



CITY COUNCIL REGULAR MEETING

Monday, October 13, 2025 at 6:30 PM
City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

PUBLIC NOTICE OF MEETING

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

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

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

AGENDA

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

MEETING PROCEDURE

Public notice is hereby given that the City Council of the City of Port Lavaca, Texas, will hold a regular meeting Monday, October 13, 2025 beginning at 6:30 p.m., at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas to consider the following items of business.

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

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

Join Zoom Meeting:

<https://us02web.zoom.us/j/87343354905?pwd=rRsF738JYt2b7J12AfvxNbBtO6Xk92.1>

Meeting ID: 873 4335 4905

Passcode: 473729

*One Tap Mobile+13462487799,,87343354905#,,,*473729# 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)**

1. Proclamations by the Mayor
 - o October is Fire Prevention Month – October 05 thru October 11, 2025
- “Charge into Fire Safety – Lithium-Ion Batteries in your Home”

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 September 08, 2025 Regular Meeting
- B. Minutes of September 22, 2025 Special Meeting and Workshop Session
- C. Review of Credit Card Statement
- D. Receive Monthly Financial Highlight Report
- E. Receive Employee Training Review Acknowledgment report
- F. Receive Office of Court Administrators (OCA) Monthly report ending 09.30.2025
- G. Receive Victoria Economic Development Corporation (VEDC) Monthly Report
- H. Ratify 2025-2026 FY Budget Ordinance #S-4-25 (adopted 09-22-2025 at Special meeting)
- I. Ratify 2025 Tax Ordinance #S-5-25 (adopted 09-22-2025 at Special meeting)
- J. Receive Financial Investment Report from July 01, 2025 to September 30, 2025
- K. Consider Engagement Letter from Pattillo, Brown & Hill, L.L.P. for Auditing Services of City's Financials for Fiscal Year ending September 30, 2025
- L. Ratify parade permit for the OLG Catholic Church's "Marian Rosary" procession parade on Sunday, October 12, 2025
- M. Receive Quarterly CIP Progress Report 07.01.2025 thru 09.30.2025

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

1. Consider request of Our Lady of the Gulf Catholic Church (OLGULF) Altar Society, for closure of Benavides Street between Leona and Austin Streets for their annual fund-raising Thanksgiving Meal Drive-Thru on Sunday, November 02, 2025 from 9:00 a.m. to 2:00 p.m. Presenter is Anne Marie Odefey

2. Consider request of Our Lady of the Gulf Catholic Church for a parade permit and traffic control assistance for their annual “Christ the King Eucharistic Procession Parade” on Sunday, November 23, 2025 beginning at 5:00 p.m. and also request waiver of any fees associated with the event. Presenter is Colin Rangnow
3. Consider request of the Chamber of Commerce for parade permit, traffic control assistance and closing off several streets, for the Annual “Lighted Christmas Parade” on Friday, December 05, 2025, beginning at 6:30 p.m. and also request waiver of any fees associated with the event. Presenter is Tania French
4. Consider appointment/reappointment of member(s) to the Recreation and Parks Board to fill a vacancy and/or start a new term of two (2) years. Presenter is Jody Weaver
5. Consider appointment of member(s) to the Building and Standards Commission to fill a vacancy and/or start a new term of two (2) years. Presenter is Derrick Smith
6. Ratify authorizing Mayor to sign participation agreements as they are presented on National Opioid Settlement. Presenter is Anne Marie Odefey
7. Consider proposed changes to the City’s Purchasing Policy and Procedures. Presenter is Brittney Hogan
8. Consider Second and Final reading of an Ordinance (G-12-25) of the City of Port Lavaca; amending Code of Ordinances, Chapter 48, Traffic and Vehicles, addition of new Article VI, Golf Carts and Off-highway Vehicles; providing for purpose of ordinance; providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith
9. Consider Second and Final reading of an Ordinance (G-13-25) of the City of Port Lavaca; amending Code of Ordinances, Chapter 12, Buildings and Building Regulations, Article II, Building Trade Codes, Section 12-21, Same-Additions, Deletions and Changes, (21) the National Electrical Code to allow aluminum conductors on the load side of the power company; providing for purpose of ordinance; providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith
10. Consider First reading of an Ordinance (S-6-25) of the City of Port Lavaca designating a geographic area within the City and within the City’s extraterritorial jurisdiction a Reinvestment Zone for Tax Increment Financing purposes (Tax Increment Reinvestment Zone Number One, City of Port Lavaca, Texas); describing the boundaries of the zone; creating the zone pursuant to Chapter 311 of the Texas Tax Code; establishing a Board of Directors for the zone; providing a termination date for the zone; providing that the zone take effect immediately upon passage of the ordinance; and providing for severability. Presenter is Jody Weaver
11. Consider First reading of an Ordinance (G-14-25) regarding the City of Port Lavaca’s Texas Municipal Retirement System Benefits adopting: (1) A change in the City’s Matching Ratio; (2) Annually accruing updated Service Credits and transfer updated Service Credits; and (3) Annually accruing annuity increases, also referred to as Cost of Living Adjustments (COLAS) for retirees and their beneficiaries. Presenter is Brittney Hogan
12. Consider First reading of an Ordinance (G-15-25) of the City of Port Lavaca; amending Code of Ordinances, Chapter 20, Environmental and Health, Article V. - Junk Vehicles, Abandoned Motor Vehicles, Junked Boats, Junked Trailers, Junked Towable Recreational Vehicles, Sec.

20-97 - Unlawful to Maintain a Nuisance; Exceptions; providing for purpose of ordinance; providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith

13. Consider First reading of an Ordinance (G-16-25) of the City of Port Lavaca; amending Code of Ordinances, Chapter 34, Peddlers, Solicitors, Itinerant Vendors, Garage Sales and Mobile Food Units Street Vendors; providing for purpose of the ordinance; providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith
14. Consider First reading of an Ordinance (G-17-25) of the City of Port Lavaca; amending Code of Ordinances, Chapter 36, Signs, Sec. 36-7 Temporary Signs; providing for purpose of ordinance; providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith
15. Consider awarding one or more contracts for Maintenance Mowing of various areas in the City of Port Lavaca for 2025-2026 Fiscal Year. Presenter is Derrick Smith
16. Consider recommendation of the Planning Board for a variance to the Building and Building Regulations Ordinance, CH 12, Article II, Building Trade Codes, Sec. 12-24 Building Setbacks, for property ID #18409, Block 8, Lot 1, Brookhollow Estates Subdivision, 101 La Salle Blvd. Presenter is Derrick Smith
17. Consider recommendation of the Planning Board for a conceptual plan, for a Restaurant, Scully's Grill & Bar, for the property described as A0012 Alejandro Esparza, Tract Pt 1, Wilson, Noble & Boyde Subdivision, 6.567 Acres, 1406 Broadway Street. Presenter is Derrick Smith
18. Consider professional services agreement with Mott McDonald for Engineering Services of General Land Office (GLO) Community Development Block Grant – Mitigation Program (CDBG-MIT) Regional Mitigation Program Projects Contract No. 24-065-167-F082. Presenter is Jody Weaver
19. Consider approval for the City of Port Lavaca Lynn's Bayou Wastewater Improvement Project, Certificate of Construction Completion and authorize release of Retainage and Final Payment. Presenter is Wayne Shaffer
20. Announcement by Mayor that City Council will retire into closed session:
 - To deliberate commercial or financial information that was received from a business prospect that seeks to locate, stay, or expand in or near the territory of the Governmental Body, and with which the Governmental Body is conducting Economic Development Negotiations, in accordance with Title 5, Chapter 551, Section 551.087 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:
 - o Rebecca Holland VS City of Port Lavaca
 - o Cause Number 2025-CV-5350-DC
 - o Calhoun County, Texas, 267th District Court

- [21.](#) 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, October 13, 2025**, beginning at 6:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Tuesday, October 07, 2025**.

Mandy Grant, *City Secretary*

ADA NOTICE

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

COMMUNICATION

SUBJECT: Minutes of September 08, 2025 Regular Meeting

INFORMATION:



CITY COUNCIL REGULAR MEETING

Monday, September 08, 2025 at 6:30 PM

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

MINUTES

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

On this the 8th day of September 2025, the City Council of the City of Port Lavaca, Texas, convened in a regular session at 6:30 p.m. at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas, with the following members in attendance:

I. ROLL CALL

- | | |
|--------------------|---|
| Jack Whitlow | Mayor |
| Daniel Aguirre | Councilman, District 1 |
| Tim Dent | Councilman, District 2 |
| Allen Tippit | Councilman, District 3 |
| Rosie G. Padron | Councilwoman, District 4, Mayor Pro Tem |
| Rose Bland-Stewart | 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

- Jim Ward, Port Commission Board member, gave the invocation.

IV. PLEDGE OF ALLEGIANCE

- Mayor Whitlow – Pledge of Allegiance.

V. PRESENTATION(S) BY THE MAYOR

- There were no presentations.

VI. COMMENTS FROM THE PUBLIC - Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting 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 there were none

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

- A. Minutes of August 11, 2025 Regular Meeting**
- B. Minutes of August 18, 2025 Special Meeting and Workshop**
- C. Minutes of August 25, 2025 Joint City Council and Planning Board Workshop**
- D. Review of Credit Card Statement**
- E. Receive Monthly Financial Highlight Report**
- F. Receive Employee Training Review Acknowledgment report ending 08.31.2025**
- G. Receive Office of Court Administrators (OCA) Monthly report ending 08.31.2025**
- H. Receive Victoria Economic Development Corporation (VEDC) Monthly Report**

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 all consent agenda items as listed.

Seconded by Councilman District 3 Tippit

Voting Yea:

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

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

- Conduct Public Hearing on proposed 2025-2026 fiscal year Budget. Presenter is Brittney Hogan**

Mayor Whitlow announced that the public hearing was now open at 6:35 p.m.

Interim Finance Director Hogan advised Council that in accordance with the State of Texas Property Tax Code, the Comptroller of Texas' Truth-in-Taxation rules, the Local Government Code and the City's Charter, the City is required to hold a public hearing on the FY 2025-2026 budget.

On August 18, 2025, the City Council voted to set a public hearing on the FY 2025-2026 budget. The City Council set the date and time for a Public Hearing on the budget for September 08, 2025.

Because the proposed tax rate exceeded the No-New-Revenue rate, legislation considers it a tax increase and requires special language to accompany the notice of public hearing on the budget.

The City has complied with the governing legislation and has published the Notice of Public Hearing for the budget in the newspaper of general circulation (Port Lavaca Wave) and on the City's website.

This public hearing will provide an opportunity for taxpayers to express their views on the City's 2025-2026 annual budget. Only one public hearing is required and satisfies the requirements for a later vote on the ordinance adopting the annual budget.

Mayor Whitlow announced that the first public hearing on the proposed 2025-2026 Fiscal Year Budget was now closed at 6:37 p.m.

No action necessary and none taken.

2. **Conduct Public Hearing on proposed 2025 Tax Rate. Presenter is Brittney Hogan**

Mayor Whitlow announced that the public hearing was now open at 6:37 p.m.

Interim Finance Director Hogan advised Council that in accordance with the State of Texas Property Tax Code, the Comptroller of Texas' Truth-in-Taxation rules, the Local Government Code and the City's Charter, the City is required to hold a public hearing on the 2025 Tax Rate.

On August 18, 2025, the City Council took a record vote to propose a tax rate of \$0.8000, which is the same as the previous year's tax rate, to be levied on properties within the City. Because the proposed tax rate exceeds the No-New-Revenue rate, legislation considers it a tax increase, and requires a public hearing. The City Council set the date and time for a Public Hearing on the Tax Rate for September 08, 2025.

This public hearing will provide an opportunity for taxpayers to express their views on the tax increase as defined by legislation. Only one public hearing is required and satisfies the requirements for a later vote on the ordinance establishing a tax rate.

Mayor Whitlow announced that the first public hearing on the proposed 2025 Tax Rate was now closed at 6:39 p.m.

No action necessary and none taken.

3. **Consider request of Calhoun County Fair Association (CCFA) for a parade permit and traffic control assistance on Saturday, October 11, 2025 beginning at 10:00 a.m.; the parade route will be from Sandcrab Stadium, Sam Faubion, N. Virginia, Main streets and ending at the Bayfront Peninsula; and waiver of any fees associated with the event. Presenter is Tania French**

Tania French, Events Coordinator advised Council that the Calhoun County Fair Association requests approval, traffic control and waiver of any fees for the annual Fair Parade to be held at 10 a.m. Saturday, Oct. 11. The parade will begin at Sandcrab Stadium, travel down Sam Faubion to Virginia Street to Main Street and end at Bayfront Peninsula Park.

Motion made by Councilman District 3 Tippit

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

THAT, Council hereby approves the request of the Calhoun County Fair Association (CCFA) for a parade permit and traffic control assistance on Saturday, October 11, 2025 beginning at 10:00 a.m. and waives any fees associated with the event.

Seconded by Councilwoman District 5 Bland-Stewart

Voting Yea:

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

4. **Consider approval of a new Event Management/Marketing/Communications Service Agreement with the Port Lavaca Chamber of Commerce. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that as discussed at the Budget Workshop, a number of additional events have been added to the regular annual schedule since the City initially contracted with the Chamber for Events Management in 2016. In that time, the only increase in compensation was \$15,000 a couple years ago to add a limited amount of communication assistance to their contract. After reviewing the current scope of the services provided by the Chamber in managing events, marketing the City and assisting with communications, I am recommending agreeing to an increase in their compensation to \$125,000 per year. I think this is more than fair considering the current value of the 2016 \$75,000 is now about \$103,000 using the MCI. Adding the \$15,000 brings up to \$118,000 and again we've added many new events since 2016.

Also as discussed during the budget, we are going to transfer the title of a vehicle with a value of \$15,000 to the Chamber this year so our cash payment to them will be \$110,000 for 2025-2026.

Per the contract, the makeup of the Events Committee as follows:

- Events Coordinator – Chair (Tania French);
- City Finance Director – Vice Chair (Britney Hogan);
- Chamber of Commerce Representative – Sara Baker;
- Local Hotel/Motel Representative – Christine Pena;
- Commercial Business Representative – Desiree Spears;
- Farmers Insurance Commercial Business Representative – Schelly Bartels; and
- PL Wave (Main Street).

