 03.04.2026

TO: JODY WEAVER, INTERIM CITY MANAGER

FROM: KATERYNA THOMAS, GRANTS & CIP COORDINATOR

SUBJECT: CONSIDER APPROVAL OF A LIST OF QUALIFIED ENGINEERS IN THE CATEGORY OF DRAINAGE OR STREET AND DRAINAGE IN RESPONSE TO THE RFQ #02-11-2026-E, AS RECOMMENDED BY SCORING COMMITTEE.

The City of Port Lavaca is considering submitting one or more grant applications to the Texas General Land Office (GLO) under the 2024 Community Development Block Grant – Disaster Recovery (CDBG-DR) Local Community Program (LCP). These funds are intended to support eligible activities related to disaster relief, long-term recovery, infrastructure restoration, and economic revitalization resulting from the 2024 Texas Severe Storms, Straight-line Winds, Tornadoes, and Flooding (DR-4781) and Hurricane Beryl (DR-4798).

In preparation for potential grant submissions, the City issued RFQ #02-11-2026-E to procure qualified engineering firms capable of providing professional services related to DRAINAGE or STREETS & DRAINAGE projects, in compliance with all applicable state and federal procurement requirements.

The City received six (6) responsive proposals for Engineering Qualification Proposals:

- Coast & Harbor Engineering
- AECOM
- CivilCorp
- TLC Engineering
- Urban Engineering
- Meta Engineering

Evaluation Process:

Proposals were reviewed and evaluated by a Scoring Committee of the following: Interim City Manager- Jody Weaver, Director of Public Works- Wayne Shaffer, Councilman- Justin Burke, and Councilman- Daniel Aguirre.

The Scoring Committee reviewed and evaluated all responsive proposals in accordance with the criteria outlined in the RFQ. Proposals were assessed based on, but not limited to, the following factors:

- Firm qualifications and experience with **drainage and street infrastructure projects**
- Experience with federally and state-funded projects, including CDBG-DR
- Experience in project construction management
- Past performance and references
- Capacity to perform work within required timeframes

Each proposal was independently scored, and the results were compiled to determine the most qualified firms.

Recommendation:

Staff is recommending to initially qualify engineering firms based on an overall average score of 80 or higher, AND an average experience score of 50 or higher in the Drainage or Street and Drainage category. Based on

the evaluation and scoring results, the Scoring Committee recommends approval of Civil Corp, LLC and Urban Engineering as qualified engineering firms in the category of Drainage or Street and Drainage.

Approval of this qualified list will allow the City to efficiently engage engineering services, as needed, for future project development and grant application support related to the GLO 2024 CDBG-DR Local Community Program (LCP) and other eligible infrastructure projects.

Final selection of firms and contract negotiations for specific projects will be presented to the City Council for consideration at a later date, as applicable.

Financial implication

There is no immediate fiscal impact associated with the approval of the list of qualified engineering firms. Any future expenditure related to engineering services will be subject to City Council approval and will be contingent upon grant awards or other authorized funding sources.

Attachments:

Score Summary

References

DRAFT

**Statement of Qualifications for Professional Engineering/
 Architectural/Surveying Services
 RFQ No. 02-11-2026-E CDBG-DR Local Community Program
 3/2/2026**

		Experience / 60	Work Performance/25	Capacity to Perform/15	Total/100
Jody Weaver	Coast & Harbor Engineering	45	24	10	79
	AECOM	23	16	11	50
	CivilCorp	60	23	15	98
	TLC Engineering	32	24	10	66
	Urban Engineering	60	24	13	97
	Meta Engineering	37	24	14	75
Wayne Shaffer	Coast & Harbor Engineering	53	23	15	91
	AECOM	47	21	13	81
	CivilCorp	56	23	15	94
	TLC Engineering	52	23	14	89
	Urban Engineering	56	24	15	95
	Meta Engineering	45	22	13	80
Justin Burke	Coast & Harbor Engineering	39	17	12	68
	AECOM	41	18	14	73
	CivilCorp	45	17	12	74
	TLC Engineering	42	22	10	74
	Urban Engineering	34	17	9	60
	Meta Engineering	50	22	13	85
Daniel Aguirre	Coast & Harbor Engineering	50	22	12	84
	AECOM	40	18	15	73
	CivilCorp	60	23	15	98
	TLC Engineering	56	22	6	84
	Urban Engineering	60	22	15	97
	Meta Engineering	43	22	12	77

	TOTAL	AVERAGE	AVERAGE EXPERIENCE
Coast & Harbor Engineering	322	80.5	46.75
AECOM	277	69.25	37.75
CivilCorp	364	91	55.25
TLC Engineering	313	78.25	45.5
Urban Engineering	349	87.25	52.5
Meta Engineering	317	79.25	43.75

RE: Reference Check Request – Urban Engineering (CDBG Engineering Services)

From Thompson, Kevin <kthompson@cityofelcampo.org>
Date Mon 3/2/2026 1:04 PM
To Kateryna Thomas <kthomas@portlavaca.org>
Cc Jody Weaver <jweaver@portlavaca.org>; Wayne Shaffer <wshaffer@portlavaca.org>; Brittney Hogan <bhogan@portlavaca.org>; Reyann Grimaldo <rgrimaldo@portlavaca.org>

Good afternoon, please see my responses below.

1. What type of project did Urban Engineering provide services for, and what was their role? *Multiple projects including but not limited to: Engineering, Design and inspection of 4,815 LF of sanitary trunk lines with external service reconnections, (18",15"and 8" HDPE by pipe burst and 1275 LF of 15" CIPP). Manhole rehabilitation and new installation where required. A number of Sanitary rehabilitation projects, a force main project, and completing a design and inspection of an 8" water installation project currently*
2. Were the engineering services completed on time and in accordance with the project schedule? *Project was completed ahead of time and under budget.*
3. Was the project delivered as designed, and were there any change orders? *No change orders were required.*
4. How effective was Urban Engineering's communication with your staff? *Urban was extremely responsive and coordination was handled easily.*
5. Did the engineers have experience working on projects funded by federal or state programs? *No*
6. Did the project involve large-scale drainage or street drainage improvements? *No*
7. How would you rate the quality of the engineering design and overall technical performance? *On a scale of 1-10= 8 (I'm very picky)*
8. Overall, how satisfied were you with Urban Engineering's performance? *On a scale of 1-10=10*
9. Would you hire Urban Engineering again for future engineering services? *Yes and currently accepting a proposal for a grant opportunity from them*
10. Do you have any additional comments or recommendations for the City's consideration? *Urban Engineering has been timely with pay applications, design milestones and project implementation and contractor selection.*

Kevin D. Thompson, CFM, CWP
Director of Public Works
City of El Campo
315 East Jackson St.
kthompson@cityofelcampo.org
979-541-5075 Public Works Office
979-541-5045 Direct/Voice Mail



From: Kateryna Thomas <kthomas@portlavaca.org>
Sent: Monday, March 2, 2026 12:27 PM
To: Thompson, Kevin <kthompson@cityofelcampo.org>
Cc: Jody Weaver <jweaver@portlavaca.org>; Wayne Shaffer <wshaffer@portlavaca.org>; Brittney Hogan <bhogan@portlavaca.org>; Reyann Grimaldo <rgrimaldo@portlavaca.org>
Subject: Reference Check Request – Urban Engineering (CDBG Engineering Services)



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender kthomas@portlavaca.org

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Mr. Kevin,

The City of Port Lavaca is currently soliciting proposals for Engineering Services in connection with a Community Development Block Grant (CDBG) project. As part of the procurement and award process, the City is conducting reference checks.

Urban Engineering submitted a proposal in response to this solicitation and listed you as a reference for prior work on the Wharton Street Sanitary Sewer Improvement. We would greatly appreciate your feedback regarding your experience working with Urban Engineering.

If you are willing, please take a few moments to provide your input by responding to the questions below. Your feedback will assist the City in completing its evaluation process.

Reference Questions:

1. What type of project did Urban Engineering provide services for, and what was their role?
2. Were the engineering services completed on time and in accordance with the project schedule?
3. Was the project delivered as designed, and were there any change orders?
4. How effective was Urban Engineering's communication with your staff?
5. Did the engineers have experience working on projects funded by federal or state programs?
6. Did the project involve large-scale drainage or street drainage improvements?
7. How would you rate the quality of the engineering design and overall technical performance?

8. Overall, how satisfied were you with Urban Engineering's performance?

9. Would you hire Urban Engineering again for future engineering services?

10. Do you have any additional comments or recommendations for the City's consideration?

Thank you in advance for your time and assistance.

Please feel free to contact me if you have any questions.

Sincerely,
Kateryna Thomas
Grants & CIP Coordinator
City of Port Lavaca, TX
(361) 552-9793 ext:224
kthomas@portlavaca.org



 Outlook

RE: Reference Check Request – Coast & Harbor Engineering (CDBG Engineering Services)

From Todd Baker <Todd.Baker@LA.GOV>

Date Mon 3/2/2026 11:17 AM

To Kateryna Thomas <kthomas@portlavaca.org>

Cc Jody Weaver <jweaver@portlavaca.org>; Wayne Shaffer <wshaffer@portlavaca.org>; Brittney Hogan <bhogan@portlavaca.org>; Reyann Grimaldo <rgrimaldo@portlavaca.org>

See responses below – Excellent firm to work with.

D. Todd Baker | Coastal Protection and Restoration Authority

Project Manager | Project Management Division

The Water Campus | 150 Terrace Avenue | Baton Rouge, LA 70802

o: 225.342.4807 | c: 225.281.2066

www.coastal.la.gov



From: Kateryna Thomas <kthomas@portlavaca.org>

Sent: Monday, March 2, 2026 10:36 AM

To: Todd Baker <Todd.Baker@LA.GOV>

Cc: Jody Weaver <jweaver@portlavaca.org>; Wayne Shaffer <wshaffer@portlavaca.org>; Brittney Hogan <bhogan@portlavaca.org>; Reyann Grimaldo <rgrimaldo@portlavaca.org>

Subject: Reference Check Request – Coast & Harbor Engineering (CDBG Engineering Services)

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

Good afternoon Todd,

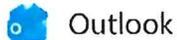
The City of Port Lavaca is currently soliciting proposals for Engineering Services in connection with a Community Development Block Grant (CDBG) project. As part of the procurement and award process, the City is conducting reference checks.

Coast & Harbor Engineering submitted a proposal in response to this solicitation and listed you as a reference for prior work on Coastal Protection projects. We would greatly appreciate your feedback regarding your experience working with Coast & Harbor Engineering.

If you are willing, please take a few moments to provide your input by responding to the questions below. Your feedback will assist the City in completing its evaluation process.

Reference Questions:

1. What type of project did Coast & Harbor Engineering provide services for, and what was their role?



Reference Check Request – CivilCorp, LLC (CDBG Engineering Services)

From Kateryna Thomas <kthomas@portlavaca.org>

Date Mon 3/2/2026 10:57 AM

To Gary Broz <gbroz@cityofedna.com>

Cc Jody Weaver <jweaver@portlavaca.org>; Wayne Shaffer <wshaffer@portlavaca.org>; Brittney Hogan <bhogan@portlavaca.org>; Reyann Grimaldo <rgrimaldo@portlavaca.org>

You don't often get email from kthomas@portlavaca.org. [Learn why this is important](#)

Good afternoon Gary,

The City of Port Lavaca is currently soliciting proposals for Engineering Services in connection with a Community Development Block Grant (CDBG) project. As part of the procurement and award process, the City is conducting reference checks.

CivilCorp, LLC submitted a proposal in response to this solicitation and listed you as a reference for prior work on Roadway, water, and sanitary sewer improvements for various streets in Edna projects. We would greatly appreciate your feedback regarding your experience working with CivilCorp, LLC.

If you are willing, please take a few moments to provide your input by responding to the questions below. Your feedback will assist the City in completing its evaluation process.

Reference Questions:

1. What type of project did CivilCorp, LLC provide services for, and what was their role?
1. Drainage Project \$2 Million 2. Street Rehab \$4 billion 3. Drainage \$2 million 4. Street Rehab \$5 million
2. Were the engineering services completed on time and in accordance with the project schedule?
Yes- they kept project on schedule
3. Was the project delivered as designed, and were there any change orders?
Yes, all project have been delivered as designed with only a few minor change orders
4. How effective was CivilCorp's communication with your staff?
Vey, Call and they respond
5. Did the engineers have experience working on projects funded by federal or state programs?
Yes, Big Drairage was federal money, cureent major drainage project federal money
6. Did the project involve large-scale drainage or street drainage improvements?
Yes, Gilbert Rd project, started with 24 inch pipe and ended with 60 inch pipe
7. How would you rate the quality of the engineering design and overall technical performance?
Would rate as very good
8. Overall, how satisfied were you with CivilCorp's performance?
Very satisfied
9. Would you hire CivilCorps again for future engineering services?
Yes
10. Do you have any additional comments or recommendations for the City's consideration?
No

Thank you in advance for your time and assistance.

Coast and Harbor provided data collection and modeling services for the lower Mississippi (Bellechasse, LA to the Gulf). This was to inform the engineering and design of a large scale restoration Project, Birdfoot Delta Hydrologic Restoration Project (MR-173).

2. Were the engineering services completed on time and in accordance with the project schedule?
Yes
3. Was the project delivered as designed, and were there any change orders?
Yes, CPRA amended C&H's contract to add scope to their task.
4. How effective was Coast & Harbor Engineering's communication with your staff?
Communication is a strongpoint of C&H. They routinely touched base with me on their progress and provided interim progress reports, solicited feedback, and worked the feedback into there deliverables. Whenever I had a question they were quick to respond or pick up the phone for an impromptu discussion.
5. Did the engineers have experience working on projects funded by federal or state programs?
Yes, C&H has worked on a number of tasks with our agency. All these tasks are federally or state funded programs.
6. Did the project involve large-scale drainage or street drainage improvements?
Yes, The Birdfoot Delta Hydrologic Restoration project is large scale drainage project that involves the lower Mississippi River. They also have experience working on a drainage project on the lower Calcasieu River.
7. How would you rate the quality of the engineering design and overall technical performance?
Outstanding. C&H's ability to model complex systems such as the lower Mississippi River, sediment and water movement around Grand Isle, and Calcasieu River drainage, is exemplary. Their ability to and explain these complex models in simple terms to diverse group of stakeholders was exemplary.
8. Overall, how satisfied were you with Coast & Harbor Engineering's performance?
Outstanding 10 out of 10.
9. Would you hire Coast & Harbor Engineering again for future engineering services?
Yes and already have.
10. Do you have any additional comments or recommendations for the City's consideration?
C&H is an excellent firm with professional engineers and modelers. They listen and understand the assigned tasks and have met all our deadlines. Communication and stakeholder inclusion is a strongpoint. On several occasions we have needed multiple meetings to convey complex topics. C&H was always accommodating and have been key to the successful progression of the Birdfoot Delta Hydrologic Restoration project.