Besides Regular City Event promotion, other creative and social media posts and campaigns provided by the Chamber for the City include:

For 2024 year:

- Holiday greetings
- Public notifications of City Hall closures and freezing weather prep Assistance with promotion of Housing workshops
- Assistance with communications during Beryl Promotion of Clean It and Green It Earth Day event
- Promotion of Public Works Sweep into Spring Cleanup event Public Works Week promotions
- Promotion of Public Works Shown & Tell Event
- FB Posts featuring Public Works employees during Public Works Week
- “Time to mow” Facebook posts
- Congratulation Posts for employees earning certifications
- Veterans Day event promotion
- FB posts featuring the Finance Department Employees FY2024-25 Budget Highlights graphic
- MyPLTxT texts: 11

For 2025 year:

- Holiday greetings
- Public notifications of City Hall closures and freezing weather prep Promotion of Clean It and Green It Earth Day trash pick up Promotion of the Parks Community Input Event
- Promotion of the Public Works “Chunk the Junk” cleanup event
- FB Posts featuring Public Works employees during Public Works Week Public Works Department Pavement, Pipes and Parks event
- MyPLTxT texts: 8 to date

Staff recommends approval of the Events Management/Marketing/Communications Services Agreement with the Port Lavaca Chamber of Commerce FY 2025-2028.

Motion made by Councilman District 3 Tippit

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

THAT, in accordance with recommendation of staff, Council hereby approves a new Event Management/Marketing/Communications Service Agreement with the Port Lavaca Chamber of Commerce FY 2025-2028.

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

5. Consider new job description for Property Clerk/Administrative Assistant, Pay Grade 6. Presenter is Jody Weaver

Interim City Manager Weaver advised Council that as discussed at the recent Budget Workshop, we are proposing to Add the position of "Property Clerk/Administrative Assistant" to the Police Department". An updated proposed Job Description for the position was presented to Council. These updates are to clarify duties which are in a support role to Property Clerk /Office Manager (Karen Neal) and Records Clerk Specialist (Angie Phelps) – not a replacement of either of these positions.

It may not be understood that the Office Manager (Karen) also serves as Evidence Custodian. She is overwhelmed with intake and has little time for property disposal. There are currently 2,633 items in storage, with 466 added this year and only 67 disposed. Without a Clerk/Receptionist to reduce interruptions and support operations, the evidence room will become overcrowded, creating risks to investigations, court cases, and public trust.

To again clarify, this proposed position is not a duplication of either the Property Clerk or the Records Clerk job. Instead, it fills a critical operational gap, provides the first point of contact for the public, reduces interruptions to specialized staff, ensures consistent weekday coverage, and allows the Office Manager and Records Clerk to focus on their primary responsibilities. Without this role, the Department will continue to face delays, incomplete tasks, and public frustration due to limited coverage.

Jim Ward, Port Commission Board Member and Dolores Drake, Calhoun County Interim Communications Director were in attendance and addressed Council on this proposed position.

If approved, we are proposing this position with a pay grade of 6 (\$39,820 min - \$53,757 max.). Other positions in this grade are Accounting Clerk, Ports & Harbors Administrative Assistant, Development Coordinator/Permit Technician, Meter Technician, Police Cadet.

Motion made by Councilman District 3 Tippit

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

THAT, in accordance with the recommendation of staff, Council hereby approves the addition of one new full-time position to the Police Department, described in job description as "Property Clerk/Administrative Assistant, Pay Grade 6".

Seconded by Councilwoman District 5 Bland-Stewart

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

Voting Nay:
Councilwoman District 4 (Mayor Pro Tem) Padron

6. **Consider proposed City Compensation Plan for 2025-2026 fiscal year. Presenter is Jody Weaver**

Interim City Manager Weaver reminded Council that earlier this year we completed a third-party salary survey and amended the 2024-2025 Compensation plan in April to implement the minimum recommended salaries at that time.

Just this morning I received the 2025 Texas Statewide Municipal Salary Survey from TML It was prepared by Logic Compensation Group. We contributed our salary data for the study this year. Only 4 cities of the 16 entities that we used as-is comparisons for our 3rd party survey also participated in this TML survey and are Beeville, Bay City, Angleton, and Freeport.

A quick review of the TML report for the population of 10,000 – 50,000 (a widespread) shows that our mid-point salary ranges we are generally lower than the mid-points provided for the same labeled job title in the TML report, although positions like Admin Asst., Development Services Tech., and Officer Manager were right on.

Since this third-party survey was completed less than 6 months ago and reflects a comparison of selected cities and entities in our region, staff is not recommending any changes to the currently adopted salary schedule.

The budgeted full-time positions for FY 2025-2026 are Ninety-Seven (97)* and the full-time equivalent (FTE) part-time positions are two and a quarter (2.25)*.

**This assumes the approval of the additional Clerk/Administrative Assistant position in PD.*

RECOMMENDATIONS:

- 1) The City Council approves the Salary Structure entitled FY 2026 as presented. Council approves providing budgeted funds for merit increases for all employees in an amount equal to 4% of the total current salary figure.
- 2) The City Headcount is approved as follows:
As of October 01, 2025, Ninety-Seven (97) full-time employees and two and a quarter (2.25) full-time equivalent part-time positions.

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 the proposed City Compensation plan for the 2025-2026 fiscal year as follows:

- 1) The City Council approves the Salary Structure entitled FY 2026 as presented. Council approves providing budgeted funds for merit increases for all employees in an amount equal to 4% of the total current salary figure.
- 2) The City Headcount is approved as follows:
As of October 01, 2025, Ninety-Seven (97) full-time employees and two and a quarter (2.25) full-time equivalent part-time positions.

Seconded by Councilman District 3 Tippit

Voting Yea:

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

7. Consider Resolution No. R-090825-1 to adopt a five-year plan (2025-2030) for the Capital Improvement Program (CIP) in compliance with article 7.02(15) of the city’s Home Rule Charter. Presenter is Brittney Hogan

Motion made by Councilman District 2 Dent

WHEREAS the City Charter requires the City Manager to submit a plan for capital improvement covering the succeeding five years and proposed method of financing to the City Council prior to the beginning of each budget year; and,

WHEREAS the City Manager submitted a Five-Year Capital Program to the City Council on July 28, 2025 in compliance with the City Charter and,

WHEREAS the City Council has reviewed the Five-Year Capital Program, found it to be in compliance with all City Charter and believes its approval by resolution is in the best interest of Port Lavaca residents.

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

THAT the Five-Year Capital Program (October 1, 2025 – September 30, 2030), a copy of which is attached hereto and incorporated in the Fiscal Year Budget 2025-2026, is hereby adopted in compliance with the City Charter.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

8. **Consider Resolution No. R-090825-2 of the City of Port Lavaca authorizing signatories for the awarded Community Development Block Grant – Regional Mitigation Program (CDBG-MIT) Contract No. 24-065-167-1082. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that after a lengthy waiting period, the City finally received and executed, on 8/21/2025, GLO contract No. 24-065-167-F082. This is the CDBG-MIT Round 2 funding we've been waiting for that is planned to fund the following:

- Shoreline restoration along the old Landfill at the Harbor of Refuge
- Installation of 2 metal drainage culverts under the rail line in the Harbor of Refuge
- Provide drainage improvements and a detention pond to address drainage issues in the area of the intersection of George and Half League Roads.

The Resolution presented this evening is to assign the contractual and financial signatories for the project. We are working on the contract language for the Administration (KSBR) and the Engineering (Mott McDonald and Urban Engineering) consultants and those will be brought to Council for approval at the earliest opportunity once the language has been approved by legal, GLO, and the parties involved.

Motion made by Councilman District 6 Burke

WHEREAS, the City of Port Lavaca has been awarded Community Development Block grants from the Texas General Land Office (GLO) to provide financial assistance with funds appropriated under the Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (Public Law 115-123), enacted on February 9, 2018, for necessary expenses for Activities authorized under Title I of the Housing and Community Development Act of 1974 (42 U.S.C. § 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, mitigation, and affirmatively furthering fair housing, in accordance with Executive Order 12892, in the most impacted and distressed areas resulting from major declared disasters that occurred in 2015, 2016, and 2017 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. § 5121 et seq.); and

WHEREAS, it is necessary to authorize signatories for GLO documents so that the City of Port Lavaca can receive funding through the CDBG grant

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

Section 1. That the City Council directs and designates the City Mayor, Interim City Manager, as contractual signatories, and the Mayor, Interim City Manager, and City Finance Director as financial signatories

Section 2. This resolution shall become effective immediately upon adoption.

Seconded by Councilman District 3 Tippit

Voting Yea:

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

9. Consider construction contract award for Phase 4 of City Hall improvements, Security Upgrades and Interior Renovations. Presenter is Jody Weaver

Interim City Manager Weaver advised Council at the July Council meeting, a Selection Committee was formed to advise me in the selection of the contractor for the above-mentioned project and that the weighting of the selection criteria would be as follows:

- Price: 50%; Qualifications 40%; Time 10%

Members of the committee are as follows:

- Jody Weaver;
- Brittney Hogan;
- Mandy Grant;
- Derrick Smith;
- Tim Dent;
- Justin Burke; and
- Brian Parker.

On August 21, 2025, we opened two proposals. One from BLS Construction (El Campo) and the other from Lauger Construction (Victoria). Brian Parker with Rawley McCoy Architects, reviewed the bids for completeness and mathematical accuracy and provided an Evaluation for the consideration by the committee.

The recommendation of the selection committee is to award a contract to Lauger Companies, Inc. in the amount of \$248,500.00 for 120 calendar days.

Motion made by Councilman District 2 Dent

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

THAT, in accordance with the recommendation of staff, Council hereby authorize award of construction contract for Phase 4 of City Hall improvements, Security Upgrades and Interior Renovations, to Lauger Companies, Inc. in the amount of \$248,500.00, and 120 calendar days to complete, after receipt of Notice 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 6 Burke

Voting Yea:

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

- 10. **Consider Second and Final reading of an Ordinance (S-3-25) of the City of Port Lavaca for amendment(s) to the Base Ordinance S-2-24 for 2024-2025 fiscal year budget; providing for Budget Amendment(s); providing for severability, repealing all ordinances in conflict and establishing an effective date. Presenter is Brittney Hogan**

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 Second and Final reading of an Ordinance (S-3-25) of the City of Port Lavaca for amendment(s) to the Base Ordinance S-2-24 for 2024-2025 fiscal year budget; providing for Budget Amendment(s).

Seconded by Councilman District 3 Tippit

Voting Yea:

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

- 11. **Consider Second and Final reading of an Ordinance (G-9-25) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Changes, Chapter 2 Administration; Chapter 8 Amusements and Entertainments, Sec. 8-28; Chapter 50, Sec. 50-67 Utilities - Water User Rates – GBRA, Residential and Commercial; Chapter 54 Waterways; and providing an effective date. Presenter is Jody Weaver**

Motion made by Councilman District 3 Tippit

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 Second and Final reading of an Ordinance (G-9-25) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Changes, Chapter 2 Administration; Chapter 8 Amusements and Entertainments, Sec. 8-28; Chapter 50, Sec. 50-67 Utilities - Water User Rates – GBRA, Residential and Commercial; Chapter 54 Waterways.

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

- 12. **Consider Second and Final reading of an Ordinance (G-10-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca’s Code of Ordinances as Chapter 54 Waterways; Establishing an Appendix “B” for the Tariff Circular 1-A; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date.. Presenter is Jody Weaver**

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 Second and Final reading of an Ordinance (G-10-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca’s Code of Ordinances as Chapter 54 Waterways; Establishing an Appendix “B” for the Tariff Circular 1-A.

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

- 13. **Consider Second and Final reading of an Ordinance (G-11-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca’s Code of Ordinances as Chapter 12 Buildings and Building Regulations, Article VI Requirements for Owners of Residential Properties used as Short-Term Rentals; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith**

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 Second and Final reading of an Ordinance (G-11-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca’s Code of Ordinances as Chapter 12 Buildings and Building Regulations, Article VI Requirements for Owners of Residential Properties used as Short-Term Rentals.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

- 14. **Consider First reading of an Ordinance (S-4-25) approving the annual Budget for the City of Port Lavaca, Texas and adopting the budget document for the fiscal year October 01, 2025 thru September 30, 2026. Presenter is Brittney Hogan**

Motion made by Councilman District 2 Dent

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

THAT, in accordance with recommendation of staff, Council hereby approves the 2025-2026 Fiscal Year Annual Budget Ordinance (S-4-25), as presented by the Interim City Manager, on this its first reading.

Seconded by Councilman District 6 Burke

Voting Yea and Record Vote:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

Voting Nay and Record Vote:

Councilwoman District 4 (Mayor Pro Tem) Padron

Abstain: None

- 15. **Consider First reading of an Ordinance (S-5-25) fixing the Tax Rate and Tax Levy for the City of Port Lavaca, Texas for the year 2025. Presenter is Brittney Hogan**

Motion #1:

Motion made by Councilman District 2 Dent

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

THAT, the property tax rate be increased by the adoption of a tax rate of \$0.8000, which is effectively a 5.50% increase in the tax rate; and

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

THAT, in accordance with recommendation of staff, Council hereby approves fixing the 2025 Tax Rate and Tax Levy Ordinance (S-5-25) on this its first reading.

Seconded by Councilman District 6 Burke

Voting Yea and Record Vote:

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

Voting Nay and Record Vote:

None

Abstain: None

Motion #2:

Motion made by Councilman District 2 Dent

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

THAT, City Council adopts a Maintenance and Operations rate of \$0.6987.

Seconded by Councilman District 3 Tippit

Voting Yea:

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

Voting Nay: None

Motion #3:

Motion made by Councilman District 2 Dent

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

THAT, City Council adopts an Interest & Sinking rate of \$0.1013.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

Voting Nay: None

- 16. **Consider First reading of an Ordinance (G-12-25) of the City of Port Lavaca; amending Chapter 48, Traffic and Vehicles, addition of new Article VI, Golf Carts and Off-highway Vehicles; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith**

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 First reading of an Ordinance (G-12-25) of the City of Port Lavaca; amending Chapter 48, Traffic and Vehicles, addition of new Article VI, Golf Carts and Off-highway Vehicles, with stipulation for consideration of language in connection with safety issues around Lighthouse Beach Road, for the second and final reading.

Seconded by Councilman District 3 Tippit

Voting Yea:

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

Voting Nay:

Councilman District 1 Aguirre

- 17. **Consider First reading of an Ordinance (G-13-25) of the City of Port Lavaca; amending Chapter 12, Buildings and Building Regulations, Article II, Building Trade Codes, Section 12-21, Same-Additions, Deletions and Changes, (21) the National Electrical Code to allow aluminum conductors on the load side of the power company; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith**

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 First reading of an Ordinance (G-13-25) of the City of Port Lavaca; amending Chapter 12, Buildings and Building Regulations, Article II, Building Trade Codes, Section 12-21, Same-Additions, Deletions and Changes, (21) the National Electrical Code to allow aluminum conductors on the load side of the power company.

Seconded by Councilman District 6 Burke

Voting Yea:

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

Voting Nay:
Councilman District 1 Aguirre, Councilman District 3 Tippit

IX. ADJOURNMENT

Mayor asked for motion to adjourn.

Motion made by Councilman District 2 Dent

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

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

Meeting adjourned at 8:12 p.m.

ATTEST:

Jack Whitlow, Mayor

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Minutes of September 22, 2025 Special Meeting and Workshop Session

INFORMATION:



CITY COUNCIL SPECIAL/WORKSHOP MEETING

Monday, September 22, 2025 at 5:30 PM

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

MINUTES

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

On this the 22nd day of September, 2025, 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
Allen Tippit	Councilman, District 3
Rose Bland-Stewart	Councilwoman, District 5
Justin Burke	Councilman, District 6

And with the following absent:

Tim Dent	Councilman, District 2
Rosie G. Padron	Councilwoman, District 4, Mayor Pro Tem

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 5:36 p.m. and presided.

III. COMMENTS FROM THE PUBLIC

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

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

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

1. Consider request of Hemphill Seminary, LLC to lease a 50’x50’ out of Property ID 386235 near the corner of Half League Rd and Main Street for a monopole communications tower. Presenter is Derrick Smith

Development Services Director Smith was absent and Interim City Manager Weaver presented item.

Interim City Manager Weaver advised Council that Hemphill Seminary, LLC has made a request to install a communication tower on Property ID# 38625 that is currently owned by the City of Port Lavaca. They will be needing a 50’x50’ portion of the land for lease or purchase.

They are proposing a 120’ monopole that will be built to improve cellphone service for T-Mobile. The pole will also be available if AT&T or Verizon have interest in installing their equipment as well.

Council viewed a map showing the location of existing towers, including an orange pin drop for their target location. The blue pin crops are existing towers with T-Mobile cellular service and the four yellow pin drops are towers used by others

Motion made by Councilman District 3 Tippit

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

THAT, in accordance with the recommendation of staff, Council hereby authorizes Interim City Manager Weaver to negotiate with Hemphill Seminary, LLC to lease a 50’x50’ out of Property ID 386235 near the corner of Half League Rd and Main Street for a monopole communications tower.

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 3 Tippit, Councilwoman District 5 Bland-Stewart and Councilman District 6 Burke

2. Consider professional services agreement with KSBR for Administration Services of General Land Office (GLO) Community Development Block Grant – Mitigation Program (CDBG-MIT) Regional Mitigation Program Projects Contract No. 24-065-167-F082. Presenter is Jody Weaver

Interim City Manager Weaver advised Council that the City of Port Lavaca is a sub-recipient of the Community Development Block Grant Mitigation (CDBG-MIT) program and has been awarded funds in the amount of \$9,119,600.00. The City has recently executed the grant contract with the Texas General Land Office (GLO).

As the next step, the City must proceed with the approval of the Grant Administration Services Contract. In 2020, the City approved Resolution No. R-072920-1 selecting KSBR, LLC as the Grant Administration company. City staff have already attended the GLO Kick-off meeting, and to remain on schedule, it is necessary to formally approve the administration contract with KSBR, LLC.

Staff recommends that the City Council consider and approve the Grant Administration Services Contract with KSBR, LLC for the CDBG-MIT project under GLO Contract No. 24-065-167-F082.

Motion made by Councilman District 6 Burke

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

THAT, in accordance with the recommendation of staff, Council hereby approves professional services agreement with KSBR for Administration Services of General Land Office (GLO) Community Development Block Grant – Mitigation Program (CDBG-MIT) Regional Mitigation Program Projects Contract No. 24-065-167-F082.

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 3 Tippit, Councilwoman District 5 Bland-Stewart and Councilman District 6 Burke

3. Consider professional services agreement with Urban Engineering for Engineering Services for the Harbor of Refuge Shoreline restoration project funded by General Land Office (GLO) Community Development Block Grant – Mitigation Program (CDBG-MIT) Regional Mitigation Program Projects Contract No. 24-065-167-F082. Presenter is Jody Weaver

Interim City Manager Weaver advised Council that the City of Port Lavaca is a sub-recipient of the Community Development Block Grant Mitigation (CDBG-MIT) program and has been awarded funds in the amount of \$9,119,600.00. The City has recently executed the grant contract with the Texas General Land Office (GLO).

As the next step, the City must proceed with the approval of the Professional Engineering Services Contract. In 2023, the City approved Resolution No. R-091123-1 selecting Urban Engineering to provide Professional Engineering Services for the Harbor of Refuge Shoreline restoration project funded by General Land Office (GLO) Community Development Block Grant – Mitigation Program (CDBG-MIT) Regional Mitigation Program Projects Contract No. 24-065-167-F082.

Staff recommends approving the Engineering Services Contract with Urban Engineering for the CDBG-MIT project under GLO Contract No. 24-065-167-F082.

Motion made by Councilman District 3 Tippit

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

THAT, in accordance with the recommendation of staff, Council hereby approves professional services agreement with Urban Engineering for Engineering Services for the Harbor of Refuge Shoreline restoration project funded by General Land Office (GLO) Community Development Block Grant – Mitigation Program (CDBG-MIT) Regional Mitigation Program Projects Contract No. 24-065-167-F082.

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 3 Tippit, Councilwoman District 5 Bland-Stewart and Councilman District 6 Burke

4. Consider Resolution No. R-092225-1 of the City of Port Lavaca, Texas, for the nomination of candidates for the Board of Directors of the Calhoun County Appraisal District 2026-2027 Term. Presenter is Jody Weaver

Motion made by Councilman District 1 Aguirre

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

WHEREAS, the Board of Directors consists of five members who serve two-year terms, beginning January 1, 2026 through December 31, 2027; and

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

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

THAT, the slate of current Board Members named below are nominated and submitted for election to the Calhoun County Appraisal District Board of Directors to each serve two-year terms, beginning January 1, 2026 thru December 31, 2027:

Current Board Members:

- 1) Benjamin Boone
- 2) Kevin Hill
- 3) Vern Lyssy
- 4) David Pfeil
- 5) Jessie Rodriguez

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Aguirre, Councilman District 3 Tippit, Councilwoman District 5 Bland-Stewart

Voting Nay:

Councilman District 6 Burke

5. Consider Resolution No. R-092225-2 for Fire Truck. Presenter is Joe Reyes

Fire Chief Reyes and Finance Director Hogan reminded Council that in the recent Capital Improvement Projects (CIP) workshop held on July 28, 2025 the procurement of a new Pierce Enforcer fire truck had been discussed. The City's CIP for fiscal years 2026-2030 was approved at the regular council meeting on September 08, 2025. This approved CIP includes the planned purchase of a fire truck in fiscal year 2027 with the use of capital lease funds. As noted in previous discussions, the current estimate has a delivery time of 50-53 months from order date. We cannot put in an order until we have the availability of funds. The first step in this process is to approve a resolution to secure the financing of the fire truck through Government Capital Corporation (GCC) and to issue the financing contract as a "qualified tax exempt" obligation

As previously discussed, this will be a five-year commitment with the principal amount of \$1,206,613 at an interest rate of approximately 4.784% and annual payments to be approximately \$277,035.20. The first payment to begin one year after signing and annually thereafter.

Resolution No. R-092225-2 for Fire Truck is as follows:

WHEREAS, the City of Port Lavaca (the "Issuer") desires to enter into that certain Finance Contract by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing "Fire Truck"; and

WHEREAS, the City of Port Lavaca desires to designate this Finance Contract as a "qualified tax-exempt obligation" of the Issuer for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended; and

WHEREAS, the City of Port Lavaca desires to designate the Mayor or the Mayors designee, as an authorized signer of the Finance Contract.

Section 1. That the Issuer will enter into a Finance Contract with Government Capital Corporation for the purpose of financing "Fire Truck".

Section 2. That the Finance Contract by and between the City of Port Lavaca and Government Capital Corporation is designated by the Issuer as a "qualified tax-exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Issuer appoints the Mayor or designee, as the authorized signer of the Finance Contract by and between the City of Port Lavaca and Government Capital Corporation as well as any other ancillary exhibit, certificate, or documentation needed for the Contract.

Section 4. The Issuer will use loan proceeds for reimbursement of expenditures related to the Property, within the meaning of Treasury Regulation § 1.150-2, as promulgated under the Internal Revenue Code of 1986, as amended.

Motion made by Councilman District 6 Burke

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

THAT, Council approves Resolution No. R-092225-2 for the procurement of a Fire Truck with the stipulation that the City 's Finance Department research other Financial Institutions for better rates and present those findings to City Council at another meeting.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Aguirre, Councilman District 3 Tippit, and Councilman District 6 Burke

Voting Nay:

Councilwoman District 5 Bland-Stewart

6. Consider Second and Final reading of an Ordinance (S-4-25) approving the annual Budget for the City of Port Lavaca, Texas and adopting the budget document for the fiscal year October 01, 2025 thru September 30, 2026. Presenter is Brittney Hogan

Finance Director Hogan advised Council that In accordance with the State of Texas Property Tax Code, the Comptroller of Texas' Truth-in-Taxation rules, the Local Government Code and the City's Charter, we have prepared an Ordinance that, if approved, meets the requirements as established by the governing legislation.

On July 28 (CIP) and August 18, 2025, the City Council held budget workshops to review recommendations from the City Manager for the FY 2025-2026 budget. The proposed budget was filed with the City Secretary and published on the City's website on August 14, 2025.

On August 18, 2025, the City Council announced a public hearing on the FY 2025-2026 Budget to be held on September 8, 2025. Because the proposed tax rate exceeds the No-New-Revenue rate, legislation considers it a tax increase and requires special language to be included in the Notice of Public Hearing on the Budget, the front page of the proposed budget and the front page of the adopted budget.

The City published a notice of public hearing on the budget in the newspaper of general circulation (Port Lavaca Wave) on August 27, 2025, and posted the same notice on the City's website.

The budget, with changes recommended by City Council in the August 18, 2025 workshop, is recommended for the City Council's approval, and contains combined Revenues of \$25,958,403 followed by combined Expenditures of \$30,057,893 leaving combined Fund Balance reserves of \$12,208,936.

The Ordinance to adopt the budget contains authorization, as prescribed in the City Charter, Section 8.03, for the City Manager to transfer any unencumbered appropriation balance or portion thereof between general classifications of expenditures within an office, department or agency.

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 recommendation of staff, Council hereby approves the 2025-2026 Fiscal Year Annual Budget Ordinance (S-4-25), as presented by the Interim City Manager, on this its second and final reading.

Seconded by Councilman District 3 Tippit

Voting Yea and Record Vote:

Councilman District 1 Aguirre, Councilman District 3 Tippit, Councilwoman District 5 Bland-Stewart and Councilman District 6 Burke

Voting Nay and Record Vote:

None

Absent: Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 2 Dent

7. Consider Ratification of Property Tax increase reflected in the 2025-2026 FY Budget. Presenter is Brittney Hogan

Interim Finance Director Hogan advised Council that in accordance with Local Government Code Section 102.007(c) when adopting a budget that will require raising more revenue from property taxes than in the previous year, a separate vote of the governing body to ratify the property tax increase reflected in the budget is required. This vote is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate.

Motion made by Councilman District 3 Tippit

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

THAT, in accordance with recommendation of staff, Council hereby approves to ratify the property tax revenue increase reflected in the 2025-2026 fiscal year Budget.

Seconded by Councilman District 6 Burke

Voting Yea:

Councilman District 1 Aguirre, Councilman District 3 Tippit, Councilwoman District 5 Bland-Stewart and Councilman District 6 Burke

8. Consider Second and Final reading of an Ordinance (S-5-25) fixing the Tax Rate and Tax Levy for the City of Port Lavaca, Texas for the year 2025. Presenter is Brittney Hogan

Finance Director Hogan advised Council that in accordance with the State of Texas Property Tax Code, the Comptroller of Texas' Truth-in-Taxation rules, the Local Government Code and the City's Charter, we have prepared an Ordinance that, if approved, meets the requirements as established by the governing legislation.

On August 18, 2025, the City Council took a record vote to propose a tax rate (\$0.8000) as levied on properties as the previous year. Because the proposed tax rate exceeds the No-New-Revenue rate, legislation considers it a tax increase, and requires a public hearing. City Council announced a date and time for a public hearing on the tax rate to be held on September 8, 2025.

The City published a notice of public hearing on the tax increase in the newspaper of general circulation (Port Lavaca Wave) on August 27, 2025, and posted the same notice on the City's website.

Additionally, because the proposed tax rate exceeds the No-New-Revenue rate, additional language is required to be included in the ordinance and requires specific language in the motion to adopt the tax rate as follows:

Motion #1:

Motion made by Councilman District 3 Tippit

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

THAT, the property tax rate be increased by the adoption of a tax rate of \$0.8000, which is effectively a 5.50% increase in the tax rate; and

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

THAT, in accordance with recommendation of staff, Council hereby approves fixing the 2025 Tax Rate and Tax Levy Ordinance (S-5-25) on this its second and final reading.

Seconded by Councilman District 6 Burke

Voting Yea and Record Vote:

Councilman District 1 Aguirre, Councilman District 3 Tippit, Councilwoman District 5 Bland-Stewart and Councilman District 6 Burke

Voting Nay and Record Vote:

None

Absent:

Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 2 Dent

Motion #2:

Motion made by Councilman District 6 Burke

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

THAT, City Council adopts a Maintenance and Operations rate of \$0.6987.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Aguirre, Councilman District 3 Tippit, Councilwoman District 5 Bland-Stewart and Councilman District 6 Burke

Voting Nay: None

Motion #3:

Motion made by Councilman District 3 Tippit

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

THAT, City Council adopts an Interest & Sinking rate of \$0.1013.

Seconded by Councilman District 6 Burke

Voting Yea:

Councilman District 1 Aguirre, Councilman District 3 Tippit, Councilwoman District 5 Bland-Stewart and Councilman District 6 Burke

Voting Nay: None

9. Consider approval of the Certificate of Construction Completion and authorize the release of Retainage and Final Payment for Nautical Landings Marina Boat Ramp Breakwater Repair Project. Presenter is Jody Weaver

Interim City Manager Weaver advised Council that the City received a grant from the Texas Parks and Wildlife Department (TPWD) to improve the Nautical Landings Marina Breakwater. The construction was completed by Derrick Construction, and the contractor has submitted the Certificate of Construction Completion.

During the Port Commission meeting on September 16, 2025, the Board reviewed the project status and recommended approval of the Certificate of Construction Completion and release of retainage.

Matt Glaze, P.E. of Urban Engineering, recommends approval of the Certificate of Construction Completion and authorizes the release of retainage and final payment for the Nautical Landings Marina Boat Ramp Breakwater Repair project, in the amount of \$22,171.75 and staff concurs.

Motion made by Councilman District 3 Tippit

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

THAT, in accordance with the recommendation of Port Commission and staff, Council hereby approves the Certificate of Construction Completion and authorizes the release of Retainage and Final Payment for the Nautical Landings Marina Boat Ramp Breakwater Repair Project to Derrick Construction, in the amount of \$22,171.75, as submitted by Urban Engineering.