Thank you in advance for your time and assistance.

Please feel free to contact me if you have any questions.

Sincerely,
Kateryna Thomas
Grants & CIP Coordinator
City of Port Lavaca, TX

(361) 552-9793 ext:224
kthomas@portlavaca.org

Section VIII. Item #13.



CITY OF PORT LAVACA
TEXAS



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Please feel free to contact me if you have any questions.

Sincerely,
Kateryna Thomas
Grants & CIP Coordinator
City of Port Lavaca, TX
(361) 552-9793 ext:224
kthomas@portlavaca.org



RE: Reference Check Request – Urban Engineering (CDBG Engineering Services)

From Wayne Berger <citymanager@cityofcuero.com>
Date Tue 3/3/2026 4:49 PM
To Kateryna Thomas <kthomas@portlavaca.org>
Cc Jody Weaver <jweaver@portlavaca.org>; Wayne Shaffer <wshaffer@portlavaca.org>; Brittney Hogan <bhogan@portlavaca.org>; Reyann Grimaldo <rgrimaldo@portlavaca.org>

Good afternoon,

My responses to your reference questions are listed below in red. Please let me know if you have any additional questions, or if there is anything else that we could help you with.

Thank you,

Wayne Berger

Wayne Berger
City Manager
City of Cuero
212 E. Main
P.O. Box 660
Cuero, Texas 77954
(361) 275-8716 (office)

From: Kateryna Thomas [mailto:kthomas@portlavaca.org]
Sent: Monday, March 2, 2026 12:31 PM
To: Wayne Berger <citymanager@cityofcuero.com>
Cc: Jody Weaver <jweaver@portlavaca.org>; Wayne Shaffer <wshaffer@portlavaca.org>; Brittney Hogan <bhogan@portlavaca.org>; Reyann Grimaldo <rgrimaldo@portlavaca.org>
Subject: Reference Check Request – Urban Engineering (CDBG Engineering Services)

Good afternoon, Mr. Wayne

The City of Port Lavaca is currently soliciting proposals for Engineering Services in connection with a Community Development Block Grant (CDBG) project. As part of the procurement and award process, the City is conducting reference checks.

Urban Engineering submitted a proposal in response to this solicitation and listed you as a reference for prior work on the Hillside Cemetery Road Improvements project. We would greatly appreciate your feedback regarding your experience working with Urban Engineering.

If you are willing, please take a few moments to provide your input by responding to the questionnaire. Your feedback will assist the City in completing its evaluation process.

Reference Questions:

1. What type of project did Urban Engineering provide services for, and what was their role? In 2020, Urban Engineering prepared plans and specifications for the rehabilitation of approximately 17,000 square yards of existing hot mix asphalt concrete roadways in Hillside Cemetery. They also worked on the 2023 Street Improvements CDBG Project, the 2026 Skate Park (TPWD) Project, 2025 Water Tank Repair project, 2024 Waterline Improvements GLO project, 2024 San Antonio Street Water Plant Improvements and numerous other road, water and wastewater improvements projects here in the City.
2. Were the engineering services completed on time and in accordance with the project schedule? Yes. Projects were completed on time and in accordance with project schedules.
3. Was the project delivered as designed, and were there any change orders? Yes. There were no change orders on the Hillside Cemetery project. There have been a couple of change orders on the other mentioned grant projects but all within the original scope of the project. Primarily quantity changes.
4. How effective was Urban Engineering's communication with your staff? Urban Engineering has always kept staff informed on progress with all projects they are working on with the City. They are also available for Council Meetings when needed.
5. Did the engineers have experience working on projects funded by federal or state programs? Yes. The City of Cuero has both State and Federal programs that are engineered by Urban Engineering.
6. Did the project involve large-scale drainage or street drainage improvements? The City's 2023 GLO MIT-MOD project (\$1.4 million) was a streets and drainage project that was engineered by Urban Engineering.
7. How would you rate the quality of the engineering design and overall technical performance? Excellent
8. Overall, how satisfied were you with Urban Engineering's performance? Very Satisfied with their services.
9. Would you hire Urban Engineering again for future engineering services? Yes
10. Do you have any additional comments or recommendations for the City's consideration? The City is very satisfied with the services performed by Urban Engineering—not only on our grant programs but our other City projects as well.

Thank you in advance for your time and assistance.

Please feel free to contact me if you have any questions.

Sincerely,
Kateryna Thomas
Grants & CIP Coordinator
City of Port Lavaca, TX
(361) 552-9793 ext:224
kthomas@portlavaca.org



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RE: Reference Check Request – META Engineering (CDBG Engineering Services)

From Richard Gallegos <rg@gallegoseng.com>
Date Wed 3/4/2026 2:20 PM
To Kateryna Thomas <kthomas@portlavaca.org>
Cc Jody Weaver <jweaver@portlavaca.org>; Wayne Shaffer <wshaffer@portlavaca.org>

Kateryna,

See my comments below.

Sincerely,
GALLEGOS ENGINEERING, INC.
FIRM: F-003084

Richard M. Gallegos, P.E.
President
P. 210-641-0812
M. 210-834-4563

From: Kateryna Thomas <kthomas@portlavaca.org>
Sent: Wednesday, March 4, 2026 1:05 PM
To: Richard Gallegos <rg@gallegoseng.com>
Cc: Jody Weaver <jweaver@portlavaca.org>; Wayne Shaffer <wshaffer@portlavaca.org>
Subject: Reference Check Request – META Engineering (CDBG Engineering Services)

Good afternoon Richard,

The City of Port Lavaca is currently soliciting proposals for Engineering Services in connection with a Community Development Block Grant (CDBG) project. As part of the procurement and award process, the City is conducting reference checks.

Meta Engineering submitted a proposal in response to this solicitation and listed you as a reference for prior work on the East Central SUD 12" Water Lines at Zigmont Road Low water Crossings project. We would greatly appreciate your feedback regarding your experience working with Meta Engineering.

If you are willing, please take a few moments to provide your input by responding to the questions below. Your feedback will assist the City in completing its evaluation process.

Reference Questions:

1. What type of project did Meta Engineering provide services for, and what was their role?
Provided Civil Engineering Services for a 12" water line relocation project.
2. Were the engineering services completed on time and in accordance with the project schedule? Yes, no issues. Very prompt.

3. Was the project delivered as designed, and were there any change orders? P delivered, have not bid yet waiting on County review comments.
4. How effective was Meta Engineering's communication with your staff? We meet once a week to go over projects so very effective.
5. Did the engineers have experience working on projects funded by federal or state programs? Not on this one, but I am sure they are familiar with Federal and State programs.
6. Did the project involve large-scale drainage or street drainage improvements? No, 3 new culverts requiring water line adjustments.
7. How would you rate the quality of the engineering design and overall technical performance? Excellent, will continue to use their services.
8. Overall, how satisfied were you with Meta Engineering's performance? Very Satisfied. Will use again.
9. Would you hire Meta Engineering again for future engineering services? Yes.
10. Do you have any additional comments or recommendations for the City's consideration? They do great work, you should not hesitate to hire them.

Thank you in advance for your time and assistance.

Please feel free to contact me if you have any questions.

Sincerely,
Kateryna Thomas
Grants & CIP Coordinator
City of Port Lavaca, TX
(361) 552-9793 ext:224
kthomas@portlavaca.org



CITY OF PORT LAVACA
TEXAS



COMMUNICATION

SUBJECT: Consider Resolution No. R-030926-2 of the City of Port Lavaca declaring April 2026 as Fair Housing Month. Presenter is Jody Weaver

INFORMATION:

RESOLUTION NO. R-030926-2

A RESOLUTION OF THE CITY OF PORT LAVACA, CALHOUN COUNTY, TEXAS, PROCLAIMING THE MONTH OF APRIL 2026 AS FAIR HOUSING MONTH.

WHEREAS Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and

WHEREAS The principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

WHEREAS The National Fair Housing Law, during the month of April, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

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

THAT, WE, do proclaim April as Fair Housing Month in City of Port Lavaca and do hereby urge all the citizens of this locality to become aware of and support the Fair Housing law.

PASSED AND APPROVED on this 9th day of March 2026.

ATTEST:

Mandy Grant, City Secretary

Jack Whitlow, Mayor

COMMUNICATION

SUBJECT: Consider Resolution No. R-030926-3 of the City of Port Lavaca suspending the April 18, 2026 effective date of the proposal by CenterPoint Energy Resources Corp., D/B/A CenterPoint Energy Entex and CenterPoint Energy Texas Gas – South Texas Division to Implement Interim Grip Rate Adjustments for Gas Utility Investment in 2025 and requiring delivery of this resolution to the Company and Legal Counsel. Presenter is Anne Marie Odefey

INFORMATION:

RESOLUTION NO. R-030926-3

A RESOLUTION BY THE CITY OF PORT LAVACA, TEXAS SUSPENDING THE APRIL 18, 2026 EFFECTIVE DATE OF THE PROPOSAL BY CENTERPOINT ENERGY RESORUCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS – HOUSTON, TEXAS COAST, SOUTH TEXAS, AND BEAUMONT/EAST TEXAS GEOGRAPHIC RATE AREAS, TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2025 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Port Lavaca, Texas (“City”) is a gas utility customer of CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas – Houston, Texas Coast, South Texas, and Beaumont/East Texas geographic rate areas (CenterPoint or Company) and is a regulatory authority with an interest in the rates and charges of CenterPoint; and

WHEREAS, CenterPoint made filings with the City and the Railroad Commission of Texas (“Railroad Commission”) on February 17, 2026, proposing to implement interim rate adjustments (“GRIP Rate Increases”) pursuant to Texas Utilities Code § 104.301 on all customers served by CenterPoint, effective April 18, 2026; and

WHEREAS, it is incumbent upon the City, as a regulatory authority, to examine the GRIP Rate Increases to determine its compliance with the Texas Utilities Code.

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

1. The April 18, 2026 effective date of the GRIP Rate Increases proposed by CenterPoint is hereby suspended for the maximum period allowed by Texas Utilities Code § 104.301(a) to permit adequate time to review the proposed increases, analyze all necessary information, and take appropriate action related to the proposed increases.

2. A copy of this Resolution shall be sent to CenterPoint, care of Keith L. Wall at 1111 Louisiana Street, CNP Tower 19th Floor, Houston, Texas 77002, and to Thomas Brocato, legal counsel to the City, at Lloyd Gosselink, 816 Congress Ave., Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this 9th day of March, 2026.

Mayor Jack Whitlow

ATTEST:

City Secretary Mandy Grant

COMMUNICATION

SUBJECT: Consider Resolution No. R-030926-4 of the City of Port Lavaca Texas, for Advance Funding Agreement (AFA) for a Highway Safety Improvement Program Off-System from the Texas Department of Transportation with the City of Port Lavaca. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

COUNCIL MEETING: MARCH 9, 2026

DATE: 03.03.2026

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: RESOLUTION R-030926-4 FOR ADVANCED FUNDING AGREEMENT TXDOT FOR A HIGHWAY SAFETY IMPROVEMENT PROGRAM OFF-SYSTEM PROJECT

Background:

If you recall, the City had made application with TxDOT for Alternative Transportation funding in 2023 for the construction of a 10 ft wide shared use path on both sides of Independence and on one side of Sandcrab from Independence to Calhoun High School. The project was not funded so the City moved forward and included the shared use path on the south side of Independence in the Independence rehabilitation project. TxDOT Yoakum District has scheduled to perform the remainder of our original scope (north side of Independence and Sandcrab) as part of a Highway Safety Improvement Program Off-system Project.

This Project includes the following sidewalks:

- A 10-ft wide sidewalk on the north side of Independence from The Villa Apartments to Sandcrab (recall we included a 6 ft wide sidewalk from Virginia to the Villa Apartments in the rehabilitation project.
- A 10-ft wide sidewalk on the west side of Sandcrab Blvd from Independence to in front of Calhoun High School

There is a 10% required Local Participation Match, which is estimated at \$84,908.30 and will be paid using Transportation Development Credits in lieu of cash.

RECOMMENDATION: Approve Resolution # R-030926-4 authorizing execution of the Advanced Funding Agreement for a Highway Safety Improvement Program Off-System Project. To reiterate, there is no cash match required (unless the project goes overbudget), but rather our match will consist of State Transportation Development Credits.

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AFA CSJs	0913-19-038			CFDA Title	Highway Planning and Construction
District #	13-YKM	Code Chart 64#	33500		
Project Name	CS INSTALL SIDEWALKS 2809			AFA Not Used For Research & Development	

STATE OF TEXAS §

COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT
For
A Highway Safety Improvement Program
Off-System**

THIS AGREEMENT (Agreement) is made by and between the State of Texas, acting by and through the **Texas Department of Transportation** called the “State”, and the **City of Port Lavaca**, acting by and through its duly authorized officials, called the “Local Government”. The State and Local Government shall be collectively referred to as “the parties” hereinafter.