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 3 Tippit, Councilwoman District 5 Bland-Stewart and Councilman District 6 Burke

V. ADJOURN SPECIAL MEETING

Mayor Whitlow asked for motion to adjourn.

Motion made by Councilman District 6 Burke

Seconded by Councilman District 1 Aguirre

Voting Yea:

Councilman District 1 Aguirre, Councilman District 3 Tippit, Councilwoman District 5 Bland-Stewart and Councilman District 6 Burke

Special Meeting adjourned at 6:29 p.m.

WORKSHOP SESSION

VI. CALL TO ORDER

- Mayor Whitlow called the workshop to order at 6:30 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. Review and discuss the draft boundary of a proposed Tax Incremental Reinvestment Zone (TIRZ). Presenter is Jody Weaver

Council discussed this agenda item.

No action necessary and none taken.

2. Discuss amendment to City’s Code of Ordinances, Chapter 20, Environmental and Health, Article V. - Junk Vehicles, Abandoned Motor Vehicles, Junked Boats, Junked Trailers, Junked Towable Recreational Vehicles, Sec. 20-97. - Unlawful to Maintain a Nuisance; Exceptions. Presenter is Derrick Smith

Council discussed this agenda item.

No action necessary and none taken.

3. Discuss amendment to City’s Code of Ordinances, Chapter 34, Peddlers, Solicitors, Itinerant Vendors, Garage Sales and Mobile Food Units. 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 3 Tippit

Seconded by Councilman District 1 Aguirre

Voting Yea:

Councilman District 1 Aguirre, Councilman District 3 Tippit, Councilwoman District 5 Bland-Stewart and Councilman District 6 Burke

Workshop adjourned at 7:34 p.m.

ATTEST:

Jack Whitlow, Mayor

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Review of Credit Card Statement

INFORMATION:



Section VII. Item #C.

CITY OF
Account Number: XXXX XXXX XXXX 0305

Billing Questions:
800-367-7576

Website:
www.cardaccount.net

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

FIRST NATIONAL BANK IN PORT LAVACA Credit Card Account Statement
August 9, 2025 to September 7, 2025

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$14,345.26
- Payments	\$14,345.26
- Other Credits	\$0.00
+ Purchases	\$8,741.19
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$8,741.19

Account Number XXXX XXXX XXXX 0305
 Credit Limit \$26,500.00
 Available Credit \$17,749.00
 Statement Closing Date September 7, 2025
 Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$8,741.19
 Minimum Payment Due: \$262.24
Payment Due Date: October 2, 2025

MESSAGES

PROTECT YOURSELF FROM SCAMMERS!

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

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

TRANSACTIONS

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

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/12	08/12	85431897000XSVDHP	PAYMENT - THANK YOU	\$14,345.26-

Transactions continued on next page

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



Account Number: XXXX XXXX XXXX 0305
 New Balance: \$8,741.19
 Minimum Payment Due: \$262.24
Payment Due Date: October 2, 2025

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

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICE CENTER
PO BOX 569100
DALLAS TX 75356-9100

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



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

Tran Date	Post Date	Reference Number	Transaction Description	Amount
			TOTAL XXXXXXXXXXXXX0305	\$14,345.26-
08/13	08/15	223037972029PJHAR	TEXAN13 PORTLAND TX	\$42.38
08/25	08/26	87021307DEHN63YX0	ACT ONLINE TRAINING DENTON TX	\$99.00
08/29	08/31	05436847JBLKPPHZV	WM SUPERCENTER #1098 PORT LAVACA TX	\$16.94
			KAREN NEAL	
			TOTAL XXXXXXXXXXXXX0784	\$158.32
08/14	08/15	526538472LV6YSKY1	HERO'S PRIDE 8884929122 CA	\$21.17
08/14	08/15	5174295732T7R3BF5	IDEMIA TSA TWIC 877-512-6962 MA	\$124.00
08/14	08/15	5174295732T7R3F47	IDEMIA TSA TWIC 877-512-6962 MA	\$124.00
08/14	08/15	5174295732T7R35NV	IDEMIA TSA TWIC 877-512-6962 MA	\$124.00
08/14	08/15	5174295732T7R359P	IDEMIA TSA TWIC 877-512-6962 MA	\$124.00
08/14	08/15	5174295732T7R39FP	IDEMIA TSA TWIC 877-512-6962 MA	\$124.00
08/15	08/17	552635274QY66VYRG	HARBOR FREIGHT TOOLS34 PORT LAVACA TX	\$71.94
08/23	08/24	25247807B041DVJ52	VC MARKETPLACE VICTORIA TX	\$28.50
08/27	08/28	55263527GDB5DZJL1	HARBOR FREIGHT TOOLS34 PORT LAVACA TX	\$29.92
08/29	08/31	55500377HDD4NGAB1	TEXAS COMM FIRE PROT AUSTIN TX	\$56.49
			JUAN LUNA	
			TOTAL XXXXXXXXXXXXX0941	\$828.02
08/15	08/18	851333175LQ1YAXMP	SCULLYS SPORTS BAR & G PORT LAVACA TX	\$62.13
			WAYNE SHAFFER	
			TOTAL XXXXXXXXXXXXX1212	\$62.13
08/14	08/15	823050973EHMJ6GR6	TMCEC AUSTIN TX	\$150.00
08/15	08/15	12302027300141XSS	AFP*TEXAS MUNICIPAL CO SEGUIN TX	\$75.00
08/18	08/19	823050977EHM96J3Q	TMCEC AUSTIN TX	\$150.00
08/19	08/22	0543684795SALH3G3	WALMART.COM 8009256278 BENTONVILLE AR	\$198.26
			MANDY GRANT	
			TOTAL XXXXXXXXXXXXX1238	\$573.26
08/11	08/12	57540246ZLR0655A4	EB *LEGISLATIVE UPDATE 8014137200 CA	\$100.00
08/20	08/21	55432867961G101M9	BUC-EE'S 12 PORT LAVACA TX	\$51.70
08/21	08/22	15449857A09RY1ZSA	LUPE TORTILLA 22 ROUND ROCK TX	\$150.40
08/21	08/22	0230537792X7REZ9V	TST* BAR LOUIE - ROUND ROUND ROCK TX	\$76.56
08/22	08/24	55432867B627H6H2A	TST*WHISKEY CAKE - ROU ROUND ROCK TX	\$103.92
08/28	08/29	82305097HEHMPGYNZ	SONYA SHEARER NEW BRAUNFELS TX	\$99.00
			DERRICK SMITH	
			TOTAL XXXXXXXXXXXXX3836	\$581.58
08/08	08/10	05436846XEHX0GNVX	DOMINO'S 6723 PORT LAVACA TX	\$101.11
			JAMES RUDELLAT	
			TOTAL XXXXXXXXXXXXX8611	\$101.11
08/11	08/12	5554750705GPWD10S	NOTARY PUBLIC UNDERWRI TALLAHASSEE FL	\$153.95
08/18	08/19	55432867660KTBSGM	SQ *THE DONUT PALACE PORT LAVACA TX	\$44.97
08/18	08/19	15270217601X2ME2J	SUBWAY 15295 3615527300 TX	\$245.14
08/26	08/27	55436877E8G9NEQWQ	CANVAS CHAMP LAWRENCEVILLE GA	\$26.78
			BRITTNEY HOGAN	
			TOTAL XXXXXXXXXXXXX3462	\$470.84
08/13	08/14	5174295722T03XHNM	IDEMIA TSA TWIC 877-512-6962 MA	\$124.00
08/13	08/14	5174295722T03XNXR	IDEMIA TSA TWIC 877-512-6962 MA	\$124.00
08/13	08/14	5174295722T03XRE6	IDEMIA TSA TWIC 877-512-6962 MA	\$124.00
08/28	08/31	05140487HLM8KL7VG	CHICK-FIL-A #04530 PORTLAND TX	\$19.23
09/05	09/07	05416017R43A66Q2W	WAL-MART #1098 PORT LAVACA TX	\$81.01

Transactions continued on next page



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

Tran Date	Post Date	Reference Number	Transaction Description	Amount
JOE REYES JR				
TOTAL XXXXXXXXXXXXX0215				\$472.24
08/12	08/13	5543286705YTRW27E	CCSI EFAX CORPORATE 323-817-1155 CA	\$137.94
08/13	08/14	5543286715Z1D4XT4	APPLE.COM/BILL 866-712-7753 CA	\$9.60
08/18	08/19	55432867660PQASGE	UPS*BILLING CENTER 800-811-1648 GA	\$11.13
08/20	08/21	554328678619S5AKX	APPLE.COM/BILL 866-712-7753 CA	\$2.99
08/22	08/24	75306377B5090KFRS	EMBASSY SUITES ROUND ROCK TX	\$377.20
		CHECK-IN 08/20/25	FOLIO #91427595	
08/22	08/24	75306377B5090KF5G	EMBASSY SUITES ROUND ROCK TX	\$377.20
		CHECK-IN 08/20/25	FOLIO #91427595	
08/22	08/24	75306377B5090KF8K	EMBASSY SUITES ROUND ROCK TX	\$377.20
		CHECK-IN 08/20/25	FOLIO #91427595	
08/22	08/24	75306377B5090KG35	EMBASSY SUITES ROUND ROCK TX	\$377.20
		CHECK-IN 08/20/25	FOLIO #91427595	
08/22	08/24	75306377B5090KG6G	EMBASSY SUITES ROUND ROCK TX	\$377.20
		CHECK-IN 08/20/25	FOLIO #91427595	
09/04	09/05	55547507R5VY99MER	NOTARY PUBLIC UNDERWRI TALLAHASSEE FL	\$153.95
JOANNA WEAVER				
TOTAL XXXXXXXXXXXXX0249				\$2,201.61
08/17	08/18	5543687764DV4PYJS	MARGARITAVILLE BEACH R S PADRE ISLE TX	\$505.44
		CHECK-IN 08/17/25	FOLIO #198561	
08/18	08/19	252650877000AVAL4	VICTORIA HEALTH NURSIN VICTORIA TX	\$1,245.00
08/18	08/19	252650877000HS3HJ	GOV-PAY FEE - VICTORIA SAN ANTONIO TX	\$32.99
08/28	08/29	55436877H7LQEMLYF	DOUBLETREE HOTELS AUSTIN TX	\$793.85
		CHECK-IN 08/24/25	FOLIO #90664380	
COLIN RANGNOW				
TOTAL XXXXXXXXXXXXX2286				\$2,577.28
08/20	08/22	55432867961JRJS5D	METAL MART #28 VICTORIA TX	\$14.80
08/26	08/27	55432867E638TR3EW	SQ *KLD TRAINING GOSQ.COM TX	\$700.00
CYNTHIA HEYSQUIERDO				
TOTAL XXXXXXXXXXXXX3185				\$714.80

INTEREST CHARGE CALCULATION

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

Type of Balance	Annual Percentage Rate (APR)	Balance Subject to Interest Rate	Days in Billing Cycle	Interest Charge
Purchases	18.49% (v)	\$0.00	30	\$0.00
Cash Advances	18.49% (v)	\$0.00	30	\$0.00

(v) - variable

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

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

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

CREDITING OF PAYMENTS

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

BILLING RIGHTS SUMMARY

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

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

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

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

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

Your Rights if You are Dissatisfied with Your Credit Card Purchases

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

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

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

EXPLANATION OF INTEREST CHARGES

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

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

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

ANNUAL FEE DISCLOSURES

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

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

CREDIT BALANCES

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

O1AB5762 – 3 – 05/25/17

(PLEASE SHOW YOUR CORRECT NAME AND ADDRESS)

Name (if incorrect on reverse side)

Street address

City State Zip Code

Effective Date: Month, Day, Year Signature

Home Phone Work Phone

COMMUNICATION

SUBJECT: Receive Monthly Financial Highlight Report

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 
Subject: FY 24-25 Financial Highlights through **September 30, 2025**
Date: October 3, 2025

Below are the following reports for the period ending **September 30, 2025**, or **100%** of the year:

The major highlights of the Report are as follows:

Property Tax collections as reported by CCAD - are **\$5,892,032** for the year as of August Collections in FY 24-25 are 97.07% of total adjusted tax levy. Total current year Property Taxes Outstanding as of August is **\$524,216**.

In the General Fund, revenues through **09/30/2025** are 91% of budget. In addition:

1. *Current Property Tax* collections - are **\$4,998,994** for the year, as of September Collections on FY 24-25 are 109% of the budget.
2. *Sales Tax* collections through September were **\$3,588,746** or 96% of budget. Collections through September in FY 23-24 were **\$3,671,868**.
3. *Licenses & Permits* collections are **\$290,517** for the year, or 108% of budget. Collections through September in FY 23-24 were **\$110,973**.
4. *Bauer Center Rentals* through September are **\$75,360** or 75% of budget. Collections through September in FY 23-24 were **\$73,785**.
5. *Court Fines* are **\$104,896** for the year, or 87% of budget. Collections through September in FY 23-24 were **\$60,246**.

Expenditures in the General Fund for the year are **95%** of the budget.

Target: 100%

In the Utility Fund, revenues as of **09/30/25** are **92%** of the budget. In addition:

1. *Metered Water* sales through September are **\$2,950,360 or 90%** of the budget. Collections through September in FY 23-24 were **\$2,870,376**.
2. *Residential Sewer* sales through September are **\$1,611,502 or 103%** of the budget. Collections through September in FY 23-24 were **\$1,541,681**.
3. *Garbage Billings* through September are **\$1,013,385 or 99.5%** of the budget. Collections through September in FY 23-24 were **\$967,620**.

Expenditures in the Utility Fund for the year is **93%** of the budget.

In the HOT Fund, revenues as of **09/30/25** are **105%** of the budget. In addition:

1. *Hotel Occupancy Taxes* through September are **\$561,173 or 94%** of the budget. Collections through September FY 23-24 were **\$671,159**.

Expenditures in the HOT Fund for the year is **94%** of budget.

In the Beach Fund, revenues as of **09/30/25** are **44%** of the budget. In addition:

1. *RV Rentals* through September are **\$84,922 or 37%** of the budget. Collections through September in FY 23-24 were **\$148,442**.

Expenditures in the Beach Fund for the year is **64%** of the budget.

In the Ports & Harbors Fund, revenues as of **09/30/25** are **68%** of the budget. * In addition:

1. *Dock Leases* through September are **\$497,773 or 105%** of the budget. Collections through September in FY 23-24 were **\$435,263**.
2. *Tariffs* through September are **\$121,092 or 93%** of the budget. Collections through September FY 23-24 were **\$158,433**.
3. *NL Building Lease* through September is **\$94,947 or 105%** of the budget. Collections through September in FY 23-24 were **\$85,741**.

Expenditures in the Ports and Harbors Fund for the year is **88%** of the budget.

***Revenues are 100% of budget when Grant Revenue is excluded from budget balance.**

Summary – FY 2024-2025 through 09/30/25

<u>Fund</u>	<u>Revenues</u>	<u>%</u> <u>Budget</u>	<u>Expense</u>	<u>%</u> <u>Budget</u>	<u>Revenues</u> <u>Less</u> <u>Expense</u>
General	\$ 11,309,677	91%	\$ 12,654,582	95%	\$ (1,344,905)
Utility	\$ 7,659,198	92%	\$ 7,920,475	93%	\$ (261,277)
HOT	\$642,675	105%	\$ 722,217	94%	\$ (79,542)
Beach	\$ 118,422	44%	\$ 197,459	64 %	\$ (79,036)
Port	\$ 1,029,053	68%	\$ 1,257,560	88%	\$ (228,507)
					Total (\$ 1,993,267)

1,344,905.00
 261,277.00
 79,542.00
 79,036.00
 228,507.00
 -005
 - 1,993,267.00



**Port Lavaca
PROPERTY TAX COLLECTION REPORT
August 31, 2025**

TAXES DUE AT CERTIFICATION	6,088,413.16
Adjustments to Date	176.98
TOTAL TAX LEVY	6,088,590.14

2024 Tax Collections

	Base	Penalties & Interest	Total
October	2,569,585.63	0.00	2,569,585.63
November	588,240.96	0.00	588,240.96
December	580,699.77	0.00	580,699.77
January	1,379,244.48	0.00	1,379,244.48
February	407,408.82	13,229.82	420,638.64
March	125,126.73	10,070.82	135,197.55
April	79,982.55	6,595.22	86,577.77
May	79,724.25	8,565.64	88,289.89
June	38,197.44	5,359.66	43,557.10
July (Delinquent as of July 1, 2023)			0.00
August			0.00
September			0.00

TOTAL	5,848,210.63	43,821.16	5,892,031.79
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Last Year %
Collected
97.15%

% Collected 97.07%

TRANSFERRED TO DELINQUENT ROLL

July, Aug, and Sept Payments	35,645.84
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2024 TAXES OUTSTANDING	178,238.67
-------------------------------	------------

% Current Outstanding 2.93%

DELINQUENT COLLECTIONS

	Base	Penalties & Interest	Total
October	4,959.41	3,228.48	8,187.89
November	14,938.19	5,808.40	20,746.59
December	11,576.04	4,227.26	15,803.30
January	7,277.13	2,634.30	9,911.43
February	19,158.01	7,560.76	26,718.77
March	5,817.16	2,796.09	8,613.25
April	21,180.29	4,447.92	25,628.21
May	6,267.68	4,244.46	10,512.14
June	4,392.66	2,018.44	6,411.10
July	8,484.10	6,070.26	14,554.36
August	12,295.49	7,727.48	20,022.97
September			0.00
TOTAL	116,346.16	50,763.85	167,110.01

DELINQUENT TAXES OUTSTANDING	345,977.51
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TOTAL TAXES OUTSTANDING	524,216.18
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**CITY OF PORT LAVACA, TEXAS
SALES TAX REVENUES**

Section VII. Item #D.

Recv'd	Monthly Allocation	Prior Year % Inc (Dec) Month	General Fund	TOTAL Year-to-Date Allocation	General Fund Budget		Total YTD Percent of Budget	Prior Year Percent Increase (Decrease)		
					Month	Y-T-D		Month	Y-T-D	
Fiscal Year 2021-22										
Dec	Oct	246,194	-29%	\$246,194	246,194	318,632	318,632	77.27%	-28.7%	-28.7%
Jan	Nov	264,290	-6%	\$264,290	510,484	259,655	578,287	88.28%	-6.1%	-18.6%
Feb	Dec	330,154	18%	\$330,154	840,638	258,087	836,374	100.51%	18.0%	-7.3%
Mar	Jan	245,570	-8%	\$245,570	1,086,207	245,031	1,081,405	100.44%	-7.6%	-7.4%
Apr	Feb	252,248	2%	\$252,248	1,338,456	227,147	1,308,552	102.29%	2.4%	-5.7%
May	Mar	315,077	-11%	\$315,077	1,653,532	326,565	1,635,117	101.13%	-11.0%	-6.7%
Jun	Apr	266,647	-10%	\$266,647	1,920,179	273,408	1,908,525	100.61%	-10.0%	-7.2%
Jul	May	275,093	-7%	\$275,093	2,195,273	271,952	2,180,478	100.68%	-6.7%	-7.1%
Aug	Jun	315,184	-4%	\$315,184	2,510,457	303,725	2,484,203	101.06%	-4.3%	-6.8%
Sep	Jul	349,708	22%	\$349,708	2,860,165	263,376	2,747,579	104.10%	22.5%	-4.0%
Oct	Aug	304,754	10%	\$304,754	3,164,919	254,657	3,002,236	105.42%	10.4%	-2.8%
Nov	Sep	325,921	4%	\$325,921	3,490,839	287,764	3,290,000	106.10%	4.5%	-2.1%

Fiscal Year 2022-23										
Dec	Oct	267,921	9%	\$267,921	267,921	221,082	221,082	121.19%	8.8%	8.8%
Jan	Nov	262,666	-1%	\$262,666	530,587	237,332	458,414	115.74%	-0.6%	3.9%
Feb	Dec	327,969	-1%	\$327,969	858,556	296,478	754,892	113.73%	-0.7%	2.1%
Mar	Jan	293,025	19%	\$293,025	1,151,581	220,522	975,414	118.06%	19.3%	6.0%
Apr	Feb	241,757	-4%	\$241,757	1,393,338	226,519	1,201,932	115.92%	-4.2%	4.1%
May	Mar	288,609	-8%	\$288,609	1,681,948	282,939	1,484,871	113.27%	-8.4%	1.7%
Jun	Apr	267,670	0%	\$267,670	1,949,617	239,449	1,724,320	113.07%	0.4%	1.5%
Jul	May	310,160	13%	\$310,160	2,259,777	247,034	1,971,354	114.63%	12.7%	2.9%
Aug	Jun	333,198	6%	\$333,198	2,592,976	283,035	2,254,389	115.02%	5.7%	3.3%
Sep	Jul	295,975	-15%	\$295,975	2,888,951	314,037	2,568,426	112.48%	-15.4%	1.0%
Oct	Aug	335,595	10%	\$335,595	3,224,546	273,669	2,842,095	113.46%	10.1%	1.9%
Nov	Sep	315,989	-3%	\$315,989	3,540,534	292,677	3,134,772	112.94%	-3.0%	1.4%

Fiscal Year 2023-24										
Dec	Oct	281,039	5%	\$281,039	281,039	281,800	281,800	99.73%	4.9%	4.9%
Jan	Nov	279,772	7%	\$279,772	560,811	276,274	558,074	100.49%	6.5%	5.7%
Feb	Dec	333,966	2%	\$333,966	894,777	344,960	903,033	99.09%	1.8%	4.2%
Mar	Jan	264,897	-10%	\$264,897	1,159,674	308,205	1,211,239	95.74%	-9.6%	0.7%
Apr	Feb	289,101	20%	\$289,101	1,448,775	254,282	1,465,520	98.86%	19.6%	4.0%
May	Mar	341,291	18%	\$341,291	1,790,066	303,561	1,769,081	101.19%	18.3%	6.4%
Jun	Apr	317,416	19%	\$317,416	2,107,482	281,536	2,050,617	102.77%	18.6%	8.1%
Jul	May	302,469	-2%	\$302,469	2,409,951	326,228	2,376,845	101.39%	-2.5%	6.6%
Aug	Jun	306,188	-8%	\$306,188	2,716,139	350,460	2,727,305	99.59%	-8.1%	4.7%
Sep	Jul	308,988	4%	\$308,988	3,025,128	311,308	3,038,613	99.56%	4.4%	4.7%
Oct	Aug	308,258	-8%	\$308,258	3,333,386	352,981	3,391,594	98.28%	-8.1%	3.4%
Nov	Sep	323,607	2%	\$323,607	3,656,993	332,358	3,723,952	98.20%	2.4%	3.3%

Fiscal Year 2024-25										
Dec	Oct	285,545	2%	\$285,545	285,545	286,185	286,185	99.78%	1.6%	1.6%
Jan	Nov	283,901	1%	\$283,901	569,445	284,895	571,080	99.71%	1.5%	1.5%
Feb	Dec	365,840	10%	\$365,840	935,285	340,081	911,160	102.65%	9.5%	4.5%
Mar	Jan	247,979	-6%	\$247,979	1,183,264	269,747	1,180,908	100.20%	-6.4%	2.0%
Apr	Feb	246,773	-15%	\$246,773	1,430,037	294,394	1,475,302	96.93%	-14.6%	-1.3%
May	Mar	321,275	-6%	\$321,275	1,751,311	347,540	1,822,842	96.08%	-5.9%	-2.2%
Jun	Apr	291,403	-8%	\$291,403	2,042,714	323,228	2,146,070	95.18%	-8.2%	-3.1%
Jul	May	277,711	-8%	\$277,711	2,320,425	308,008	2,454,077	94.55%	-8.2%	-3.7%
Aug	Jun	336,369	10%	\$336,369	2,656,794	311,794	2,765,871	96.06%	9.9%	-2.2%
Sep	Jul	284,112	-8%	\$284,112	2,940,906	314,646	3,080,517	95.47%	-8.1%	-2.8%
Oct	Aug					313,902	3,394,420			
Nov	Sep					329,532	3,723,952			

CITY OF PORT LAVACA
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)
 AS OF: SEPTEMBER 30TH, 2025

Section VII. Item #D.

001-GENERAL FUND
 FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
REVENUE SUMMARY								
TAXES	9,092,373	9,092,373	0	360,794.45	9,243,525.81	0.00	(151,152.81)	101.66
LICENSES & PERMITS	268,410	268,410	0	14,186.95	290,516.62	0.00	(22,106.62)	108.24
USER & SERVICE CHARGES	103,250	103,250	0	8,785.90	79,808.86	0.00	23,441.14	77.30
FINES & FORFEITURES	294,000	294,000	0	30,147.54	290,339.63	0.00	3,660.37	98.75
OTHER REVENUE	565,950	566,550	(600)	27,379.65	323,387.16	0.00	243,162.84	57.08
GRANT AND CONTRIBUTION R	520,120	520,120	0	0.00	325,971.02	0.00	194,148.98	62.67
INTERGOVERNMENTAL REVENUE	<u>1,567,641</u>	<u>1,567,641</u>	<u>0</u>	<u>25,178.00</u>	<u>756,127.52</u>	<u>0.00</u>	<u>811,513.48</u>	<u>48.23</u>
TOTAL REVENUES	12,411,744	12,412,344	(600)	466,472.49	11,309,676.62	0.00	1,102,667.38	91.12
EXPENDITURE SUMMARY								
CITY COUNCIL	30,884	30,884	0	2,724.27	32,702.92	0.00	(1,818.92)	105.89
CITY MANAGER	422,786	783,097	(360,311)	20,507.25	694,159.17	50,712.00	38,225.83	95.12
CITY SECRETARY	251,461	251,461	0	16,260.47	231,982.16	0.00	19,478.84	92.25
HUMAN RESOURCE	100,395	100,395	0	7,321.06	88,078.12	0.00	12,316.88	87.73
MUNICIPAL COURT	177,937	177,937	0	12,681.33	174,723.10	0.00	3,213.90	98.19
TECHNOLOGY SERVICES	510,222	510,222	0	14,424.85	554,116.82	6,333.75	(50,228.57)	109.84
FINANCE	393,798	405,888	(12,090)	32,924.67	395,626.98	0.00	10,261.02	97.47
CITY HALL	548,378	575,541	(27,163)	26,468.75	362,345.98	25,294.22	187,900.80	67.35
POLICE	2,887,828	2,898,150	(10,322)	183,282.60	2,726,200.69	0.00	171,949.31	94.07
FIRE	2,146,503	2,149,964	(3,461)	165,618.71	2,056,000.78	0.00	93,963.22	95.63
ANIMAL CONTROL	256,834	262,961	(6,127)	16,252.31	215,323.32	0.00	47,637.68	81.88
CODE ENFORCEMENT/INSPECT	491,452	520,935	(29,483)	38,436.15	428,868.45	38,450.00	53,616.55	89.71
STREETS	3,097,966	3,103,602	(5,636)	479,349.47	2,594,905.41	260,667.98	248,028.61	92.01
PARKS & RECREATION	877,803	881,503	(3,700)	105,890.51	908,610.73	(0.02)	(27,107.71)	103.08
BAUER CENTER	315,614	322,864	(7,250)	22,425.27	355,055.93	8,752.35	(40,944.28)	112.68
NON-DEPARTMENTAL	<u>866,703</u>	<u>822,232</u>	<u>44,471</u>	<u>53,483.70</u>	<u>835,881.06</u>	<u>29,000.00</u>	<u>(42,649.06)</u>	<u>105.19</u>
TOTAL EXPENDITURES	13,376,564	13,797,636	(421,072)	1,198,051.37	12,654,581.62	419,210.28	723,844.10	94.75
REVENUES OVER/(UNDER) EXPENDITURES	(964,820)	(1,385,292)	420,472	(731,578.88)	(1,344,905.00)	(419,210.28)	378,823.28	127.35

CITY OF PORT LAVACA
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)
 AS OF: SEPTEMBER 30TH, 2025

Section VII. Item #D.