WITNESSETH

WHEREAS, federal law establishes federally funded programs for transportation improvements to implement its public purposes, and

WHEREAS, the Texas Transportation Code, Section 201.103 establishes that the State shall design, construct and operate a system of highways in cooperation with local governments, and Section 222.052 authorizes the Texas Transportation Commission to accept contributions from political subdivisions for development and construction of public roads and the state highway system within the political subdivision, and

WHEREAS, federal and state laws require local governments to meet certain contract standards relating to the management and administration of State and federal funds, and

WHEREAS, the Texas Transportation Commission has codified 43 TAC, Rules 15.50-15.56 that describe federal, state, and local responsibilities for cost participation in highway improvement and other transportation projects, and

WHEREAS, the Texas Transportation Commission passed Minute Order Number **116752** authorizing the State to undertake and complete a highway improvement or other transportation project generally described as **Installing sidewalks, curb ramps and pedestrian crossings**. The portion of the project work covered by this Agreement is identified in the Agreement, Article 3, Scope of Work (Project), and

WHEREAS, the Governing Body of the Local Government has approved entering into this Agreement by resolution, ordinance, or commissioners court order dated **(insert date)**, which is attached to and made a part of this Agreement as Attachment C, Resolution, Ordinance, or Commissioners Court Order (Attachment C). A map showing the Project location appears in

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Attachment A, Location Map Showing Project (Attachment A), which is attached to and made a part of this Agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, to be by them respectively kept and performed as set forth in this Agreement, it is agreed as follows:

AGREEMENT

1. Responsible Parties:

For the Project covered by this Agreement, the parties shall be responsible for the following work as stated in the article of the Agreement referenced in the table below:

1	N/A	Utilities	Article 8
2.	N/A	Environmental Assessment and Mitigation	Article 9
3.	N/A	Architectural and Engineering Services	Article 11
4.	State	Construction Responsibilities	Article 12
5.	State*	Right of Way and Real Property	Article 14

An asterisk next to the party responsible for specific work in the above table indicates that the associated specific work is not anticipated as part of the Project and is therefore not included in the budget; however, the party indicated will be responsible for that specific work if that work is not the subject of another agreement and the State determines that the specific work has become necessary to successful completion of the Project.

2. Period of the Agreement

This Agreement becomes effective when signed by the last party whose signing makes the Agreement fully executed. This Agreement shall remain in effect until the Project is completed or unless terminated as provided below.

3. Scope of Work

The scope of work for the Project consists of the construction of sidewalks along Sand Crab Blvd from the intersection of Sand Crab Blvd and Independence Drive to existing sidewalk at Calhoun High School (0.2 MI South). The limits also include sidewalks on Independence Drive from the intersection of Sand Crab Blvd and Independence Dr to the Villas on Independence (0.4 MI East). The project includes ADA curb ramps, crosswalks, safety lighting, pedestrian rail, signage and minor drainage structure work. as shown on Attachment A.

4. Project Sources and Uses of Funds

The total estimated cost of the Project is shown in Attachment B, Project Budget (Attachment B) which is attached to and made a part of this Agreement.

- A. If the Local Government will perform any work under this Agreement for which reimbursement will be provided by or through the State, the Local Government

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must complete training. If federal funds are being used, the training must be completed before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled "Local Government Project Procedures and Qualification for the Texas Department of Transportation" and retains qualification in accordance with applicable TxDOT procedures. Upon request, the Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not continuously designated in writing a qualified individual to work actively on or to directly oversee the Project.

- B. The expected cash contributions from the federal government, the State, the Local Government, or other parties are shown in Attachment B. The State will pay for only those Project costs that have been approved by the Texas Transportation Commission. For projects with federal funds, the State and the federal government will not reimburse the Local Government for any work performed before the federal spending authority is formally obligated to the Project by the Federal Highway Administration (FHWA). After federal funds have been obligated, the State will send to the Local Government a copy of the formal documentation showing the obligation of funds including federal award information. The Local Government is responsible for 100% of the cost of any work performed under its direction or control before the federal spending authority is formally obligated.
- C. Attachment B shows, by major cost categories, the cost estimates and the party responsible for performing the work for each category. These categories may include but are not limited to: (1) costs of real property; (2) costs of utility work; (3) costs of environmental assessment and remediation; (4) cost of preliminary engineering and design; (5) cost of construction and construction management; and (6) any other local project costs.
- D. The State will be responsible for securing the federal and State share of the funding required for the development and construction of the local Project. If the Local Government is due funds for expenses incurred, these funds will be reimbursed to the Local Government on a cost basis.
- E. The Local Government will be responsible for all non-federal or non-State participation costs associated with the Project, unless otherwise provided for in this Agreement or approved otherwise in an amendment to this Agreement. For items of work subject to specified percentage funding, the Local Government shall only in those instances be responsible for all Project costs that are greater than the maximum State and federal participation specified in Attachment B and for overruns in excess of the amount specified in Attachment B to be paid by the Local Government.
- F. The budget in Attachment B will clearly state all items subject to fixed price funding, specified percentage funding, and the periodic payment schedule, when periodic payments have been approved by the State.

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- G. When the Local Government bears the responsibility for paying cost overruns, the Local Government shall make payment to the State within thirty (30) days from the receipt of the State’s written notification of additional funds being due.
- H. When fixed price funding is used, the Local Government is responsible for the fixed price amount specified in Attachment B. Fixed prices are not subject to adjustment unless (1) differing site conditions are encountered; (2) further definition of the Local Government’s requested scope of work identifies greatly differing costs from those estimated; (3) work requested by the Local Government is determined to be ineligible for federal participation; or (4) the adjustment is mutually agreed to by the State and the Local Government.
- I. Prior to the performance of any engineering review work by the State, the Local Government will pay to the State the amount specified in Attachment B. At a minimum, this amount shall equal the Local Government’s funding share for the estimated cost of preliminary engineering performed or reviewed by the State for the Project. At least sixty (60) days prior to the date set for receipt of the construction bids, the Local Government shall remit its remaining financial share for the State’s estimated construction oversight and construction cost.
- J. The State will not execute the contract for the construction of the Project until the required funding has been made available by the Local Government in accordance with this Agreement.
- K. Whenever funds are paid by the Local Government to the State under this Agreement, the Local Government shall remit a check or warrant made payable to the “Texas Department of Transportation” or may use the State’s Automated Clearing House (ACH) system for electronic transfer of funds in accordance with instructions provided by TxDOT’s Finance Division. The funds shall be deposited and managed by the State and may only be applied by the State to the Project.
- L. The State will not pay interest on any funds provided by the Local Government.
- M. If a waiver for the collection of indirect costs for a service project has been granted under 43 TAC §15.56, the State will not charge the Local Government for the indirect costs the State incurs on the Project, unless this Agreement is terminated at the request of the Local Government prior to completion of the Project.
- N. If the Local Government is an Economically Disadvantaged County (EDC) and if the State has approved adjustments to the standard financing arrangement, this Agreement reflects those adjustments.
- O. Where the Local Government is authorized to perform services under this Agreement and be reimbursed by the State, the Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice, in a form and containing all items required by the State, no more frequently than monthly and no later than ninety (90) days after costs are incurred. If the Local Government submits invoices more than ninety (90) days after the costs are incurred and if federal funding is reduced as a result, the State shall have no responsibility to reimburse the Local Government for those costs.
- P. Upon completion of the Project, the State will perform a final accounting of the Project costs for all items of work with specified percentage funding. Any funds

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due by the Local Government, the State, or the federal government for these work items will be promptly paid by the owing party.

- Q. The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this Agreement or indirectly through a subcontract under this Agreement. Acceptance of funds directly under this Agreement or indirectly through a subcontract under this Agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- R. Payment under this Agreement beyond the end of the current fiscal biennium is subject to availability of appropriated funds. If funds are not appropriated, this Agreement shall be terminated immediately with no liability to either party.

5. Termination of This Agreement

This Agreement shall remain in effect until the Project is completed and accepted by all parties, unless:

- A. The Agreement is terminated in writing with the mutual consent of the parties;
- B. The Agreement is terminated by one party because of a breach, in which case any costs incurred because of the breach shall be paid by the breaching party;
- C. The Local Government elects not to provide funding after the completion of preliminary engineering, specifications, and estimates (PS&E) and the Project does not proceed because of insufficient funds, in which case the Local Government agrees to reimburse the State for its reasonable actual costs incurred during the Project; or
- D. The Agreement is terminated by the State because the parties are not able to execute a mutually agreeable amendment when the costs for Local Government requested items increase significantly due to differing site conditions, determination that Local government requested work is ineligible for federal or state cost participation, or a more thorough definition of the Local Government’s proposed work scope identifies greatly differing costs from those estimated. The State will reimburse Local Government remaining funds to the Local Government within ninety (90) days of termination; or
- E. The Project is inactive for thirty-six (36) consecutive months or longer and no expenditures have been charged against federal funds, in which case the State may in its discretion terminate this Agreement.

6. Amendments

Amendments to this Agreement due to changes in the character of the work, terms of the Agreement, or responsibilities of the parties relating to the Project may be enacted through a mutually agreed upon, written amendment.

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7. Remedies

This Agreement shall not be considered as specifying the exclusive remedy for any agreement default, but all remedies existing at law and in equity may be availed of by either party to this Agreement and shall be cumulative.

8. Utilities

The party named in Article 1, Responsible Parties, under AGREEMENT shall be responsible for the adjustment, removal, or relocation of utility facilities in accordance with applicable state laws, regulations, rules, policies, and procedures, including any cost to the State of a delay resulting from the Local Government’s failure to ensure that utility facilities are adjusted, removed, or relocated before the scheduled beginning of construction. The Local Government will not be reimbursed with federal or State funds for the cost of required utility work. The Local Government must obtain advance approval for any variance from established procedures. Before a construction contract is let, the Local Government shall provide, at the State’s request, a certification stating that the Local Government has completed the adjustment of all utilities that must be adjusted before construction is commenced.

9. Environmental Assessment and Mitigation

Development of a transportation project must comply with the National Environmental Policy Act and the National Historic Preservation Act of 1966, which require environmental clearance of federal-aid projects. The party named in Article 1, Responsible Parties, under AGREEMENT is responsible for the following:

- A. The identification and assessment of any environmental problems associated with the development of a local project governed by this Agreement.
- B. The cost of any environmental problem’s mitigation and remediation.
- C. Providing any public meetings or public hearings required for the environmental assessment process. Public hearings will not be held prior to the approval of the Project schematic.
- D. The preparation of the NEPA documents required for the environmental clearance of this Project.

If the Local Government is responsible for the environmental assessment and mitigation, before the advertisement for bids, the Local Government shall provide to the State written documentation from the appropriate regulatory agency or agencies that all environmental clearances have been obtained.

10. Compliance with Accessibility Standards

All parties to this Agreement shall ensure that the plans for and the construction of all projects subject to this Agreement are in compliance with standards issued or approved by the Texas Department of Licensing and Regulation (TDLR) as meeting or consistent with minimum accessibility requirements of the Americans with Disabilities Act (P.L. 101-336) (ADA).

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11. Architectural and Engineering Services

The party named in Article 1, Responsible Parties, under AGREEMENT has responsibility for the performance of architectural and engineering services. The engineering plans shall be developed in accordance with the applicable State’s *Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges* and the special specifications and special provisions related to it. For projects on the State highway system, the design shall, at a minimum conform to applicable State manuals. For projects not on the State highway system, the design shall, at a minimum, conform to applicable American Association of State Highway and Transportation Officials (AASHTO) design standards.

In procuring professional services, the parties to this Agreement must comply with federal requirements cited in 23 CFR Part 172 if the Project is federally funded and with Texas Government Code 2254, Subchapter A, in all cases. Professional contracts for federally funded projects must conform to federal requirements, specifically including the provision for participation by Disadvantaged Business Enterprises (DBEs), ADA, and environmental matters. If the Local Government is the responsible party, the Local Government shall submit its procurement selection process for prior approval by the State. All professional services contracts must be reviewed and approved by the State prior to execution by the Local Government.

12. Construction Responsibilities

The party named in Article 1, Responsible Parties, under AGREEMENT is responsible for the following:

- A. Advertise for construction bids, issue bid proposals, receive and tabulate the bids, and award and administer the contract for construction of the Project. Administration of the contract includes the responsibility for construction engineering and for issuance of any change orders, supplemental agreements, amendments, or additional work orders that may become necessary subsequent to the award of the construction contract. In order to ensure federal funding eligibility, projects must be authorized by the State prior to advertising for construction.
- B. If the State is the responsible party, the State will use its approved contract letting and award procedures to let and award the construction contract.
- C. If the Local Government is the responsible party, the Local Government shall submit its contract letting and award procedures to the State for review and approval prior to letting.
- D. If the Local Government is the responsible party, the State must concur with the low bidder selection before the Local Government can enter into a contract with the vendor.
- E. If the Local Government is the responsible party, the State must review and approve change orders.
- F. Upon completion of the Project, the party responsible for constructing the Project will issue and sign a “Notification of Completion” acknowledging the Project’s construction completion and submit certification(s) sealed by a professional engineer(s) licensed in the State of Texas.

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G. For federally funded contracts, the parties to this Agreement will comply with federal construction requirements cited in 23 CFR Part 635 and with requirements cited in 23 CFR Part 633, and shall include the latest version of Form "FHWA-1273" in the contract bidding documents. If force account work will be performed, a finding of cost effectiveness shall be made in compliance with 23 CFR 635, Subpart B.

13. Project Maintenance

The Local Government shall be responsible for maintenance of locally owned roads and locally owned facilities after completion of the work. The State shall be responsible for maintenance of the State highway system after completion of the work if the work was on the State highway system, unless otherwise provided for in existing maintenance agreements with the Local Government.

14. Right of Way and Real Property

The party named in Article 1, **Responsible Parties**, under AGREEMENT is responsible for the provision and acquisition of any needed right of way or real property.

15. Insurance

If this Agreement authorizes the Local Government or its contractor to perform any work on State right of way, before beginning work, the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

16. Notices

All notices to either party shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to that party at the following address:

Local Government:	State:
City of Port Lavaca ATTN: City Manager 202 North Virginia Port Lavaca, Tx 77979	Texas Department of Transportation ATTN: Director of Contract Services 125 E. 11 th Street Austin, TX 78701

All notices shall be deemed given on the date delivered in person or deposited in the mail, unless otherwise provided by this Agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail, and that request shall be carried out by the other party.

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17. Legal Construction

If one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions and this Agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

18. Responsibilities of the Parties

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party, and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

19. Ownership of Documents

Upon completion or termination of this Agreement, all documents prepared by the State shall remain the property of the State. All data and information prepared under this Agreement shall be made available to the State without restriction or limitation on their further use. All documents produced or approved or otherwise created by the Local Government shall be transmitted to the State, in the format directed by the State, on a monthly basis or as required by the State. The originals shall remain the property of the Local Government.

20. Compliance with Laws

The parties to this Agreement shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this Agreement. When required, the Local Government shall furnish the State with satisfactory proof of this compliance.

21. Sole Agreement

This Agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the Agreement's subject matter.

22. Cost Principles

In order to be reimbursed with federal funds, the parties shall comply with the cost principles established in 2 CFR 200 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

23. Procurement and Property Management Standards

The parties to this Agreement shall adhere to the procurement and property management standards established in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and to the Texas Uniform Grant Management Standards. The State must pre-approve the Local Government's procurement procedures for purchases to be eligible for state or federal funds.

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24. Inspection of Books and Records

The parties to this Agreement shall maintain all books, documents, papers, accounting records, and other documentation relating to costs incurred under this Agreement and shall make such materials available to the State, the Local Government, and, if federally funded, the FHWA and the U.S. Office of the Inspector General or their duly authorized representatives for review and inspection at its office during the Agreement period and for seven (7) years from the date of final reimbursement by FHWA under this Agreement or until any impending litigation or claims are resolved. Additionally, the State, the Local Government, and the FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

25. Civil Rights Compliance

The parties to this Agreement are responsible for the following:

- A. Compliance with Regulations: Both parties will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made part of this Agreement.
- B. Nondiscrimination: The Local Government, with regard to the work performed by it during the Agreement, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Local Government will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the Agreement covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
- C. Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the Local Government for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier will be notified by the Local Government of the Local Government's obligations under this Agreement and the Acts and Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
- D. Information and Reports: The Local Government will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the State or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations or directives. Where any information required of the Local Government is in the exclusive possession of another who fails or refuses to furnish this information, the Local Government will so certify to the State or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
- E. Sanctions for Noncompliance: In the event of the Local Government's noncompliance with the Nondiscrimination provisions of this Agreement, the

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State will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:

1. withholding of payments to the Local Government under the Agreement until the Local Government complies and/or
 2. cancelling, terminating, or suspending of the Agreement, in whole or in part.
- F. Incorporation of Provisions: The Local Government will include the provisions of paragraphs (A) through (F) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Local Government will take such action with respect to any subcontract or procurement as the State or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Local Government becomes involved in, or is threatened with, litigation with a subcontractor or supplier because of such direction, the Local Government may request the State to enter into such litigation to protect the interests of the State. In addition, the Local Government may request the United States to enter into such litigation to protect the interests of the United States.

26. Pertinent Non-Discrimination Authorities

During the performance of this Agreement, each party, for itself, its assignees, and successors in interest agree to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- A. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of federal or federal-aid programs and projects).
- C. Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), as amended, (prohibits discrimination on the basis of sex).
- D. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27.
- E. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age).
- F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).
- G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the federal-aid recipients, subrecipients and contractors, whether such programs or activities are federally funded or not).

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- H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38.
- I. The Federal Aviation Administration’s Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
- J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).
- L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

27. Disadvantaged Business Enterprise (DBE) Program Requirements

If federal funds are used:

- A. The parties shall comply with the Disadvantaged Business Enterprise Program requirements established in 49 CFR Part 26.
- B. The Local Government shall adopt, in its totality, the State’s federally approved DBE program.
- C. The Local Government shall incorporate into its contracts with subproviders an appropriate DBE goal consistent with the State’s DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall submit its proposed scope of services and quantity estimates to the State to allow the State to establish a DBE goal for each Local Government contract with a subprovider. The Local Government shall be responsible for documenting its actions.
- D. The Local Government shall follow all other parts of the State’s DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation’s Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf.
- E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall

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take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State’s DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

- F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as the recipient deems appropriate.*

28. Debarment Certifications

If federal funds are used, the parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, “Debarment and Suspension.” By executing this Agreement, the Local Government certifies that it and its principals are not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party, to include principals, that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this Agreement shall require any party to a subcontract or purchase order awarded under this Agreement to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

If state funds are used, the parties are prohibited from making any award to any party that is debarred under the Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter G, Rule §20.585 and the Texas Administrative Code, Title 43, Part 1, Chapter 9, Subchapter G.

29. Lobbying Certification

If federal funds are used, in executing this Agreement, each signatory certifies to the best of that signatory’s knowledge and belief, that:

- A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the

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awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the Local Government shall complete and submit the Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The parties shall require that the language of this certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 U.S.C. §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

30. Federal Funding Accountability and Transparency Act Requirements

If federal funds are used, the following requirements apply:

- A. Any recipient of funds under this Agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This Agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>.
- B. The Local Government agrees that it shall:
 - 1. Obtain and provide to the State a System for Award Management (SAM) number (Federal Acquisition Regulation, Part 4, Sub-part 4.11) if this award provides more than \$25,000 in federal funding. The SAM number may be obtained by visiting the SAM website whose address is: <https://www.sam.gov/portal/public/SAM/>
 - 2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows federal government to track the distribution of federal money. The DUNS may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>; and
 - 3. Report the total compensation and names of its top five executives to the State if:
 - i. More than 80% of annual gross revenues are from the federal government, and those revenues are greater than \$25,000,000; and
 - ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

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31. Single Audit Report

If federal funds are used:

- A. The parties shall comply with the single audit report requirements stipulated in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- B. If threshold expenditures of \$750,000 or more are met during the fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Compliance Division, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Compliance Division by email at singleaudits@txdot.gov.
- C. If expenditures are less than the threshold during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Compliance Division as follows: "We did not meet the \$_____ expenditure threshold and therefore, are not required to have a single audit performed for FY _____."
- D. For each year the Project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the Agreement, unless otherwise amended or the Project has been formally closed out and no charges have been incurred within the current fiscal year.

32. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this Agreement on behalf of the entity represented.

Each party is signing this Agreement on the date stated under that party's signature.

THE STATE OF TEXAS

THE LOCAL GOVERNMENT

Signature

Typed or Printed Name

Typed or Printed Title

Date

Signature

Typed or Printed Name

Typed or Printed Title

Date

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**ATTACHMENT A
LOCATION MAP SHOWING PROJECT**



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ATTACHMENT B PROJECT BUDGET

Costs will be allocated based on 90% Federal funding and 10% Local Government funding until the federal funding reaches the maximum obligated amount. The Local Government will then be responsible for 100% of cost overruns.

Description	Total Estimated Cost	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	Cost
Construction (by State)	\$849,083.00	90%	\$764,174.70	0%	\$0	10%	TDC 84,908.30
Subtotal	\$849,083.00		\$764,174.70		\$0		TDC 84,908.30
Direct State Costs	\$97,645.55		\$0		\$97,645.55		
Subtotal	\$946,728.55		\$767,174.70		\$97,645.55		TDC 84,908.30
Indirect State Costs (5.51%)	\$46,784.47	0%	\$0	100%	\$46,784.47	0%	\$0
TOTAL	\$993,513.02		\$764,174.70		\$110,466.70		TDC 84,908.30

Transportation Development Credits (TDCs) in the amount of 84,908.30 will be used for the Local Government's 10% match contribution.

This is an estimate. The final amount of Local Government participation will be based on actual costs.

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**ATTACHMENT C
RESOLUTION, ORDINANCE, OR COMMISSIONERS COURT ORDER**

DRAFT

COMMUNICATION

SUBJECT: Consider Resolution No. R-030926-5E of the City of Port Lavaca to appoint Election Judges for the City of Port Lavaca General Officers Election held on the uniform date of May 02, 2026. Presenter is Mandy Grant

INFORMATION:

CITY OF PORT LAVACA

CC MEETING: MARCH 09, 2026

DATE: 02/27/26

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

FROM: Mandy Grant, City Secretary

SUBJECT: Resolution No. R-030926-5E, Appointing Election Judges for the May 02, 2026 City Officers General Election

BACKGROUND:

The City of Port Lavaca has chosen to have their General Officer's Elections on the first Saturday in May of each year; therefore, Saturday, May 02, 2026, is the uniform date scheduled for the City of Port Lavaca General Officer's election.

In accordance with the Texas Election Code, a presiding judge and an alternate presiding judge must be appointed for each election precinct [EC §32.001(a)]. The role of the alternate judge is to serve as presiding judge for an election if the presiding judge cannot serve [EC §32.001(b)]. In an election conducted by the presiding judge, the alternate judge serves as one of the clerks [EC §32.032].

The Early Voting Ballot Board (EVBB) shall also have a presiding judge and an alternate presiding judge.

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-030926-5E.

ATTACHMENTS:

Resolution No. R-030926-5E.

RESOLUTION #R-030926-5E

RESOLUTION TO APPOINT ELECTION OFFICERS; DESIGNATE EARLY VOTING BALLOT BOARD; SPECIFY COMPENSATION RATE OF ELECTION OFFICERS; ROLE OF CITY SECRETARY AND/OR ASSISTANT CITY SECRETARY; SPECIFY UNIFORM DATE OF MAY 02, 2026 TO HOLD GENERAL OFFICERS ELECTION IN THE CITY OF PORT LAVACA, TEXAS;

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 has the authority to appoint the Election Officers for city elections.

WHEREAS, in addition, that the general officers’ election has been ordered for Saturday, May 02, 2026 by Resolution No. R-011226-1E adopted on January 12, 2026.

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

SECTION 1. THAT, in accordance with the Texas Election Code, a presiding judge and an alternate presiding judge must be appointed for each election precinct [EC §32.001(a)]. The role of the alternate judge is to serve as presiding judge for an election if the presiding judge cannot serve [EC §32.001(b)]. In an election conducted by the presiding judge, the alternate judge serves as one of the election clerks [EC §32.032].

SECTION 2. THAT, such election shall be conducted by the City of Port Lavaca, with Early Voting Days, Extended Hours for Early Voting day on a Saturday and the main Election Day voting to be at the following polling places designated for each City election district and the following citizens, registered to vote in the city, are hereby appointed Election Officers to conduct said election:

- | | |
|---------------------|---|
| All Polling Places: | City of Port Lavaca
City Hall - Main Lobby
202 N. Virginia Street
Port Lavaca, Texas 77979 |
| Augustin Rojas, Jr. | Presiding Judge |
| Janie Delgado | Alternate Judge |
| Michael Moehler | Presiding Judge for the Early Voting Ballot Board
and the Central Counting Station |
| Mary Lou Tharling | Alternate Judge for the Early Voting Ballot Board
and the Central Counting Station |

SECTION 3 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 officers’ election.

SECTION 4. THAT, the Office of the City Secretary is hereby authorized and directed to provide a copy of the RESOLUTION to the judges as written notice of their appointment as required the Texas Election Code [EC §32.009].

If either the Presiding Judge or the Alternate Presiding Judge is unable to perform his/her assigned duties, the Office of the City Secretary is authorized to select an Acting Presiding or Acting Alternate Presiding Judge from the qualified Election Clerks, as needed.

SECTION 5. THAT, the Presiding Judge shall have the authority to appoint two (2) clerks to assist in the holding of such election. Said election officers shall also serve as the Early Voting Ballot Board (EVBB) for such election. The Central Counting Station will be in the City Hall Conference Room.

SECTION 6. THAT, the Election Judge(s) shall be compensated at an hourly rate of \$15.00; early voting clerks and election clerks shall be compensated at an hourly rate of \$14.00 as provided by the State Election Code [EC §32.091(a)].

SECTION 7. THAT, the City Secretary is hereby appointed the Elections Clerk for early voting; and the Assistant City Secretary is hereby appointed the Deputy Election Clerk for early voting in accordance with Section 83.001 *et seq.* of the Texas Election Code. The place for early voting days and election day is hereby designated as the City of Port Lavaca, City Hall - Main Lobby, 202 N. Virginia Street, Port Lavaca, Texas.

SECTION 8. THAT, the Mayor is authorized to sign Writ of Election to the Presiding Judge.

SECTION 9. THAT, this resolution shall be effective immediately upon adoption.

APPROVED AND ADOPTED by the City Council of the City of Port Lavaca, this 9th day March, 2026.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Consider Lease Agreement with Calhoun County for use of Electronic Voting Equipment for the City of Port Lavaca General Officers Election held on the uniform date of May 02, 2026. Presenter is Mandy Grant

INFORMATION:

CITY OF PORT LAVACA

CC MEETING: March 09, 2026

DATE: 02/27/26

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

FROM: Mandy Grant, City Secretary 

SUBJECT: Lease of Electronic Voting Equipment from Calhoun County for the City's General Officer's Election to be held on uniform date of May 02, 2026.

BACKGROUND:

Election Laws require that electronic voting devices be made available to voters.

FINANCIAL IMPLICATIONS:

Costs related to these services include expenses related to seven (7) days of early voting and also for voting on Election Day. The sum of \$698.25 is for leasing this equipment for a total of eight (8) days and this amount has been budgeted for this fiscal year.

IMPACT ON COMMUNITY SUSTAINABILITY:

Helps improve the accuracy of the election process and offers some degree of confidence to our citizens regarding protection of their right to vote.

RECOMMENDATION:

Staff recommends approval of this lease in the sum of \$698.25.

ATTACHMENTS:

Lease from Calhoun County for voting equipment.