001-GENERAL FUND
 REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET	
TAXES									
411.01	PROPERTY TAXES-CURRENT	4,595,671	4,595,671	0	17,757.70	4,998,993.52	0.00 (403,322.52)	108.78	
411.02	PROPERTY TAXES-DELINQU	120,000	120,000	0	9,069.66	114,545.33	0.00	95.45	
412.01	SALES TAX REVENUE	3,723,952	3,723,952	0	285,442.29	3,588,746.33	0.00	96.37	
413.01	NATURAL GAS FRANCHISE	62,000	62,000	0	250.00	44,507.00	0.00	71.79	
413.02	ELECTRICAL FRANCHISE T	345,000	345,000	0	35,600.46	307,000.53	0.00	88.99	
413.03	TELEPHONE FRANCHISE TA	32,000	32,000	0	0.00	17,138.78	0.00	53.56	
413.04	CABLE TV FRANCHISE TAX	50,000	50,000	0	0.00	17,990.08	0.00	35.98	
413.05	WASTE COLLECTION FRAN	128,750	128,750	0	12,674.34	124,964.81	0.00	97.06	
413.90	OTHER FRANCHISE TAX	0	0	0	0.00	0.00	0.00	0.00	
414.01	ALCOHOLIC BEVERAGE TAX	35,000	35,000	0	0.00	26,137.93	0.00	74.68	
415.15	INTERGOVERNMENTAL REVE	0	0	0	0.00	3,501.50	0.00 (3,501.50)	0.00	
TOTAL TAXES		9,092,373	9,092,373	0	360,794.45	9,243,525.81	0.00 (151,152.81)	101.66	
LICENSES & PERMITS									
421.02	BUILDER LICENSES	7,000	7,000	0	750.00	11,700.00	0.00 (4,700.00)	167.14	
422.01	ELECTRICAL PERMITS	25,000	25,000	0	1,225.00	13,801.92	0.00	55.21	
422.02	BUILDING PERMITS	157,000	157,000	0	6,163.58	154,429.15	0.00	98.36	
422.03	PLUMBING PERMITS	22,000	22,000	0	700.00	11,875.00	0.00	53.98	
422.04	MECHANICAL PERMITS	5,600	5,600	0	200.00	4,785.00	0.00	85.45	
422.05	FOUNDATION PERMITS	0	0	0	0.00	0.00	0.00	0.00	
422.06	PEDDLER & SOLICITOR PE	0	0	0	0.00	1,170.00	0.00 (1,170.00)	0.00	
422.07	ALCOHOL IN THE PARK PE	0	0	0	0.00	600.00	0.00 (600.00)	0.00	
423.01	TRAILER PERMITS	0	0	0	0.00	0.00	0.00	0.00	
423.02	FOOD HANDLER'S PERMITS	2,600	2,600	0	155.00	2,635.00	0.00 (35.00)	101.35	
423.03	LIENS	1,500	1,500	0	0.00	175.75	0.00	11.72	
423.90	OTHER PERMITS & FEES	30,000	30,000	0	2,390.00	22,263.84	0.00	74.21	
423.91	LAWN LIBRARY FEES	0	0	0	0.00	165.97	0.00 (165.97)	0.00	
424.01	ALCOHOLIC BEVERAGE PER	7,110	7,110	0	825.00	9,500.00	0.00 (2,390.00)	133.61	
424.02	AMUSEMENT PERMIT FEES	300	300	0	0.00	4,000.00	0.00 (3,700.00)	1,333.33	
424.03	SUBDIVISION & PLAT FEE	1,000	1,000	0	225.00	350.00	0.00	35.00	
424.04	ENVIRONMENTAL & HEALTH	0	0	0	0.00	775.00	0.00 (775.00)	0.00	
424.05	PLAN REVIEW FEES	9,000	9,000	0	1,403.37	51,047.99	0.00 (42,047.99)	567.20	
425.01	ANIMAL LICENSES & FEES	200	200	0	150.00	1,157.00	0.00 (957.00)	578.50	
426.01	ALARM FEES	100	100	0	0.00	85.00	0.00	85.00	
TOTAL LICENSES & PERMITS		268,410	268,410	0	14,186.95	290,516.62	0.00 (22,106.62)	108.24	
USER & SERVICE CHARGES									
435.06	BAUER CENTER RENTALS	100,000	100,000	0	8,400.00	75,360.00	0.00	75.36	
435.07	BAYFRONT RENTALS	750	750	0	0.00	875.00	0.00 (125.00)	116.67	
435.08	CREDIT CARD CONVENIENC	0	0	0	349.90	2,400.36	0.00 (2,400.36)	0.00	
439.01	POLICE SERVICES	2,000	2,000	0	36.00	1,173.50	0.00	58.68	
439.05	POLICE TRAINING FEES	500	500	0	0.00	0.00	0.00	0.00	
TOTAL USER & SERVICE CHARGES		103,250	103,250	0	8,785.90	79,808.86	0.00	23,441.14	77.30

CITY OF PORT LAVACA
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)
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Section VII. Item #D.

001-GENERAL FUND
 REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET	
FINES & FORFEITURES									
441.01	PENALTIES & INTEREST	95,000	95,000	0	10,037.69	107,654.24	0.00 (12,654.24)	113.32	
441.02	TAX ATTORNEY FEES	50,000	50,000	0	7,972.40	47,108.39	0.00	94.22	
443.01	COURT FINES	120,000	120,000	0	9,026.42	104,896.29	0.00	87.41	
443.02	MUNI COURT- COLLECTION	14,000	14,000	0	2,049.20	17,170.83	0.00 (3,170.83)	122.65	
443.03	LOCAL TIME PAYMENT FEE	5,000	5,000	0	365.01	3,715.49	0.00	74.31	
449.02	ARREST FEES	10,000	10,000	0	696.82	9,794.39	0.00	205.61	
449.03	CASH OVER-MC	0	0	0	0.00	0.00	0.00	0.00	
449.05	RECOVERY ADJUSTMENT FE	0	0	0	0.00	0.00	0.00	0.00	
	TOTAL FINES & FORFEITURES	294,000	294,000	0	30,147.54	290,339.63	0.00	3,660.37	98.75
OTHER REVENUE									
451.01	INTEREST INCOME	500,000	500,000	0	26,799.10	312,050.96	0.00	187,949.04	62.41
455.01	OTHER FINANCING SOURCE	0	0	0	0.00	0.00	0.00	0.00	0.00
459.02	PHOTO COPIES	500	500	0	10.00	95.00	0.00	405.00	19.00
459.05	DONATION- POLICE (JEDL	0	0	0	0.00	0.00	0.00	0.00	0.00
459.07	DONATION- FIRE (JEDLIC	0	0	0	0.00	0.00	0.00	0.00	0.00
459.10	DONATIONS	0	600 (600)	0	0.00	600.00	0.00	0.00	100.00
459.11	AUCTION/SALE PROCEEDS	32,000	32,000	0	0.00	0.00	0.00	32,000.00	0.00
459.12	TML REIMBURSEMENTS	0	0	0	0.00	1,093.29	0.00 (1,093.29)	0.00	0.00
459.14	ABATEMENT REIMBURSEMEN	15,000	15,000	0	0.00	1,090.00	0.00	13,910.00	7.27
459.15	HURRICANE	0	0	0	0.00	0.00	0.00	0.00	0.00
459.17	FIRE TRAINING REIMBURS	2,450	2,450	0	0.00	0.00	0.00	2,450.00	0.00
459.20	RESTITUTION PAYMENTS	0	0	0	0.00	0.00	0.00	0.00	0.00
459.90	MISCELLANEOUS INCOME	10,000	10,000	0	70.55	2,457.91	0.00	7,542.09	24.58
459.91	TOWER OF TEX USAGE RIG	6,000	6,000	0	500.00	6,000.00	0.00	0.00	100.00
459.92	EQUITY BALANCE FORWARD	0	0	0	0.00	0.00	0.00	0.00	0.00
	TOTAL OTHER REVENUE	565,950	566,550 (600)	0	27,379.65	323,387.16	0.00	243,162.84	57.08
GRANT AND CONTRIBUTION R									
182.00	GRANT REVENUE	200,000	200,000	0	0.00	0.00	0.00	200,000.00	0.00
182.01	STATE GRANT- PARKS	0	0	0	0.00	0.00	0.00	0.00	0.00
184.53	OPERATION STONE GARDEN	0	0	0	0.00	0.00	0.00	0.00	0.00
184.54	CONTRIBUTION LEOSE- PD	1,800	1,800	0	0.00	3,978.37	0.00 (2,178.37)	0.00	221.02
184.59	CALHOUN COUNTY-FIRE FUN	247,320	247,320	0	0.00	250,992.65	0.00 (3,672.65)	0.00	101.48
184.60	CALHOUN COUNTY-ANIMAL	65,000	65,000	0	0.00	65,000.00	0.00	0.00	100.00
184.61	POINT COMFORT-ANIMAL	6,000	6,000	0	0.00	6,000.00	0.00	0.00	100.00
	TOTAL GRANT AND CONTRIBUTION R	520,120	520,120	0	0.00	325,971.02	0.00	194,148.98	62.67
INTERGOVERNMENTAL REVENUE									
192.01	XFER IN- 504 PORT COMM	22,321	22,321	0	1,860.08	22,320.96	0.00	0.04	100.00
192.02	XFER IN- 501 UTILITY F	494,588	494,588	0	0.00	0.00	0.00	494,588.00	0.00
192.04	XFER IN- 503 BEACH FUN	9,201	9,201	0	766.75	9,201.00	0.00	0.00	100.00
193.10	XFER IN - FD 113 BLDG	0	0	0	0.00	1,200.00	0.00 (1,200.00)	0.00	0.00
193.85	XFER IN- FD 134 JUSTIC	0	0	0	0.00	0.00	0.00	0.00	0.00
193.87	XFER IN- FD 161 BAYFRO	0	0	0	0.00	0.00	0.00	0.00	0.00
193.88	XFER IN- 206 FARF FUND	770,917	770,917	0	0.00	452,791.52	0.00	318,125.48	58.73
193.89	XFER IN- 101 HOTEL/MOT	270,614	270,614	0	22,551.17	270,614.04	0.00 (0.04)	0.00	100.00
193.90	XFER IN- OTHER	0	0	0	0.00	0.00	0.00	0.00	0.00
	TOTAL INTERGOVERNMENTAL REVENUE	1,567,641	1,567,641	0	25,178.00	756,127.52	0.00	811,513.48	48.23

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: SEPTEMBER 30TH, 2025

Section VII. Item #D.

001-GENERAL FUND
REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
TOTAL REVENUES	<u>12,411,744</u>	<u>12,412,344</u>	<u>(600)</u>	<u>466,472.49</u>	<u>11,309,676.62</u>	<u>0.00</u>	<u>1,102,667.38</u>	<u>91.12</u>

CITY OF PORT LAVACA
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)
 AS OF: SEPTEMBER 30TH, 2025

Section VII. Item #D.

501-PUBLIC UTILITY FUND
 FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
USER & SERVICE CHARGES	8,062,366	8,062,366	0	672,356.93	7,412,373.27	0.00	649,992.73	91.94
FINES & FORFEITURES	100,000	100,000	0	9,281.40	119,255.31	0.00	(19,255.31)	119.26
OTHER REVENUE	162,104	162,104	0	9,599.84	127,569.71	0.00	34,534.29	78.70
GRANT AND CONTRIBUTION R	0	0	0	0.00	0.00	0.00	0.00	0.00
INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	8,324,470	8,324,470	0	691,238.17	7,659,198.29	0.00	665,271.71	92.01
<u>EXPENDITURE SUMMARY</u>								
TECHNOLOGY SERVICES	165,923	165,923	0	6,871.38	143,574.05	0.00	22,348.95	86.53
BILLING	454,258	454,960	(702)	31,271.87	438,226.22	1,000.00	15,733.78	96.54
MAINTENANCE	1,584,911	1,591,350	(6,439)	78,385.62	1,451,652.10	21,444.77	118,253.13	92.57
WASTEWATER TREATMENT	988,577	989,254	(677)	59,162.71	850,534.83	11,653.40	127,065.77	87.16
NON-DEPARTMENTAL	5,347,283	5,347,283	0	390,517.43	5,036,488.00	11,792.50	299,002.50	94.41
TOTAL EXPENDITURES	8,540,952	8,548,770	(7,818)	566,209.01	7,920,475.20	45,890.67	582,404.13	93.19
REVENUES OVER/(UNDER) EXPENDITURES	(216,482)	(224,300)	7,818	125,029.16	(261,276.91)	(45,890.67)	82,867.58	136.94

CITY OF PORT LAVACA
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)
 AS OF: SEPTEMBER 30TH, 2025

Section VII. Item #D.

501-PUBLIC UTILITY FUND
 REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
USER & SERVICE CHARGES								
431.11	WATER-METERED	3,286,596	3,286,596	0	285,329.39	2,950,360.39	0.00	336,235.61 89.77
431.12	WATER-BULK	0	0	0	0.00	759.91	0.00 (759.91)	0.00
431.13	WATER-METERED COUNTY	103,836	103,836	0	10,047.64	90,643.57	0.00	13,192.43 87.29
431.21	SEWER RESIDENTIAL	1,567,373	1,567,373	0	134,829.55	1,611,502.12	0.00 (44,129.12)	102.82
431.22	SEWER COMMERCIAL	1,079,863	1,079,863	0	68,002.30	803,817.90	0.00	276,045.10 74.44
431.23	SEWER COUNTY	67,205	67,205	0	4,927.81	62,954.36	0.00	4,250.64 93.68
431.25	SEWER-LOW PRESSURE (LP	975	975	0	135.00	1,470.00	0.00 (1,470.00)	150.77
431.31	WASTE-GARBAGE COLLECTI	1,019,111	1,019,111	0	84,438.46	1,013,385.38	0.00	5,725.62 99.44
431.32	SPRING CLEANUP	100,000	100,000	0	2,561.30	30,785.25	0.00	69,214.75 30.79
432.05	GBRA FEES	744,907	744,907	0	72,040.48	751,919.08	0.00 (7,012.08)	100.94
432.11	WATER TAPS	20,000	20,000	0	790.00	18,825.31	0.00	1,174.69 94.13
432.21	SEWER TAPS	6,000	6,000	0	0.00	4,105.00	0.00	1,895.00 68.42
432.60	DAMAGES REIMBURSEMENT	0	0	0	0.00	0.00	0.00	0.00 0.00
432.61	SERVICE CALL FEES	5,000	5,000	0	1,100.00	13,500.00	0.00 (8,500.00)	270.00
432.62	SERVICE TRANSFER FEES	1,000	1,000	0	0.00	0.00	0.00	1,000.00 0.00
432.63	SERVICE RECONNECTION F	60,000	60,000	0	7,930.00	56,680.00	0.00	3,320.00 94.47
432.64	SERVICE TEMP WATER	500	500	0	225.00	1,665.00	0.00 (1,165.00)	333.00
	TOTAL USER & SERVICE CHARGES	8,062,366	8,062,366	0	672,356.93	7,412,373.27	0.00 (649,992.73)	91.94
FINES & FORFEITURES								
442.01	LATE PAYMENT PENALTIES	100,000	100,000	0	9,281.40	119,284.84	0.00 (19,284.84)	119.28
442.02	CONTRACT REVENUE	0	0	0	0.00	(29.53)	0.00	29.53 0.00
	TOTAL FINES & FORFEITURES	100,000	100,000	0	9,281.40	119,255.31	0.00 (19,255.31)	119.26
OTHER REVENUE								
451.01	INTEREST INCOME	38,000	38,000	0	2,107.72	23,388.58	0.00	14,611.42 61.55
459.03	RETURNED CHECK FEE	1,000	1,000	0	390.00	2,550.00	0.00 (1,550.00)	255.00
459.04	BAD DEBT ACCOUNT COLLE	35,000	35,000	0	2,159.21	(15,361.78)	0.00	50,361.78 43.89-
459.08	CCRWS-GBRA TRANSMISSI	85,104	85,104	0	0.00	85,196.60	0.00 (92.60)	100.11
459.09	CREDIT CARD CONVENIENC	0	0	0	4,932.91	31,794.97	0.00 (31,794.97)	0.00
459.11	AUCTION/SALE PROCEEDS	2,000	2,000	0	0.00	0.00	0.00	2,000.00 0.00
459.12	TML REIMBURSEMENTS	0	0	0	0.00	0.00	0.00	0.00 0.00
459.90	MISCELLANEOUS INCOME	1,000	1,000	0	10.00	1.34	0.00	998.66 0.13
459.92	EQUITY BALANCE FORWARD	0	0	0	0.00	0.00	0.00	0.00 0.00
	TOTAL OTHER REVENUE	162,104	162,104	0	9,599.84	127,569.71	0.00	34,534.29 78.70
GRANT AND CONTRIBUTION R								
481.00	CAPITAL CONTRIBUTIONS	0	0	0	0.00	0.00	0.00	0.00 0.00
482.00	GRANT REVENUE	0	0	0	0.00	0.00	0.00	0.00 0.00
	TOTAL GRANT AND CONTRIBUTION R	0	0	0	0.00	0.00	0.00	0.00 0.00
INTERGOVERNMENTAL REVENUE								
193.01	XFER IN- VARIOUS FUNDS	0	0	0	0.00	0.00	0.00	0.00 0.00
193.02	XFER IN- FUND 136	0	0	0	0.00	0.00	0.00	0.00 0.00
193.88	XFER IN-206-FARF RESTR	0	0	0	0.00	0.00	0.00	0.00 0.00
	TOTAL INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00 0.00
TOTAL REVENUES	8,324,470	8,324,470	0	691,238.17	7,659,198.29	0.00	665,271.71	92.01

CITY OF PORT LAVACA
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)
 AS OF: SEPTEMBER 30TH, 2025

Section VII. Item #D.

101-HOTEL OCCUPANCY TAX FUND
 FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
TAXES	600,000	600,000	0	40,306.09	561,172.60	0.00	38,827.40	93.53
OTHER REVENUE	15,000	15,000	0	1,424.70	81,502.60	0.00 (	66,502.60)	543.35
INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	615,000	615,000	0	41,730.79	642,675.20	0.00 (	27,675.20)	104.50
<u>EXPENDITURE SUMMARY</u>								
HOTEL OCCUPANCY TAX	785,214	785,214	0	43,306.24	722,216.94	16,628.94	46,368.12	94.09
TOTAL EXPENDITURES	785,214	785,214	0	43,306.24	722,216.94	16,628.94	46,368.12	94.09
REVENUES OVER/(UNDER) EXPENDITURES	(170,214)	(170,214)	0 (	1,575.45)	(79,541.74)	(16,628.94)	(74,043.32)	56.50

CITY OF PORT LAVACA
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)
 AS OF: SEPTEMBER 30TH, 2025

Section VII. Item #D.

101-HOTEL OCCUPANCY TAX FUND
 REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>TAXES</u>								
415.01 HOTEL/MOTEL TAX	600,000	600,000	0	40,306.09	561,172.60	0.00	38,827.40	93.53
TOTAL TAXES	600,000	600,000	0	40,306.09	561,172.60	0.00	38,827.40	93.53
<u>OTHER REVENUE</u>								
451.01 INTEREST INCOME	15,000	15,000	0	1,424.70	15,952.60	0.00	(952.60)	106.35
459.10 DONATIONS- FESTIVALS	0	0	0	0.00	49,300.00	0.00	(49,300.00)	0.00
459.90 MISC INCOME- FESTIVALS	0	0	0	0.00	16,250.00	0.00	(16,250.00)	0.00
459.92 EQUITY BALANCE FORWARD	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL OTHER REVENUE	15,000	15,000	0	1,424.70	81,502.60	0.00	(66,502.60)	543.35
<u>INTERGOVERNMENTAL REVENUE</u>								
493.00.1 XFER IN - FUND 101	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	615,000	615,000	0	41,730.79	642,675.20	0.00	(27,675.20)	104.50

CITY OF PORT LAVACA
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)
 AS OF: SEPTEMBER 30TH, 2025

Section VII. Item #D.

503-BEACH OPERATING FUND
 FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
USER & SERVICE CHARGES	235,000	235,000	0	7,306.63	89,392.88	0.00	145,607.12	38.04
OTHER REVENUE	32,500	32,500	0	2,423.53	29,029.58	0.00	3,470.42	89.32
GRANT AND CONTRIBUTION R	0	0	0	0.00	0.00	0.00	0.00	0.00
INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	267,500	267,500	0	9,730.16	118,422.46	0.00	149,077.54	44.27
<u>EXPENDITURE SUMMARY</u>								
TECHNOLOGY SERVICES	0	0	0	0.00	0.00	0.00	0.00	0.00
OPERATIONS	307,330	307,330	0	31,728.98	197,458.94	0.00	109,871.06	64.25
TOTAL EXPENDITURES	307,330	307,330	0	31,728.98	197,458.94	0.00	109,871.06	64.25
REVENUES OVER/(UNDER) EXPENDITURES	(39,830)	(39,830)	0	(21,998.82)	(79,036.48)	0.00	39,206.48	198.43

CITY OF PORT LAVACA
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)
 AS OF: SEPTEMBER 30TH, 2025

Section VII. Item #D.

503-BEACH OPERATING FUND
 REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
USER & SERVICE CHARGES								
433.01 BEACH FEES	0	0	0	0.00	40.06	0.00	(40.06)	0.00
433.10 R V RENTALS	230,000	230,000	0	7,252.63	84,921.82	0.00	145,078.18	36.92
433.30 PAVILLION RENTALS	3,000	3,000	0	0.00	2,400.00	0.00	600.00	80.00
433.50 TENT RENTALS	2,000	2,000	0	54.00	2,031.00	0.00	(31.00)	101.55
TOTAL USER & SERVICE CHARGES	235,000	235,000	0	7,306.63	89,392.88	0.00	145,607.12	38.04
OTHER REVENUE								
451.01 INTEREST INCOME	30,000	30,000	0	2,423.53	27,769.08	0.00	2,230.92	92.56
459.11 AUCTION PROCEEDS	0	0	0	0.00	0.00	0.00	0.00	0.00
459.12 TML REIMBURSEMENTS	0	0	0	0.00	0.00	0.00	0.00	0.00
459.71 WASHER-DRYER INCOME	2,500	2,500	0	0.00	1,196.50	0.00	1,303.50	47.86
459.90 MISCELLANEOUS	0	0	0	0.00	64.00	0.00	(64.00)	0.00
459.92 EQUITY BALANCE FORWARD	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL OTHER REVENUE	32,500	32,500	0	2,423.53	29,029.58	0.00	3,470.42	89.32
GRANT AND CONTRIBUTION R								
481.00 CAPITAL CONTRIBUTIONS	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL GRANT AND CONTRIBUTION R	0	0	0	0.00	0.00	0.00	0.00	0.00
INTERGOVERNMENTAL REVENUE								
493.00.1 XFER IN - FUND 001	0	0	0	0.00	0.00	0.00	0.00	0.00
493.88 XFER IN - 206 FARF FUN	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	267,500	267,500	0	9,730.16	118,422.46	0.00	149,077.54	44.27

CITY OF PORT LAVACA
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)
 AS OF: SEPTEMBER 30TH, 2025

Section VII. Item #D.

504-PORT & HARBORS FUND
 FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
USER & SERVICE CHARGES	818,955	818,955	0	65,277.14	839,379.60	0.00 (	20,424.60)	102.49
FINES & FORFEITURES	500	500	0	217.12	1,076.33	0.00 (	576.33)	215.27
OTHER REVENUE	35,600	35,600	0	2,535.44	31,013.43	0.00	4,586.57	87.12
GRANT AND CONTRIBUTION R	550,000	550,000	0	0.00	41,400.00	0.00	508,600.00	7.53
INTERGOVERNMENTAL REVENUE	116,184	116,184	0	0.00	116,184.00	0.00	0.00	100.00
TOTAL REVENUES	1,521,239	1,521,239	0	68,029.70	1,029,053.36	0.00	492,185.64	67.65
<u>EXPENDITURE SUMMARY</u>								
TECHNOLOGY SERVICES	1,422	1,422	0	331.54	4,423.94	0.00 (	3,001.94)	311.11
CITY HARBOR	7,000	7,000	0	0.00	3,475.00	0.00	3,525.00	49.64
HARBOR OF REFUGE	200,000	200,000	0	0.00	10,000.00	0.00	190,000.00	5.00
SMITH HARBOR	11,000	11,000	0	0.00	4,875.00	0.00	6,125.00	44.32
NAUTICAL LANDINGS MARINA	33,000	33,000	0	0.00	10,548.66	0.00	22,451.34	31.97
OPERATIONS	1,390,148	1,390,279	(131)	376,379.81	1,224,237.65	187,218.00 (	21,176.65)	101.52
TOTAL EXPENDITURES	1,642,570	1,642,701	(131)	376,711.35	1,257,560.25	187,218.00	197,922.75	87.95
REVENUES OVER/(UNDER) EXPENDITURES	(121,331)	(121,462)	131	(308,681.65)	(228,506.89)	(187,218.00)	294,262.89	342.27

CITY OF PORT LAVACA
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)
 AS OF: SEPTEMBER 30TH, 2025

Section VII. Item #D.

504-PORT & HARBORS FUND
 REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
USER & SERVICE CHARGES								
436.01	CITY HARBOR-DOCK LEASE	115,000	115,000	0	12,821.16	147,089.99	0.00 (32,089.99)	127.90
436.09	HOR - DAILY DOCK RENTA	100,000	100,000	0	9,100.00	106,775.00	0.00 (6,775.00)	106.78
436.10	HOR - RENTAL	4,000	4,000	0	0.00	0.00	0.00	0.00
436.11	HOR - DOCK LEASES	268,497	268,497	0	22,393.99	273,929.34	0.00 (5,432.34)	102.02
436.12	TARIFFS	130,000	130,000	0	4,620.03	121,091.50	0.00	8,908.50
436.20	N L DOCK RENT- TRANSIE	500	500	0	75.00	974.95	0.00 (474.95)	194.99
436.21	N L-DOCK LEASE	90,950	90,950	0	6,727.25	76,753.28	0.00	14,196.72
436.22	N L -BLDG LEASE	90,028	90,028	0	8,054.85	94,947.22	0.00 (4,919.22)	105.46
436.23	N L - BLDG RENTAL	0	0	0	0.00	0.00	0.00	0.00
436.24	SMITH HARBOR RENT	19,980	19,980	0	1,484.86	17,818.32	0.00	2,161.68
	TOTAL USER & SERVICE CHARGES	818,955	818,955	0	65,277.14	839,379.60	0.00 (20,424.60)	102.49
FINES & FORFEITURES								
142.01	LATE PAYMENT PENALTIES	500	500	0	217.12	1,076.33	0.00 (576.33)	215.27
	TOTAL FINES & FORFEITURES	500	500	0	217.12	1,076.33	0.00 (576.33)	215.27
OTHER REVENUE								
151.01	INTEREST INCOME	35,000	35,000	0	2,535.44	30,693.93	0.00	4,306.07
155.01	OTHER FINANCING SOURCE	0	0	0	0.00	0.00	0.00	0.00
159.03	RETURNED CHECK FEE	0	0	0	0.00	30.00	0.00 (30.00)	0.00
159.11	AUCTION/SALE PROCEEDS	0	0	0	0.00	0.00	0.00	0.00
159.12	TML REIMBURSEMENTS	0	0	0	0.00	0.00	0.00	0.00
159.71	WASHER-DRYER INCOME	600	600	0	0.00	289.50	0.00	310.50
159.90	MISCELLANEOUS	0	0	0	0.00	0.00	0.00	0.00
159.92	EQUITY BALANCE FORWARD	0	0	0	0.00	0.00	0.00	0.00
	TOTAL OTHER REVENUE	35,600	35,600	0	2,535.44	31,013.43	0.00	4,586.57
GRANT AND CONTRIBUTION R								
181.00	CAPITAL CONTRIBUTIONS	0	0	0	0.00	0.00	0.00	0.00
181.01	GENERAL LAND OFFICE RE	0	0	0	0.00	0.00	0.00	0.00
182.02	GRANT REVENUE	550,000	550,000	0	0.00	41,400.00	0.00	508,600.00
	TOTAL GRANT AND CONTRIBUTION R	550,000	550,000	0	0.00	41,400.00	0.00	508,600.00
INTERGOVERNMENTAL REVENUE								
93.00.1	XFER IN- FUND 001	116,184	116,184	0	0.00	116,184.00	0.00	0.00
93.88	XFER IN- 206 FARE FUND	0	0	0	0.00	0.00	0.00	0.00
	TOTAL INTERGOVERNMENTAL REVENUE	116,184	116,184	0	0.00	116,184.00	0.00	0.00
TOTAL REVENUES	1,521,239	1,521,239	0	68,029.70	1,029,053.36	0.00	492,185.64	67.65

COMMUNICATION

SUBJECT: Receive Employee Training Review Acknowledgment report

INFORMATION:

DATE: 10/13/2025
TO: COUNCIL - REGULAR CITY COUNCIL MEETING
SUBJECT: TRAINING REVIEW AND ACKNOWLEDGEMENT FORMS

Council: Rose Bland Stewart & Tim Dent

Training Title: TML Land Use Essentials Conf.
Date: August 21st – 22nd, 2025

Fire:

Emp: James Herchek
Training Title: Apparatus Driver Operator
Date: July 1st thru October 1st, 2025

Emp: Milizza Lannen
Training Title: Fire Dept Safety Officer
Date: July 1st thru October 1st, 2025

Emp: Aaron Littleton
Training Title: TCFP Officer 1
Date: August 1st thru September 30, 2025

Police:

Emp: Eric Salles (**Resubmitting due to initial form did not print in its entirety**)
Training Title: Leadership Fundamentals: Finding the leader in you
Date: July 14 – July 17, 2025

Emp: Jaramillo Avila
Training Title: 2025 TCOLE Training Conf.
Date: September 23rd thru 25th, 2025

Emp: Eric Salles
Training Title: First Amendment Auditor's Training
Date: October 1st, 2025

City Hall – City Sec, Finance, HR, Building & Code, Utility Billing, & Ports and Harbors

Emp: Derrick Smith
Training Title: TML Land Use Essentials Conf.
Date: August 21st – 22nd, 2025

Emp: Jasmine Stafford
Training Title: Advanced Assessment & Collections
Date: September 8th thru 9th, 2025

Emp: Alyssa Calzada, Tracie Durrance, Rachel Garza, Oralia Munoz, Lorena Diaz-Perez
Training Title: First Amendment Auditor’s Training
Date: October 1st, 2025



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: _____ EMPLOYEE NAME: Rose Bland-Stewart
DEPARTMENT: _____ TRAINING / CONFERENCE DATE(S): Aug 21st - 22nd
TRAINING / CONFERENCE TITLE: TML Land Use Essentials Conference
LOCATION: Hilton Austin (Round Rock)

1. Purpose of Training/ Conference

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

I attended to learn more about zoning, subdivision platting and water rights.