VOTING EQUIPMENT LEASE

BASIC TERMS

DATE: 02/24/2026

Lessor: Calhoun County, Texas

Lessor's Address: Calhoun County Courthouse

211 S. Ann, Port Lavaca, Texas 77979

Lessee: City of Port Lavaca

Lessee's Address: 202 N. Virginia St. Port Lavaca, Texas 77979

Equipment

1 (number) voting machine described as **ES&S Express Vote BMD**

Term (days): 7

Commencement Date: April 20, 2026

Termination Date: May 02, 2026

Rent: Early voting 1 machine @ \$3,325.00 for 6 days X 3% = \$598.50

Election day 1 machine @ \$3,325.00 for 1 day X 3% = \$99.75

Rent Total: \$698.25

Security Deposit: \$.00

Permitted Use: Early Voting & Election Day

Clauses and Covenants

A. Lessee agrees to –

1. Lease the Equipment for the entire Term beginning on the Commencement Date and ending on the Termination Date.
2. Accept the voting equipment in its present condition "AS IS," the equipment being currently suitable for the Permitted Use.
3. Obey (a) all applicable laws relating to the use of the voting equipment and (b) any requirements imposed by the utility companies serving or insurance companies covering the Premises.
4. Take reasonable care not to damage or destroy the equipment.
5. Purchase and provide at the renters' own expense all ballots, software, programming and supplies necessary for the proper use of the voting machines.
6. Repair, replace, and maintain the voting equipment, normal wear excepted.
7. Return the voting machines to the County at the end of the lease term.
8. INDEMNIFY, DEFEND AND HOLD LESSOR AND LIENHOLDER HARMLESS FROM ANY INJURY (AND ANY RESULTING OR RELATED CLAIM, ACTION, LOSS, LIABILITY, OR REASONABLE EXPENSE, INCLUDING ATTORNEY'S FEE AND OTHER FEES AND COURT AND OTHER COSTS) OCCURRING IN THE USE OF THESE VOTING MACHINES. THE INDEMNITY CONTAINED IN THIS PARAGRAPH (a) IS INDEPENDENT OF ANY INSURANCE, (b) WILL NOT BE LIMITED BY COMPARATIVE NEGLIGENCE STATUTES OR DAMAGES PAID UNDER THE WORKERS' COMPENSATION ACT OR SIMILAR EMPLOYEE BENEFIT ACTS, (c) WILL SURVIVE THE END OF THE TERM, AND (d) WILL APPLY EVEN IF AN INJURY IS CAUSED IN WHOLE OR IN

PART BY THE ORDINARY NEGLIGENCE OR STRICT LIABILITY OF CALHOUN BUT WILL NOT APPLY TO THE EXTENT AN INJURY IS CAUSED BY THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OR CALHOUN COUNTY.

B. Lessee agrees not to –

1. Use the equipment for any purpose other than the Permitted Use.
2. Create a nuisance.
3. Permit any waste.
4. Use the equipment in any way that would increase insurance premiums or void insurance on the equipment.
5. Change Lessor's equipment.
6. Alter the equipment.
7. Allow a lien to be placed on the equipment.

C. Lessor agrees to –

1. Lease to Lessee the equipment for the entire Term beginning on the Commencement Date and ending on the Termination Date.
2. Provide the Essential Services and instruction on the use and function of the equipment.
3. Repair, replace, and maintain the equipment as provided by the manufacture warranty on the equipment and to the extent of this warranty only.

D. Lessor agrees not to –

1. Interfere with Lessee's possession of the equipment as long as Lessee is not in default.
2. Interfere in any way with the election and the use of the equipment during the election being held by the Lessee.

E. Lessor and Lessee agree to the following:

1. *Alterations.* Any physical additions or improvements to the equipment made by Lessee will become the property of Lessor. Lessor may require that Lessee, at the of the Term and at Lessee's expense, remove any physical additions and improvements, repair any alternations, and restore the equipment to the condition existing at the Commencement Date, normal wear excepted.
2. *Abatement.* Lessee's covenant to pay Rent and Lessor's covenants are independent. Except as otherwise provided, Lessee will not be entitled to abate Rent for any reason.
3. *Insurance.* Lessee and Lessor will maintain the respective PERSONAL PROPERTY insurance coverage's on equipment owned by them, being used by them or under their protection, possession or control.
4. *Release of Claim/Subrogation.* LESSOR AND LESSEE RELEASE EACH OTHER AND LEINHOLDER FROM ALL CLAIMS OR LIABILITIES FOR DAMAGE TO THE EQUIPMENT, DAMAGE TO OR LOSS OF PERSONAL PROPERTY WITHIN THE EQUIPMENT, AND LOSS THAT ARE COVERED BY THE RELEASING INSURANCE OR THAT WOULD HAVE BEEN COVERED BY THE REQUIRED INSURANCE IF THE PARTY FAILS TO MAINTAIN THE PERSONAL PROPERTY COVERAGES REQUIRED BY THIS LEASE. THE PARTY INCURRING THE DAMAGE OR LOSS WILL BE RESPONSIBLE FOR ANY DEDUCTIBLE OR SELF-INSURED RETENTION UNDER ITS PROPERTY INSURANCE. LESSOR AND LESSEE WILL NOTIFY THE ISSUING PROPERTY INSURANCE COMPANIES OF THE RELEASE SET FORTH IN THIS PARAGRAPH AND WILL HAVE THE PERSONAL PROPERTY INSURANCE POLICIES ENDORSED, IF NECESSARY, TO

PREVENT INVALIDATION OF COVERAGE. THIS RELEASE WILL NOT INVALIDATE THE PROPERTY INSURANCE COVERAGE OF THE RELEASING PARTY. THE RELEASE IN THIS PARAGRAPH WILL APPLY EVEN IF THE DAMAGE OR LOSS IS CAUSED IN THE WHOLE OR IN PART BY THE ORDINARY NEGLIGENCE OR STRICT LIABILITY OF THE RELEASED PARTY BUT WILL NOT APPLY TO THE EXTENT THE DAMAGE OR LOSS IS CAUSED BY THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF THE RELEASED PARTY.

- 5. *Alternative Dispute Resolution.* Lessor and Lessee agree to mediate in good faith before filing suit for damages.
- 6. *Attorney's Fees.* If either party retains an attorney to enforce this lease, the party prevailing in litigation is entitled to recover reasonable attorney's fees and other fees and court and other costs.
- 7. *Venue.* Exclusive venue is in the county in which the Premises are located.
- 8. *Entire Agreement.* This lease is the entire agreement of the parties, and there are no oral representations, warranties, agreements, or promises pertaining to this lease or to any expressly mentioned exhibits and riders not incorporated in writing in this lease.
- 9. *Amendment of Lease.* This lease may be amended only by an instrument in writing signed by Lessor and Lessee.
- 10. *Limitation of Warranties.* THERE ARE NO IMPLIED WARRANTIES OF MERCHANTABILITY, OF FITNESS FOR A PARTICULAR PURPOSE, OR OF ANY OTHER KIND ARISING OUT OF THIS LEASE, AND THERE ARE NO WARRANTIES THAT EXTEND BEYOND THOSE EXPRESSLY STATED IN THIS LEASE.
- 11. *Notices.* Any notice required or permitted under this lease must be in writing. Any notice required by this lease will be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this lease. Notice may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, or other commercially reasonable means and will be effective when actually received. Any address for notices may be changed by written notice delivered as provided herein.

Lessor: Calhoun County Texas

Vern Lyssy, County Judge

Lessee: **City of Port Lavaca**

By: Jack Whitlow
Title: Mayor

COMMUNICATION

SUBJECT: Consider Second and Final Reading of an Ordinance (S-1-26) of the City of Port Lavaca approving a Project and Financing Plan for Tax Increment Reinvestment Zone (TIRZ) Number One, City of Port Lavaca, Texas; making various findings related to such plan; providing for severability; and providing an effective date. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

MEETING: MARCH 09, 2026 AGENDA ITEM ____

DATE: 02.13.2026

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: CONSIDER APPROVAL OF 2nd and FINAL READING OF ORDINANCE APPROVING THE FINAL PROJECT AND FINANCING PLAN FOR TIRZ NO. 1, AS ADOPTED BY THE TIRZ NO. 1 BOARD

Background:

At a Regular City Council meeting on November 10, 2025, Council adopted the TIRZ #1 Creation Ordinance which established 5 key elements:

- Boundary
- Term
- TIRZ Board
- City Participation; and
- Preliminary Project and Financing Plan

State Law requires that the TIRZ Board prepare and adopt a Final Project and Financing Plan and recommend to Council it’s adoption. The TIRZ No. 1 Board met at 5:30 pm on February 9 to adopt the Plan and recommend it’s approval by Council.

The difference between this Final plan and the one previously adopted as the Preliminary Plan is the inclusion of the participation of the other taxing entities – Calhoun County (at 50%) and the Calhoun Port Authority (at 50%). Now that the interlocal agreement with these two entities has been executed, that information is included in the Final Plan and is ready for adoption.

Information to highlight in the Plan are:

Page 8

Potential Project Costs - TIRZ #1		
Water Facilities and Improvements	\$ 12,137,078	10%
Sanitary Sewer Facilities and Improvements	\$ 12,137,078	10%
Storm Water Facilities and Improvements	\$ 12,137,078	10%
Transit/Parking Improvements	\$ 3,641,123	3%
Street and Intersection Improvements	\$ 30,342,695	25%
Open Space, Park and Recreation Facilities and Improvements	\$ 6,068,539	5%
Economic Development Grants	\$ 42,479,773	35%
Administrative Costs	\$ 2,427,416	2%
Total	\$ 121,370,779	100.0%

CITY OF PORT LAVACA

All the items above are eligible per the Statute and serve as a menu of potential expenses. City Council has the final authority of specific allocations; however the total dollar amount serves as a cap.

Page 9 – currently adopted participation percentages

Real Property Tax - 2025 Rates		Participation	
City of Port Lavaca	0.80000000	75%	0.60000000
Calhoun County	0.62220000	50%	0.31110000
Calhoun Port Authority	0.00050000	50%	0.00025000
Farm to Market & Lateral Road	0.00000000	0%	0.00000000
Calhoun County GWD	0.00670000	0%	0.00000000
Calhoun County ISD	0.77010000	0%	0.00000000
	2.19950000		0.91135000

Page 16 – Revenue Summary and Cap

Revenue Summary
75% CITY

Taxing Jurisdictions	Total Taxes Generated	Participation	Net Benefit
City of Port Lavaca	\$124,790,247	\$79,664,214	\$45,126,033
Calhoun County	\$91,925,495	\$41,673,077	\$50,252,417
Calhoun Port Authority	\$73,871	\$33,488	\$40,383
Farm to Market & Lateral Road	\$0	\$0	\$0
Calhoun County GWD	\$989,876	\$0	\$989,876
Calhoun County ISD	\$113,776,637	\$0	\$113,776,637
Total	\$331,556,125	\$121,370,779	\$210,185,346

Recommendation:

- Approve this 2nd and Final reading of Ordinance #S-1-26 to approve the Final Project and Financing Plan of TIRZ No. 1.

Future meetings of the TIRZ No. 1 Board:

- This Board will meet annually in early February to approve the annual report that must be submitted to the State Comptroller prior to February 28 (150 days after the end of the previous fiscal year).
- And this Board will meet as needed to review and make recommendations regarding requests for project funding from the TIF.

ORDINANCE #S-1-26**AN ORDINANCE APPROVING A PROJECT AND FINANCING PLAN FOR TAX INCREMENT REINVESTMENT ZONE NUMBER ONE, CITY OF PORT LAVACA, TEXAS; MAKING VARIOUS FINDINGS RELATED TO SUCH PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, as authorized by Chapter 311 of the Texas Tax Code (the “Act”) and pursuant to Ordinance No. S-6-25, adopted by the City Council of the City of Port Lavaca, Texas (the “City”) on November 10, 2025, the City created Tax Increment Reinvestment Zone Number One, City of Port Lavaca, Texas (the “Zone”); and

WHEREAS, on February 9, 2026, the board of directors of the Zone (the “Board”) adopted a Project and Financing Plan for the Zone, which is attached hereto as Exhibit “A” (the “Plan”), as required by Section 311.011(a) of the Act; and

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

SECTION 1. FINDINGS.

That the City Council hereby makes the following findings of fact:

- 1.1 The statements and facts set forth in the recitals of this Ordinance are true and correct.
- 1.2 That the Plan includes all information required by Sections 311.003(b) and (c) of the Act.
- 1.3 That the Plan is feasible and the project plan conforms to the City’s master plan.

SECTION 2. APPROVAL OF PLAN.

That based on the findings set forth in Section 1 of this Ordinance, the Plan is hereby approved.

SECTION 3. SEVERABILITY.

Should any provision, section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City of Port Lavaca hereby declares that it would have passed this Ordinance, and each provision, section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more provisions, sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law.

FIRST READING this 9th day of February, 2026

Jack Whitlow, Mayor

SECOND AND FINAL READING this 9th day of March, 2026

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 9th day of March, 2026.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Aguirre	Aye		
Councilman Dent	Aye		
Vacancy	N/A		
Councilwoman Padron	Aye		
Councilwoman Bland-Stewart	Aye		
Councilman Burke	Aye		

Record of approval by City Council: City Council Minute Records, Volume 3-J, Page _____.

COMMUNICATION

SUBJECT: Consider First Reading of an Ordinance (S-2-26) of the City of Port Lavaca for amendment(s) to the Base Ordinance S-4-25 for 2025-2026 fiscal year budget; providing for Budget Amendment(s); providing for severability, providing a repealing clause; and providing an effective date. Presenter is Reyann Grimaldo

INFORMATION:

ORDINANCE NO. S-2-26

AN ORDINANCE OF THE CITY OF PORT LAVACA, TEXAS FOR AMENDMENT(S) TO THE BASE ORDINANCE NO. S-4-25 FOR 2025-2026 FISCAL YEAR BUDGET; PROVIDING FOR BUDGET AMENDMENT(S); PROVIDING FOR SEVERABILITY, REPEALING ALL ORDINANCES IN CONFLICT AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Port Lavaca’s current 2025-2026 Annual Budget was passed and approved by Base Ordinance No. S-4-25 on September 22, 2025; and

WHEREAS, department specific equipment, projects, and staffing are each an integral part of the annual budget and efficient and productive operations for the City as a whole; and

WHEREAS, staff recommends the various changes and amendments to the original budget to meet the challenges that serve a municipal purpose and have arisen since the original budget adoption, as authorized by Local Government Code Section 102.010; and

WHEREAS, the City Council has determined that this budget amendment is necessary and proper, serves a municipal purpose and will help the City better protect the health, safety and welfare of the general public.

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

SECTION 1: The City Council of the City of Port Lavaca, Texas does hereby approve an amended budget for the City of Port Lavaca General Fund for the Fiscal Year beginning October 01, 2025 and ending September 30, 2026, as set forth in the attached Exhibit “A” Budget Amendment.

SECTION 2: That all other portions of the original adopted budget shall remain as adopted.

SECTION 3: Severability. Should any section, subsection or phrase of this Ordinance be held to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the Ordinance as a whole or any other remaining portions of this Ordinance.

SECTION 4: Repeal. This Ordinance shall be cumulative of all provisions of ordinances of the City of Port Lavaca, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 5: Effective Date. This ordinance shall take effect from and after the earliest date provided by law following its adoption and publication as provided by law.

FIRST READING this 9th day of March, 2026

Jack Whitlow, Mayor

SECOND AND FINAL READING this 13th day of April, 2026

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 13th day of April, 2026.

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			
Vacant Seat	N/A	N/A	N/A
Councilwoman Padron			
Councilwoman Bland-Stewart			
Councilman Burke			

Record of approval by City Council: City Council Minute Records, Volume 3-J, Page ____.

COMMUNICATION

SUBJECT: Consider First reading of an Ordinance (G-2-26) of the City of Port Lavaca amending the basic Traffic Control Devices Ordinance G-6-86, Section 3, by adding traffic control signs in Original Townsite Subdivision, District One (1); providing for severability; providing a repealing clause; and providing an effective date. Presenter is Colin Rangnow

INFORMATION:



CITY OF
PORT LAVACA
 POLICE DEPARTMENT

To: City Secretary Mandy Grant
 From: Chief Colin Rangnow
 Date: February 25, 2026
 Subject: Agenda Item: Traffic Control Signage

The Port Lavaca Police Department requests approval from the Port Lavaca City Council to add additional traffic control signage (Stop Signs) in District 1. Several citizens have voiced concern about the lack of traffic control in the area. I recommend implementing traffic control signage at the following intersections:

- 200 E Leona St @ 300 S Guadalupe St (replace current yield sign with stop sign)
- 100 E Leona St @ 300 S Colorado St (replace current yield sign with stop sign)
- 100 W Leona St @ 200 S Ann St (replace current yield sign with stop sign)
- 600 W Leona St @ 200 S Juanita St (replace current yield sign with stop sign)
- 700 W Leona St @ 200 S Lavaca St (replace current yield sign with stop sign)
- 800 W Leona St @ 200 S Indianola St (replace current yield sign with stop sign)
- 1000 W Leona St @ 200 S Williams St (replace current yield sign with stop sign)
- 1100 W Leona St @ 200 S LaSalle St (replace current yield sign with stop sign)
- 600 W Martin Luther King Dr @ 500 S Juanita St (replace current yield sign with stop sign)
- 500 W Martin Luther King Dr @ 500 S Trinity St (replace current yield sign with stop sign)
- 300 E Martin Luther King Dr @ 500 S Guadalupe St (replace current yield sign with stop sign)
- 100 E Martin Luther King Dr @ 500 S Colorado St (replace current yield sign with stop sign)
- 600 W Center St @ 400 S Juanita St (replace current yield sign with stop sign)
- 400 W Center St @ 400 S Nueces St (replace current yield sign with stop sign)
- 200 E Center St @ 400 S Colorado St (replace current yield sign with stop sign)
- 300 E Center St @ 400 S Guadalupe St (replace current yield sign with stop sign)
- 200 W Alice Wilkins Ave @ 600 S Benavides (replace current yield sign with stop sign)
- 200 E Alice Wilkins Ave @ 600 S Colorado (replace current yield sign with stop sign)
- 100 E Alice Wilkins Ave @ 600 S Guadalupe (replace current yield sign with stop sign)
- 200 W Chestnut St @ 700 S Ann St (replace current yield sign with stop sign)
- 200 E Chestnut St @ 700 S Colorado St (replace current yield sign with stop sign)
- 100 E Chestnut St @ 700 S Guadalupe St (replace current yield sign with stop sign)
- 200 W Chestnut St @ 700 S Ann St (replace current yield sign with stop sign)
- 200 E South St @ 800 S Colorado (place stop on 800 S Colorado - no signage)
- 300 W South St @ 800 S Benavides (place additional stop signs on 200 W South and 300 W South to produce a four way stop sign intersection)

Chief Colin Rangnow
 Port Lavaca Police Department

ORDINANCE #G-2-26

AN ORDINANCE AMENDING SECTION 3 OF THAT CERTAIN ORDINANCE DESIGNATING THE TYPE AND LOCATION OF TRAFFIC CONTROL DEVICES WITHIN THE CITY OF PORT LAVACA, PASSED AND APPROVED BY CITY COUNCIL THE 8TH DAY OF SEPTEMBER, 1986, AND RECORDED IN CITY COUNCIL MINUTE RECORDS, VOLUME "HH", PAGE 41, BY ADDING NEW STREET LOCATIONS TO SAID ORDINANCE IN SAID SECTION 3; REPEALING CLAUSE AND EFFECTIVE DATE.

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

SECTION I: Section 3 of the Ordinance designating the type and location of traffic control devices within the City of Port Lavaca, passed and approved by City Council on the 8th day of September, 1986, and recorded in City Council Minute Records, Volume "HH", page 41, is hereby amended by adding the following locations for traffic control devices:

Old Townsite Subdivision (District 1)

- 200 E Leona St @ 300 S Guadalupe St (replace current yield sign with stop sign)
- 100 E Leona St @ 300 S Colorado St (replace current yield sign with stop sign)
- 100 W Leona St @ 200 S Ann St (replace current yield sign with stop sign)
- 600 W Leona St @ 200 S Juanita St (replace current yield sign with stop sign)
- 700 W Leona St @ 200 S Lavaca St (replace current yield sign with stop sign)
- 800 W Leona St @ 200 S Indianola St (replace current yield sign with stop sign)
- 1000 W Leona St @ 200 S Williams St (replace current yield sign with stop sign)
- 1100 W Leona St @ 200 S LaSalle St (replace current yield sign with stop sign)
- 600 W Martin Luther King Dr @ 500 S Juanita St (replace current yield sign with stop sign)
- 500 W Martin Luther King Dr @ 500 S Trinity St (replace current yield sign with stop sign)
- 300 E Martin Luther King Dr @ 500 S Guadalupe (replace current yield sign with stop sign)
- 100 E Martin Luther King Dr @ 500 S Colorado St (replace current yield sign with stop sign)
- 600 W Center St @ 400 S Juanita St (replace current yield sign with stop sign)
- 400 W Center St @ 400 S Nueces St (replace current yield sign with stop sign)
- 200 E Center St @ 400 S Colorado St (replace current yield sign with stop sign)
- 300 E Center St @ 400 S Guadalupe St (replace current yield sign with stop sign)
- 200 W Alice Wilkins Ave @ 600 S Benavides (replace current yield sign with stop sign)
- 200 E Alice Wilkins Ave @ 600 S Colorado (replace current yield sign with stop sign)
- 100 E Alice Wilkins Ave @ 600 S Guadalupe (replace current yield sign with stop sign)
- 200 W Chestnut St @ 700 S Ann St (replace current yield sign with stop sign)
- 200 E Chestnut St @ 700 S Colorado St (replace current yield sign with stop sign)
- 100 E Chestnut St @ 700 S Guadalupe St (replace current yield sign with stop sign)
- 200 W Chestnut St @ 700 S Ann St (replace current yield sign with stop sign)
- 200 E South St @ 800 S Colorado (place stop on 800 S Colorado - no signage)
- 300 W South St @ 800 S Benavides (place additional stop signs on 200 W South and 300 W South to produce a four way stop sign intersection)

SECTION II: All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION III. The effective date of this ordinance shall be when passed and approved by City Council, and traffic control signs, markings and devices are appropriately in place.

FIRST READING this 9th day of March, 2026

Jack Whitlow, Mayor

SECOND AND FINAL READING this 13th day of April, 2026

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 13th day of April, 2026.

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			
Vacant Seat	N/A	N/A	N/A
Councilwoman Padron			
Councilwoman Bland-Stewart			
Councilman Burke			

Record of approval by City Council: City Council Minute Records, Volume 3-J, Page _____.

Amends G-6-86

COMMUNICATION

SUBJECT: Consider First Reading of an Ordinance (G-3-26) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Chapter 8 Amusement and Entertainments, Section 8-22 Location and number of machines allowed within city limits; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

MEETING: March 9, 2026

DATE: 03.03.2026

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider a proposed amendment to Chapter 8 - Article II. – Amusements Machines of the Code of Ordinances.

As previously discussed with council, city staff has received numerous inquiries regarding the opening of amusement redemption machine centers in city limits. Our current ordinance limits businesses to no more than six (6) machines at any location that is for profit. Our ordinance does not regulate nonprofit businesses. Therefore, interested individuals are trying to obtain a nonprofit status in order to operate more than 6 machines within a facility.

If we don't regulate nonprofit amusement redemption machines, then it may result in an influx of these centers. It is staff's concern that may result in a negative impact on our community. To date, there are at least four new operators looking for or in the process of renting a building for such use. There have been several more that have come to our office asking for our regulations. We currently have three in operation and one that will be opening soon.

In accordance with Section 2153. 452 (b) of the Texas Occupations Code, a political subdivision may restrict the exhibition of a coin-operated amusement machine within 300 feet of any church, school, or hospital. After discussion during the February 23, 2026 workshop and with the Planning Board, the following changes are recommended:

1. Increase the distance to 500 feet from any church, school, hospital, daycare or residence
2. No differentiation profit or nonprofit business regulations.
3. Remove the limit of six (6) machines for amusement centers.

It is staff's recommendation to amend Section 8-22. – Location and number of machines allowed within city limits to state the following:

Sec. 8-22. - Location and number of machines allowed within city limits.

Within each place of business in which machines are regulated under this section, the machines will be so situated that they will be in full, open public view. Further, no owner shall operate more than six amusement redemption machines or random generator machines at any location other than an amusement Center. No owner shall operate an amusement center within 500 feet from any church, school, hospital, daycare or residence. Nor shall any amusement center

operate within 1,500 feet of another business operating under a license issued under this article.

Below are regulations found in surrounding municipalities:

City	Fee/Cost per Machine	Machine Limits	Distance/Location Restrictions	Other Key Rules
Victoria, TX	~\$100 per machine permit (plus possible license fee)	Game rooms defined if ≥5 machines	Not within 300 ft of church/school/daycare/hospital	Building codes & hours apply
Edna, TX	Annual license (No Fee Found); occupation tax tag on each machine (1/2 the amount levied by the state)	Max 6 machines per location	Full open public view; minors restricted by time	Hours restrictions; inspections required
Cuero, TX	Annual license of \$250 plus permit for each machine.	Max 50 machines per establishment	≥ 500 ft from church/school/daycare/hospital/residence	Zoning & occupancy apply; operator age 18+. Any game that is beyond the ability of a player to predict or control the outcome is prohibited.
Portland, TX	Annual (calendar year) permit of \$300 per machine	N/A	(State rules still apply)	Does not include skilled-based machines that provide non-cash merchandise.
Yoakum, TX	N/A	N/A	N/A	N/A
Palacios, TX	N/A	N/A	N/A	N/A
Beeville, TX	N/A	N/A	N/A	N/A

ORDINANCE #G-3-26

AN ORDINANCE OF THE CITY OF PORT LAVACA AMENDING THE ORDINANCE CODIFIED AND DESCRIBED IN THE CITY OF PORT LAVACA'S CODE OF ORDINANCES AS PART II, CHAPTER 8, AMUSEMENT AND ENTERTAINMENTS; SECTION 8-22, LOCATION AND NUMBER OF MACHINES ALLOWED WITHIN CITY LIMITS; PROVIDING FOR PURPOSE OF ORDINANCE, PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Purpose.

The attached Exhibit A document identifies amendments that are to be made to various Sections of Chapter 8 of the City of Port Lavaca's Code of Ordinances. Text that remains unchanged will be in black-colored letters, text that is new will be identified by red-colored underlined letters and all text to be deleted will be identified as blue-colored letters with strikethroughs.

Section 2. Severability.

It is specifically declared to be the intention of the City Council that sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment of decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any unconstitutional or invalid phrase, clause, sentence, paragraph or sections.

Section 3. Repeal.

All ordinances or parts of ordinances conflicting with or not consistent with the provisions of this article are hereby repealed; provided that such repeal shall be only to the extent of such inconsistency or conflict, and in all respects, this article shall be cumulative of all other ordinances of the City of Port Lavaca regulating and governing the subject matter covered in this ordinance. Any cause of action accruing prior to the passage of this article shall continue as if this ordinance was not passed or any other ordinance had not been repealed.

Section 4. Effective Date

THAT this ordinance shall become effective on the date of its passage.

FIRST READING this 9th day of March, 2026

Jack Whitlow, Mayor

SECOND AND FINAL READING this 13th day of April, 2026

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 13th day of April, 2026.

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			
Vacant Seat	N/A	N/A	N/A
Councilwoman Padron			
Councilwoman Bland-Stewart			
Councilman Burke			

Record of approval by City Council: City Council Minute Records, Volume 3-J, Page ____.

EXHIBIT A

Chapter 8 - AMUSEMENTS AND ENTERTAINMENTS

ARTICLE II. - AMUSEMENT MACHINES

Sec. 8-22. - Location and number of machines allowed within city limits.

Within each place of business in which machines regulated under this section, ~~are operated for a profit~~, the machines will be so situated that they will be in full, open public view. Further, no owner shall operate more than six amusement redemption machines or random generator machines at any location other than an amusement Center. No owner shall operate an amusement center within 500 feet from any church, school, hospital, daycare or residence. Nor shall any amusement center operate within 1,500 feet of another business operating under a license issued under this article.

(Ord. No. G-4-02, § IV, 12-9-2002; Ord. No. G-3-15, § 1, 4-13-2015)

COMMUNICATION

SUBJECT: Consider First Reading of an Ordinance (G-4-26) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Chapter 12 Buildings and Building Regulations by adding new Article VII, Congregate Living Facility; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

MEETING: March 9, 2026

DATE: 03.03.2026

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider a proposed ordinance regulating Congregate Living Facilities.

As previously discussed with council, city staff has received numerous complaints regarding residential property owners converting single-family dwellings into shared living facilities. Rooms are being rented out on a weekly or monthly basis. I have even found single-family homes built solely for this purpose. We have found that some owners are also receiving income for individuals sleeping in dining rooms and living rooms as well. Our adopted codes do not currently address occupancy loads in single-family dwellings.

Other cities have had similar issues and have adopted more stringent ordinances to control the overcrowding and unsafe conditions to protect the public. It is this reason that legislation had recently passed SB 1567 prohibiting maximum occupancy loads (among other things) in home-rule municipalities with a population of less than 250,000 and have a campus of an institution of higher education with a student enrollment of more than 20,000. This was to prevent cities from prohibiting “frat houses”.