2. Summary of Activities or Topics Covered

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

Regulating jurisdiction, zoning, subdivision and platting, exactions, water rights, vested rights: grandfathering, intergovernmental relations and regulation, development financing tools, PIDS, mids etc.: legislative updates

3. Key Takeaways or Skills Learned

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

I learned quite a bit at this conference, but was most interested in zoning. I learned about the applicability of subdivision ordinance, the process, the standards and how condominium meet subdivision regulation

EMPLOYEE SIGNATURE: [Signature]
DEPARTMENT HEAD SIGNATURE: _____
HR SIGNATURE: [Signature]

DATE: 9/4/2025
RECEIVED
SEP 08 2025

Rachel Garza

From: Rachel Garza
Sent: Tuesday, October 7, 2025 9:33 AM
To: Rachel Garza
Subject: FW: TML Land Use Trip Report

From: Timothy Dent <tdent@portlavaca.org>
Sent: Saturday, August 23, 2025 8:34 AM
To: Jody Weaver <jweaver@portlavaca.org>; Jack Whitlow <jwhitlow@portlavaca.org>
Cc: Derrick Smith <dsmith@portlavaca.org>; Justin Burke <jburke@portlavaca.org>; Rose Stewart <rstewart@portlavaca.org>; Daniel Aguirre <daguirre@portlavaca.org>; Allen Tippit <atippit@portlavaca.org>; Rosie Padron <rpadron@portlavaca.org>
Subject: TML Land Use Trip Report

Below is my trip report for the TML Land Use Essentials Conference.

- held August 21-22
- Embassy Suites Hilton Round Rock

Where handouts from this conference can be obtained.

- Handouts <https://tmlanduseconference/handoutss>

The conference was well done and very helpful to understanding how land use overlays with the comprehensive plan, zoning, developer agreements, platting, etc. It would be a good primer for any council or staff that will be involved in our upcoming adventure with zoning and comprehensive plan update. Also we had some legislative updates.

Having been involved in Port Lavaca's first round with Zoning, I can see some mistakes we made in content and in presentation to the public. Some things have changed since then mainly due to legislation which clarifies some grey areas but mostly just seem to reduce a city's ability to control development within the city limits or ETJ. For instance after July 2026 a city will no longer be able to regulate food trucks other than to refer to the newly created state regulation. Another example is a city will have limited ability to regulate 'no impact' in home businesses.

Below are some comments I thought notable followed by the notes I took during the meeting. Feel free to contact me if you have any questions or comments.

One of aside learnings that will impact our staff is that per legislation, starting Sept 1st, Public Notice of a meeting must be posted 3 business days prior to the day before the meeting. So for our council meetings beginning in Sept the posting will have to be by Tuesday at 6:30PM.

Below are some comments I thought notable followed by the notes I took during the meeting. Feel free to contact me if you have any questions or comments.

One of aside learnings that will impact our staff is that per legislation, starting Sept 1st, Public Notice of a meeting must be posted 3 business days prior to the day before the meeting. So for our council meetings beginning in Sept the posting will have to be by Tuesday at 6:30PM.

An interesting concept regarding provision for infrastructure is that 'Development should fund Development'. A city should not have to provide development. Hence in our development agreements we should strive to obtain Exactions within each development to provide parks, trails, etc.

Some cities are using a concept of PRO RATA - For instance if a new development is increasing the load on a road adjacent to the development, but not part of it, and this road needs repair or upgrading, then you can calculate the increase in load and assign that as a percentage of the cost to repair as part of the development agreement. Same concept for a lift station, etc. That way the developer is sharing in the infrastructure upgrade but not shouldering the entire cost.

It was made clear that to encourage development having a good comprehensive plan and zoning are important to both the developer and to the citizens. Having the plan provides security to the developer, keeping to the plan keeps everyone out of trouble, which implies the need to have both of these instruments be very well thought out from the beginning.

Almost all of the presenters were from cities that are growing so fast that they are in a position where they need to slow development and to cherry pick developments to fill the remaining undeveloped properties. So they have implemented somewhat bureaucratic policies to that end. For us and a lot of other cities I spoke with (one city was Gun Barrel - I thought that an interesting name) we are needing to encourage development not resist it. So we may need to be more streamlined and helpful.

Vesting is an important item which basically freezes the timeline for ordinances/zoning that a development is bound by. It was highly recommended to make Pre-Planning meetings voluntary. If our policy says it is mandatory, then that sets the vesting date.

Georgetown noted that when they updated their land use map they sent a letter to every property owner and had discussions with over 200 of them to let them know in fact what they can expect to be able to do with their property. They felt this communication outreach, over and above the normal newspaper and public meetings requirements, helped reduce future problems.

In my discussions with other city representatives it appears that some cities do enforce grass height restrictions on easements as well as on land committed to agriculture. The TML counsel I spoke with said it most likely is allowed based on proper language and sent me to a TML guidance document noted at bottom of my notes. Also the Tyler Council person I spoke with said they have full compliance with their ordinance and showed me their ordinance (extract provided at bottom) so I am thinking we should revisit this.

Also recommended in this conference was to utilize the TML Revenue Manual which among other things can help a city determine the increased value provided by a development. I have not looked at it yet but here is the link.

<https://www.tml.org/191/Revenue-Manual-for-Texas-Cities>

Revenue Manual for Texas Cities - TML

The Texas Municipal League (TML) Revenue Manual for Texas Cities (2023) covers everything, from the biggest sources of city revenue, property and sales taxes, on down to the most mundane and arcane - open records charges, raffles, even cemetery taxes. The manual is organized alphabetically by type of revenue. Within each section, very basic questions are addressed first: what is this revenue ...

www.tml.org

Tim Dent
District #2
361-218-0729

NOTES

Zoning:

- Purpose: To insure the health and safety of the city - per state guidelines it needs to be rational and have a connection to the greater good.
- Once zoning is in force then must follow it. Cant say well doesn't meet the zoning ordinance or land use map but seems like a good idea.
- There is a Zoning category for transitioning from a current use to a higher use.
- PUD - not a contract. A zoning document - only impacts zoning regs and allows variances to the zoning of that area. Not affecting impact fees or TIRZs etc. These are outside the PUD
- Need to evaluate Impacts on neighbors/neighborhoods on traffic volume/noise etc
- Applicant is responsible for posting signs related to a zoning variance request (advise to take pictures and send to staff as a record in case neighbors complain or signs are removed)
- Zoning Variances go to the Board of Adjustments not the the Planning and Zoning board
- Cannot sign a contract with a developer to guarantee a new zoning of the area they want to develop.
- Spot zoning - a way to handle existing uses that do not conform to the newly defined zoning for the overall area
- Dripping Springs has weekly teams mtg with all major depts to review projects etc.

Platting - make sure infrastructure is reaching every lot

Platts - if they meet all state and city requirements we have to approve. If they dont then we can't approve.

Platts are not required to go to PNZ commission. If meets all requirements then must be approved. PNZ cannot overrule.

1445 Interlocal agreements - Apparently one is needed between county and city for city to regulate subdivisions within the ETJ. Do we have one??Do we have an interlocal agreement with county to regulate subdivisions in our ETJ. This highlights whose rules are used to regulate in the ETJ

Housing developments - showed where alley loaded properties can make sense over front loaded properties to reduce street congestion and sidewalk blockage.

Pro Rata Share - A device for new development to have them share in infrastructure improvements needed but not directly in their project. For instance if a housing project increases load on a road (or will require a lift station) then a formula for the impact percent load this project has on the infrastructure can be used to get the project to share costs with the city on a fair basis to the project.

PIDs - Pretty firm statement by Dripping Springs planning dept that they usually do not work out and to stay away from them.

-Others commented on PIDs Make them work for it.

-PID assessments can be used to finance a bond and is not considered a debt assessment/bond rating of the city even though the PID is a city device.

TML has a free online Revenue Manual for Texas Cities that helps a city understand the revenue that can be expected from different types of developments. We should get it. <https://www.tml.org/191/Revenue-Manual-for-Texas-Cities>

Revenue Manual for Texas Cities - TML

The Texas Municipal League (TML) Revenue Manual for Texas Cities (2023) covers everything, from the biggest sources of city revenue, property and sales taxes, on down to the most mundane and arcane - open records charges, raffles, even cemetery taxes. The manual is organized alphabetically by type of revenue. Within each section, very basic questions are addressed first: what is this revenue ...

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Buildout requirements - A development needs to reach a certain buildout before the city accepts infrastructure. These can be specified in the development agreement. An example where this would have been useful in PL is Redfish Retreat. The city has taken over the streets in Phase 1 but there are only a few houses built so very little tax revenue coming in and yet the streets are in need of significant repair already. If we had a build out requirement the developer would be on the hook for maintaining the streets. ?

Water Rights

-Cannot regulate bldg materials however if you create an incentive you can ask for bldg materials as part of the incentive. Go for it, all they can say is no. Ask for different setbacks 2 parks instead of one, etc.

Legislative Update

-SB 785 - City must allow at least one HUD code mfg homes in either a residential district or one specific mfg home specific zoning district.

-Public mtg notice must be at least 3 business days prior to the actual mtg day. So must post by Tuesday for us.

-SB1202 3rd Party Backup Power system review - can use 3rd party review

-SB1252 Cannot have any specific local regulations for backup power systems. Can only require they comply with IEC or IBC etc

-HB2464 City cannot prohibit or regulate 'no impact' home based business. Some of the requirements to meet this are they are not seen from the street, entirely contained within the house, doesn't increase traffic etc. Must be compatible to residential use and 2ndary to the residence. This was a big bone of contention in Zoning round 1 a few years ago so now this is basically off the city's plate.

-HB2844 July 1st 2026 - after that will be a statewide food truck regulation and cities will no longer be able to regulate. State will do health inspections but a city can enter into agreement with the state to do these inspections and receive the fees.

-HB? Provides for Grants for cities to do crosswalks across rr tracks.

Learnings from the Hypothetical Scenario

Do not require a pre-planning meeting as this starts the vesting time. You don't want this at the pre-planning meeting since it could be a long time before the next step occurs.

City does not review deed restrictions. That is between the property owners.

Platting is not discretionary. If a platt is provided that meets city requirements it just needs to be approved. Zoning is discretionary.

Policy for a PID at Georgetwon is that there is something being offered over and above the standard development that would be for the public.

Allow some flexibility in zoning process as things happen that may be beyond anyone's control - the market changes, the bond climate changes, etc.

When subdivide a property Georgetown requires replat of the whole property not just one subdivision.

Staff does not make a recommendation. PNZ does. Staff points out what areas are not in compliance, etc. Then they bring discussion points of PNZ to council if council asks.

Georgetown case study - Big difference compared to us is that they have grown so much they are in a position that they need to slow development and cherry pick to fill the remaining small amount of undeveloped land. For us and a lot of other cities we need to encourage development not resist it.

Georgetown - goal is to have pre-planning with 3 weeks from first contact - no more than 5 wks.

Georgetown - most of the current developers are buyers from Dallas etc so a higher level of sophistication. But they are expecting zoning protections etc before concluding the deal.

Georgetown - when they updated their land use map they sent a letter to every property owner and had discussions with over 200 of them to let them know in fact what they can expect to be able to do with their property. Communication.

Need to be careful when setting up development agreements. Courts can force city to pay damages if city breaches any part of the agreement or misses a deadline. Also, must be beneficial to the city. Anything the city is providing should be tied to developer meeting certain progress points.

If a property has a development agreement then the review teams need to be aware of it - often there is a miss between who creates the agreement and who reviews the project.

Important to have pre-approval meeting notes - can use to fall back on if developer says 'you said such and such'.

Georgetown - Got addicted to PUDs. Ideally as a town should not be doing hardly any PUDs.

Special use permits are good for controlling the form and or volume of a certain hi-impact use - example car wash or gas station or self storage.

Regarding requirement of cutting grass in an easement or on ag exempt land. In follow up with one of the TML Legal Counsels she said most likely can if your ordinance is worked properly.

Also, sitting next to a council member from City of Tyler - they have an ordinance requiring landowners to maintain grass and sidewalks and we looked it over and she said they get compliance from everyone (ag exempt) or not to avoid a fine.

- IX

- Tyler

- Tyler, Texas Code of Ordinances

- Sec. 18-20. Prohibited accumulations; public nuisances

Below is an excerpt from the Tyler Codes

b. Weeds, grass, and other accumulations of uncultivated vegetation. It is unlawful for any person, firm, corporation, partnership, association of persons, owner, agent, occupant, or anyone having supervision or control of any improved lot, tract, parcel of land or portion thereof, occupied or unoccupied, within the City limits or within five thousand (5,000) feet thereof, to with criminal negligence allow uncultivated vegetation to grow to a height greater than twelve (12) inches on such tract.

Below is an excerpt from the TMLGuidance document on TML website (referred by the TML legal counsel) related to grass:

Roberts v. Friendswood Dev. Co., 886 S.W.2d 363, 365 (Tex. App.—Houston [1 Dist.] 1994). Cities, even with their duty to maintain the easement, can require the landowner to maintain the easement because the landowner has a duty to keep his property free from nuisance and in a reasonably safe condition. S



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: 3170
EMPLOYEE NAME: James Herchek
DEPARTMENT: Fire Department
TRAINING/ CONFERENCE TITLE: Apparatus Driver Operator
LOCATION: Port Lavaca FD Station 1
TRAINING / CONFERENCE DATE(S): July 1 2025 - October 1 2025

1. Purpose of Training/ Conference

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

Obtain Driver Operator Cert

2. Summary of Activities or Topics Covered

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

Learned All skills & safe Practices of a Fire Apparatus Driver operator.

3. Key Takeaways or Skills Learned

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

Types of fire Pumps & Apparatus, How to properly supply a FDC & How to maintain & keep Apparatus operating properly

EMPLOYEE SIGNATURE: [Signature] DATE: 9-30-25

RECEIVED

FOR INTERNAL USE ONLY
RECEIVED DATE: 10-1-25
SIGNATURE OF HUMAN RESOURCES: [Signature]
CITY OF PORT LAVACA
CITY MANAGER



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PORT LAVACA

Section VII. Item #E.

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: 01-3180

EMPLOYEE NAME: Milizza Lannen

DEPARTMENT: Fire

TRAINING/ CONFERENCE TITLE: Fire Department Safety Officer

LOCATION: Online

TRAINING / CONFERENCE DATE(S): July 1, 2025 - Oct. 3, 2025

1. Purpose of Training/ Conference

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

To be certified through TCEP as a Incident Safety Officer.

2. Summary of Activities or Topics Covered

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

Activities covered were Building Eras, building construction. Several Safety issues that can arise with during an incident.

3. Key Takeaways or Skills Learned

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

5 scenario based incident scenes to pull all learning objectives together.

EMPLOYEE SIGNATURE: [Signature] DATE: 10/3/2025

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RECEIVED DATE: 