Our currently adopted 2021 International Property Maintenance Code states that dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces. Every bedroom shall provide a minimum floor space of 50 square feet per occupant. Kitchens, dining rooms and living rooms may not be designated as sleeping areas.

These minimum standards have resulted in the over-crowding of dwellings that were originally designed for one- and two-family dwellings. Some issues do arise for the following reasons:

1. It does cause major life-safety concerns. For example, if our fire department is called out for an emergency at one of these locations, they may not be fully prepared for having to assist and/or rescue possibly more occupants than are normally residing in the unit(s).
2. Most of these dwellings do not provide adequate off-street parking for the increased occupancy load. This results in vehicles parking on unimproved surfaces and/or congestion on the streets.
3. This has also resulted in a severe strain on the city’s wastewater system.

In January of this year, the City of Humble had adopted an ordinance regulating shared living homes. The proposed ordinance mimics these regulations.

Some of the key recommendations of the proposed ordinance include:

1. An annual permit to operate the facility with a fee of \$100 each year.
2. The maximum number of proposed tenants.
3. An initial inspection by the Building and Fire Departments and periodic inspections thereafter.
4. A maximum of four (4) unrelated occupants per unit.
5. A maximum of two (2) occupants per bedroom.
6. A minimum of 150 sf. of floor area per occupant. **Therefore, with four (4) occupants, the total square footage of the structure shall be a minimum of 600 sf..**
7. A minimum of one (1) off-street parking space per bedroom. And parking will not be allowed on unimproved surfaces. **All off-street parking, driveways and maneuvering areas shall be surfaced with an approved hard, dustless material that is maintained in a good condition.**

Attachment(s):

- Proposed Chapter 12, Article VII – CONGREGATE LIVING FACILITY

ORDINANCE #G-4-26

AN ORDINANCE OF THE CITY OF PORT LAVACA AMENDING THE ORDINANCE CODIFIED AND DESCRIBED IN THE CITY OF PORT LAVACA'S CODE OF ORDINANCES CHAPTER 12 BUILDINGS AND BUILDING REGULATIONS, ADDITION OF NEW ARTICLE VII, CONGREGATE LIVING FACILITY; PROVIDING FOR PURPOSE; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Purpose.

The attached Exhibit A document identifies amendments that are to be made to various Sections of Chapter 12 of the City of Port Lavaca's Code of Ordinances. Text that remains unchanged will be in black-colored letters, text that is new will be identified by red-colored underlined letters and all text to be deleted will be identified as blue-colored letters with strikethroughs.

Section 2. Severability.

It is specifically declared to be the intention of the City Council that sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment of decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any unconstitutional or invalid phrase, clause, sentence, paragraph or sections.

Section 3. Repeal.

All ordinances or parts of ordinances conflicting with or not consistent with the provisions of this article are hereby repealed; provided that such repeal shall be only to the extent of such inconsistency or conflict, and in all respects, this article shall be cumulative of all other ordinances of the City of Port Lavaca regulating and governing the subject matter covered in this ordinance. Any cause of action accruing prior to the passage of this article shall continue as if this ordinance was not passed or any other ordinance had not been repealed.

Section 4. Effective Date

THAT this ordinance shall become effective on the date of its passage.

FIRST READING this 9th day of March, 2026

Jack Whitlow, Mayor

SECOND AND FINAL READING this 13th day of April, 2026

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 13th day of April, 2026.

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			
Vacant Seat	N/A	N/A	N/A
Councilwoman Padron			
Councilwoman Bland-Stewart			
Councilman Burke			

Record of approval by City Council: City Council Minute Records, Volume 3-J, Page ____.

EXHIBIT A

Chapter 12 – BUILDINGS AND BUILDING REGULATIONS

ARTICLE VII. – CONGREGATE LIVING FACILITY

Sec. 12-400. – Purpose and Policy.

The purpose of this section is to protect public health, safety, and welfare; prevent unsafe residential overcrowding; preserve the residential character of neighborhoods lacking deed restrictions; and establish clear, uniform standards with regards to congregate living arrangements that are otherwise not regulated by State statutes, or the Code of Ordinances of the City of Port Lavaca as amended. This Article shall be administered to carry out this purpose. This Article is use- and safety-based, not tenant-based, and shall be enforced uniformly. Nothing in this Article shall be applied to living facilities contrary to the regulations established by Federal Law or State Laws.

Sec. 12-401.- Definitions.

Unless the context clearly indicates otherwise, in this Article:

Congregate Living Facility shall mean a building or structure in which three (3) or more sleeping rooms are rented or offered for rent separately, or where occupants do not function as a single house unit, including properties with separate leases, individual room locks, and shared kitchen or bath facilities. Congregate Living Facility shall also mean the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I or when not regulated by the International Residential Code in accordance with Section 101.2 of the International Building Code and be a Residential Group R-1 occupancy containing sleeping units where the occupants are primarily transient in nature with more than 10 occupants or as otherwise defined in Chapter 2 of the 2021 International Fire Code or any subsequent International Fire Code adopted by the City of Port Lavaca.

Dwelling Unit shall mean a structure or part of a structure containing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation as defined by chapter 2, section 202 of the International Building Code.

Sec. 12-402. – Change of use.

Any existing properties, whether residential or commercial that are modified or remodeled to increase the number of sleeping rooms, and/or the number of occupants, or otherwise modified or remodeled in such a way for the purposes of leasing individual rooms under separate rental agreements shall constitute a change of use to a commercial property, thus requiring all relevant building, electrical, plumbing, mechanical permits and inspections, fire inspections and permits, compliance with all commercial property standards and codes, and a reissuance of the property's certificate of occupancy.

Sec. 12-403. – Permit Required.

No property shall be used or occupied as a congregate living facility without a Congregate Living Facility Permit issued by the City of Port Lavaca.

Sec. 12-404. – Permit Application.

To obtain a permit to operate a congregate living facility, a person must submit an application to the Building Department on a form provided for that purpose. The applicant must be the owner or operator of the congregate living facility. If the owner or operator is not an individual, an authorized officer or agent of the owner or operator must file the form. The application must contain the following information before it is complete:

- (1) The name, street address, mailing address, e-mail address, telephone number, a legible copy of the driver's license or other official state or federal identification card, and date of birth of the applicant or authorized officer or agent filing the form on behalf of the applicant. The street address may not be the address of the congregate living facility unless the applicant actually resides full-time at the congregate living facility;
- (2) The form of business of the applicant; if the owner or operator is a legal entity, such as a corporation or association, a copy of the documents establishing it as such;
- (3) The street address and telephone number of the congregate living facility;
- (4) Documentary evidence of payment of ad valorem taxes, fees, fines, and penalties owed to the city in connection with the congregate living facility;
- (5) The maximum number of tenants that may occupy the congregate living facility at any singular point in time;
- (6) A statement that, by filing the application, the applicant swears or affirms under penalty of perjury that, to the best of the applicant's knowledge, all information contained in the application is true and correct and that the application is complete and includes all information required to be disclosed under this section;
- (7) Such additional information as the applicant desires to include or that the city manager or the city manager's designee deems necessary to aid in the determination of whether the requested permit should be granted.

Sec. 12-405. – Fees.

The fee for a permit to operate a congregate living facility shall be found in the City's Code of Ordinances, Appendix A, Fees, Rates and Charges and shall be paid on an annual basis after the permit is approved. No refund of a permit fee will be made.

Sec. 12-406. – Issuance and denial of a permit.

Upon payment of all required fees and the submission of a complete application, the Building Department shall issue a permit to operate a congregate living facility once the department determines that:

- (1) The applicant has complied with all requirements for issuance of the permit;
- (2) The applicant, owners, or operators of the congregate living facility do not own or operate another permitted congregate living facility in the city for which the permit is currently suspended or has been revoked;
- (3) The applicant has not made false statement as to a material matter in the application for a permit;
- (4) The condition and use of the congregate living facility comply with the minimum standards of all applicable city codes and the standards in this article that are applicable to the property;
- (5) The applicant, owners, and operators do not owe the city any ad valorem taxes, fees, fines, or penalties. If the Building Department determines that the above requirements have not been satisfied, the department shall deny the license. The applicant shall be notified in writing that the application is denied and include in the notice the reason for the denial and a statement.

Sec. 12-407. – Permit Renewal.

A permit for congregate living facilities shall be valid through the 31st of December and shall be renewed on or before the 31st of January. A permit can be renewed following the prescribed application process and payment of fees provided by this article.

Sec. 12-408. – Revocation of permit.

A permit for congregate living facilities may be revoked if it is determined that:

- (1) The permittee intentionally made a false statement as to a material matter in the application or in a hearing concerning the permit;
- (2) The permittee failed to pay a fee required by this article at the time it was due;
- (3) The permittee violates any provision of this Article.

Before revoking a permit, the Building Department shall notify the permittee in writing by certified mail, return receipt requested, that the permit is being considered for revocation. The notice must include the reason for the proposed revocation, action the permittee must take to prevent the revocation, and a statement that the permittee has ten (10) days to comply with the notice. If after ten (10) days from the date the notice required in by this section was sent or delivered, the permittee has not complied with the required actions listed in the notice, the department shall revoke the permit and notify the permittee of the revocation. The notice must include the reason for the revocation. If a permit has been revoked, the permittee has ten (10) days to relocate the tenants of the facility and cease operations.

Sec. 12-409. – Inspections; Fees.

The following inspections shall be required to be in compliance with this Article:

- (1) A congregate living facility must pass all required inspections, including but not limited to electrical, plumbing, mechanical, fire and life safety, permit/permit renewal, kitchen inspections, a gas pipe pressure test performed once every three years by the local gas company or a licensed plumber for a facility that receives natural gas service, annual inspection of liquefied or natural gas systems performed by an inspector certified by the state railroad commission for a facility with a liquified natural gas system.
- (2) The permittee shall keep a current file of reports and other documentation on site that is needed to demonstrate compliance with applicable ordinances, laws, and regulations. Inspection records must be signed and dated by the appropriate authority and there must be no pending corrective actions.
- (3) The Building Department or Fire Marshal’s Office may inspect any congregate living facility for the purpose of ascertaining whether violations of this article or any other city ordinances exist. The department is authorized at a reasonable time to inspect:
 - a) The exterior of a structure and the surrounding premises; and
 - b) The interior of a structure if the permission of the owner, occupant, or person in control is given or a search warrant is obtained.
- (4) If the owner, occupant or person in control denies permission to search any part of the interior or exterior of the structure or the surrounding premises, the department may suspend the permit to operate the congregate living facility.
- (5) Whenever a congregate living facility is inspected by the department and a violation of this code is found, the building or premises will, after the expiration of any time limit for compliance given in the notice or order issued because of the violation, be reinspected by the department to determine that violation has been eliminated.
- (6) The fee for a reinspection by the department shall be found in the City’s Code of Ordinances, Appendix A, Fees, Rates and Charges and shall be paid before the violation is determined to be eliminated.

Sec. 12-410. – Occupancy.

- (1) A maximum of four (4) unrelated persons shall be permitted per dwelling unit.
- (2) A maximum of two (2) persons shall be permitted per bedroom.
- (3) A minimum of 150 sq. ft. in total floor area of the structure shall be required per occupant.

Sec. 12-411. – Parking.

There shall be a minimum of one (1) off-street parking space per bedroom; no parking on an unimproved surface shall be allowed. All off-street parking facilities, including access aisles, driveways and maneuvering areas shall be surfaced with a hard, dustless material as approved by the public works director and such surfacing shall be maintained in good condition at all times. All off-street parking facilities shall be suitably sloped and drained so as not to cause any nuisance to adjacent or public property. When storm sewers are available to the property such drainage shall be connected to the storm sewers through catch basins or underground storm sewer.

Sec. 12-412. – Violations; Penalty.

- (1) A person who violates any provision of this article, or who fails to perform a duty required by this article, commits an offense.
- (2) A permittee, employee, or other person in control of a congregate living facility commits an offense if the person knowingly operates an unsafe facility that represents an immediate threat to the health or safety of a tenant, including a situation that has caused, or is likely to cause, serious injury, harm, impairment, or death to a tenant.
- (3) An offense under this article is punishable by a fine not to exceed:
 - a) \$2,000.00 if the provision violated governs fire safety, public health, or sanitation; or
 - b) \$500.00 for all other offenses.
- (4) A separate offense occurs each day or part of a day that the violation is committed, continued or permitted.
- (5) The city attorney may petition a district court or a county court of law for civil penalties and for injunctive relief to restrain a continuing violation of the standards or licensing requirements for a congregate living facility under this article if the violation creates an immediate threat to the health or safety of the facility tenants.
- (6) The remedies and procedures in this section and in other laws are cumulative law, and the use of any particular remedy or procedure does not prevent the enforcement of any other law.

Sec. 12.413. 12-450 – Reserved.

COMMUNICATION

SUBJECT: Consider First Reading of an Ordinance (G-5-26) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Charges; Chapter 12 Buildings and Building Regulations, Article VII, Congregate Living Facility; and providing an effective date. Presenter is Derrick Smith

INFORMATION:

ORDINANCE #G-5-26

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 12: Buildings and Building Regulations
- Art. VII Congregate Living Facility
- Sec. 12-405 Permit to Operate; and
- Sec. 12-409 Reinspections; and
- Sec. 12-412 Penalty for violations.

ARTICLE III.- EFFECTIVE DATE

This ordinance shall become effective upon adoption by City Council.

FIRST READING this 9th day of March, 2026

Jack Whitlow, Mayor

SECOND AND FINAL READING this 13th day of April, 2026

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 13th day of April, 2026.

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			
Vacant Seat	N/A	N/A	N/A
Councilwoman Padron			
Councilwoman Bland-Stewart			
Councilman Burke			

Record of approval by City Council: City Council Minute Records, Volume 3-J, Page ____.

CITY OF PORT LAVACA - PART II - CODE OF ORDINANCES
APPENDIX A - FEES, RATES AND CHARGES

Section VIII. Item #24.

EXHIBIT A

CHAPTER 12 – BUILDINGS AND BUILDING REGULATIONS

Section Number	Subject	Fee Amount
12-400	Congregate Living Facility	
12-405	Permit to operate <ul style="list-style-type: none"> • <i>Paid on an annual basis after permit approved</i> • <i>No refund of a permit fee will be made</i> 	\$100.00
12-409	Reinspections <ul style="list-style-type: none"> • <i>For each reinspection after the first reinspection by the department that must be conducted before the violation is determined to be eliminated.</i> 	\$ 40.00
12-412	Penalty for Violations <ul style="list-style-type: none"> • <i>An offense under this article is punishable by a fine not to exceed:</i> <ul style="list-style-type: none"> (a) \$2,000.00 <i>if the provision violated governs fire safety, public health, or sanitation; or</i> (b) \$500.00 <i>for all other offenses.</i> • <i>A separate offense occurs each day or part of a day that the violation is committed, continued or permitted.</i> 	

(Ord. No. G-7-06, § 3, 9-11-2006; Ord. No. G-1-12, art. II, 3-12-2012; Ord. No. G-7-16, § 1, 4-11-2016; Ord. No. G-10-16, art. II, 9-12-2016; Ord. No. G-3-17, art. II, 11-13-2017; Ord. No. G-10-19, 8-12-2019; Ord. No. G-4-21, art. II, 9-20-2021; Ord. No. G-5-22, art. II, (Exh. A), 7-11-2022; Ord. No. G-11-22, art. II (Exh. A), 1-9-2023; Ord. No. G-7-23, art. II (Exh. A), 9-11-2023)

COMMUNICATION

SUBJECT: Consider request of The Harbor Children’s Alliance and Victim Center for closure of streets adjacent to 215 W. Railroad Street for the annual hosting of “Celebrate the Child Picnic” on Saturday, March 28, 2026 from 9:00 a.m. to 2:00 p.m. The streets to be closed are N, Benavides from the rear of the library driveway to W. Railroad and W. Railroad from N. Benavides to N. Ann St. Presenter is Colin Rangnow

INFORMATION:



The Harbor Children's Alliance & Victim Center

The month of April has been designated Child Abuse Awareness and Prevention Month in the United States. The goal is to raise public awareness about child abuse and neglect and to educate communities and individuals on how to help keep our children safe. In observance of Child Abuse Awareness & Prevention Month, The Harbor Children's Alliance & Victim Center will be hosting our Annual Celebrate The Child Picnic on Saturday, March 28, 2026 at The Harbor, 215 W. Railroad Street from 10 am to 2 pm. This is an event that has been designed to bring awareness to ending child abuse and neglect, but also to celebrate the children and remind them of how special they are.

Since April is designated as Child Abuse Awareness and Prevention Month, we will begin the event by reading a proclamation and blowing bubbles in honor of the 114 children that received services at our center last year. Local agencies such as The Port Lavaca Police Department, Port Lavaca Fire Department, EMS, Calhoun County Sheriff's Office, and DPS will attend and have tables set up to give parents information on keeping their children safe and it allows the children to interact with them to know that they are "trusted adults" that can help them if they find themselves in a dangerous situation. We will also have other social service organizations on site to let parents know about the resources that are available here in town as well as food and games.

Last year, we held the picnic at our center, located at 215 W. Railroad street. Our area is not a high traffic area, but we are asking the City of Port Lavaca to please allow us to close the intersections so that we can take advantage of the space we have and still keep our children safe from harm. I have attached a map with what streets we would need closed. We will begin setting up here at The Harbor at 8 am so am asking for the streets to be closed from 9 am to 2 pm. Thank you for your time and consideration.

Maria J. Walton

215 W. Railroad • Port Lavaca, Texas 77979
Bus. Office 361/552-1982 • Fax 361/552-4309 • Hotline 361/552-4357



THE HARBOR CHILDREN'S ALLIANCE & VICTIM CENTER

PRESENTS:



"CELEBRATE THE CHILD" PICNIC

In observance of
Child Abuse Awareness
&
Prevention Month

*Fun
Games*

*Food
prizes*

**SATURDAY, MARCH 28, 2026
10:00AM-2:00PM**

**WHERE:
215 W. RAILROAD ST.**

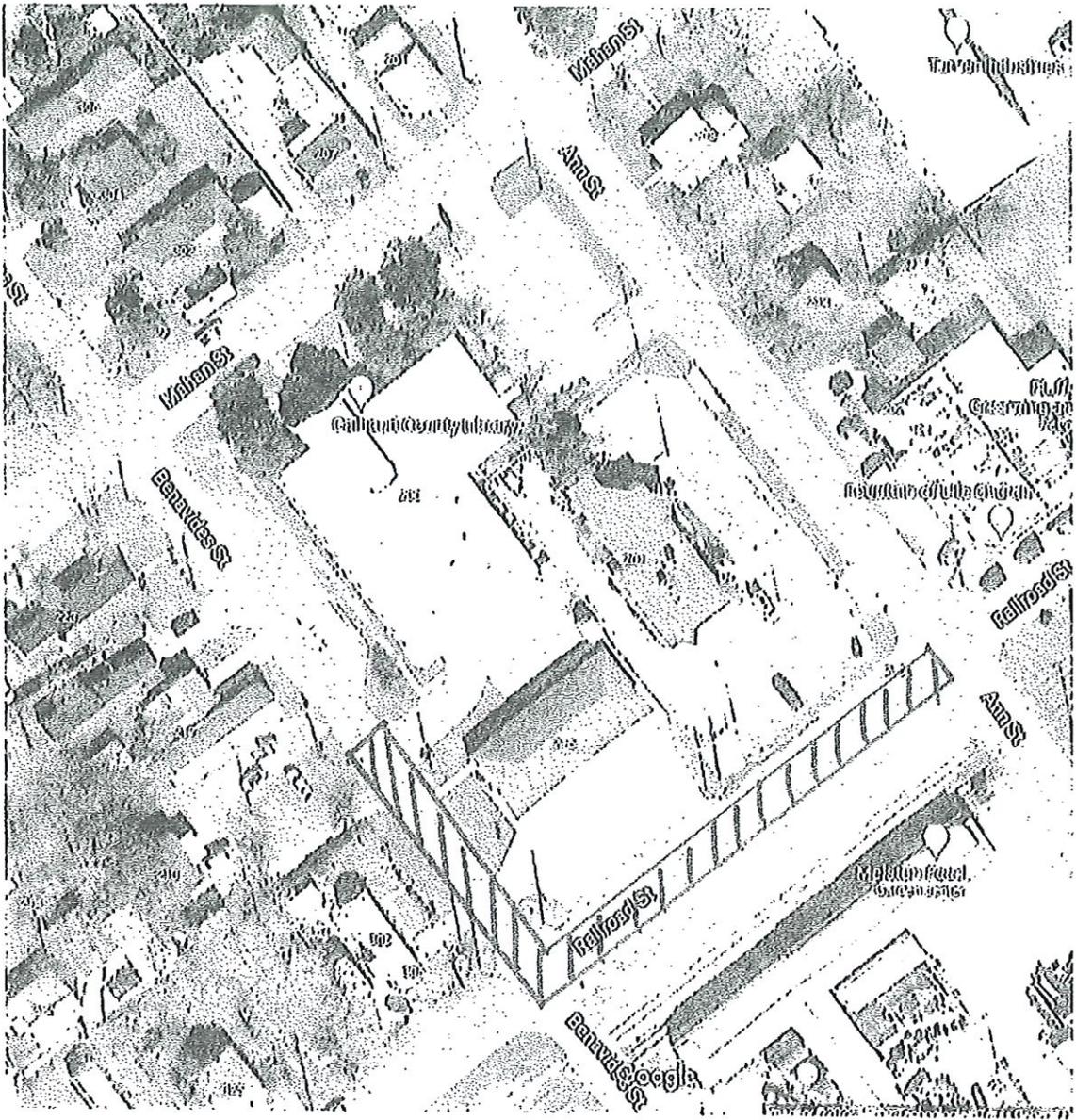
First 100
kids
get a free
shirt



Come Meet Cat in
the Hat and get a
book signed

Begins with Proclamation Reading
&
Bubble Blowing Ceremony





COMMUNICATION

SUBJECT: Consider recommendation of Planning Board for a variance to the front building setback line to allow for a carport, Property ID 18459. The legal description is Block 3 of the Lana Park Mobile Home Addition (800 Elm Street). Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

MEETING: March 9, 2026
DATE: 03.03.2026
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Discuss and consider approval of a variance to the front building setback line to allow for a carport, Property ID 18459. The legal description is Block 3 of the Lana Park Mobile Home Addition (800 Elm St.).

The property owner started work on the proposed carport in October of 2025 without a permit or an approved variance. After staff issued a “Stop Work” order, work did cease. However, the owner failed to obtain the necessary permits. During the second weekend of February, the owner started work on the carport again. On February 17th, 2026, staff met with owner at the property and explained the proper process the owner would need to comply with to construct the carport. The attached application for the variance was completed that day. The carport is proposed to be constructed up to the property line. The current front setback line is 15 feet. The applicants dwelling meets this requirement.



Property ID: 18459 For Year 2025

Property Details		
Account		
Property ID:	18459	Geographic ID: S0193-00030-0001-00
Type:	R	Zoning:
Property Use:		Condo:
Location		
Situs Address:	800 ELM ST PORT LAVACA, TX 77979	
Map ID:	S0193-00030-0001-00	Mapsco:
Legal Description:	LANA PARK MOBILE HOME (PORT LAVACA), BLOCK 3	
Abstract/Subdivision:	S0193	
Neighborhood:	(1600) PORT LAVACA TOWN	
Owner ?		
Owner ID:	113547	
Name:	BOONE CRAIG	
Agent:		
Mailing Address:	STROTTER ANTIONETTE D 8175 BELTON CIRCLE MECHANICSVILLE, VI 23116	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Staff Recommendation: APPROVAL. Due to the shape of the property, staff does agree that there are physical constraints. Complying with the current setback requirements for a carport may result in undue hardship.

Planning Board: APPROVAL. The Board approved the request due to *Complying with the current setback requirements for a carport may result in undue hardship.*

Attachments:

- Application Request
- Recent Photos

CITY OF PORT LAVACA



City of Port Lavaca
Request for Non-Residential

Planning Board Review
Date: ~~3/25/26~~ 02/24/26
Time: 5:30 PM
Location: 202 N Virginia
St. Port Lavaca, TX 77979

Date: Feb, 17, 2026

Applicant Name: Craig Boone & Antionette Struter

Property ID or Address for variance: 800 Elm

Reason for request:

Carport encroaching into front yard
Set backs

Signature: Craig Boone

Phone No: (336) 580-4335

800 Elm Street



COMMUNICATION

SUBJECT: Consider recommendation of Planning Board for an ice and water vending machine to be located on the corner of Benavides St. and Austin St., Property ID 17399. The legal description is Lot 5 & 6 of Block 44 of the Original Townsite (405 S. Benavides Street). Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

MEETING: March 9, 2026
DATE: 03.03.2026
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Discuss and consider approval for an ice and water vending machine to be located on the corner of Benavides St. and Austin St., Property ID 17399. The legal description is Lot 5 & 6 of Block 44 of the Original Townsite (405 S. Benavides St.).

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

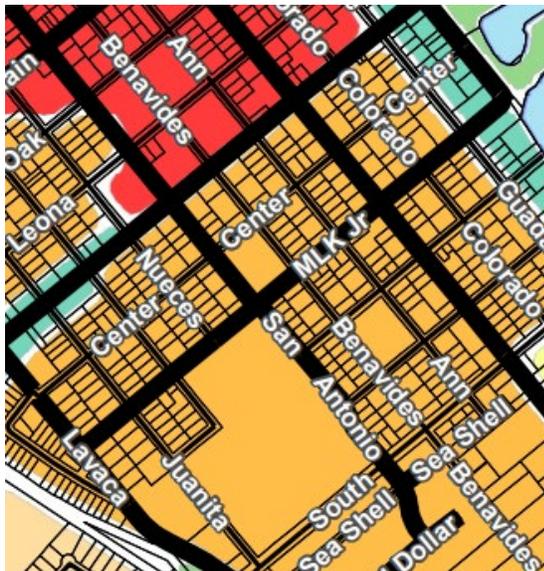
No person shall construct a multifamily dwelling, townhouse, patio home or other commercial development project without approval of said construction project by the planning commission...

The applicant is proposing to construct an ice and water vending machine to be located at 405 S. Benavides Street. The driveway and off-street parking will provide parking for a minimum of four vehicles. The applicant is also working with staff to comply with our landscape ordinance.

Future land Use Map

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

The Future Land Use Map designates this property as High Density Residential.



Future Land Use

- Low Density Residential (light yellow)
Medium Density Residential (orange)
High Density Residential (dark orange)
Multi-Family (brown)
Manufactured Home Park (green)
Mixed Use (teal)
Commercial (red)
Light Industrial (pink)
Industrial (purple)
Parks and Open Space (light green)
Public/Semi-Public (blue)

CITY OF PORT LAVACA

Property ID: 17399 For Year 2025

Property Details		
Account		
Property ID:	17399	Geographic ID: S0001-00440-0004-00
Type:	R	Zoning:
Property Use:		Condo:
Location		
Situs Address:	S BENAVIDES ST PORT LAVACA, TX 77979	
Map ID:	S0001-00440-0005-00	MapSCO:
Legal Description:	PORT LAVACA ORIGINAL TOWNSITE, BLOCK 44, LOT 5,6	
Abstract/Subdivision:	S0001	
Neighborhood:	(1600) PORT LAVACA TOWN	
Owner		
Owner ID:	128465	
Name:	786 NATHANI ENTERPRISES LLC	
Agent:		
Mailing Address:	C/O MUSTAFA AHSAN 5555 NEW TERRITORY BLVD #13203 SUGAR LAND, TX 77479	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Staff Recommendation: APPROVAL. The proposed improvement is abutting commercial property on the Future Land Use Plan and will be located on a major thoroughfare.

Planning Board: APPROVAL. The Board motioned that *All MEP's will be required to pull own permits if needed along with complying with the Landscape Ordinance. TX DOT grant will be used for sidewalk.*

Attachments:

- Application
- Site plan

COMMUNICATION

SUBJECT: Announcement by Mayor that City Council will retire into closed session:

INFORMATION:

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

- To discuss Personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (to discuss the appointment, employment, evaluation, duties and responsibilities, reassignment, discipline, or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee: [Interim City Manager and Chief of Police]).

COMMUNICATION

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

INFORMATION:

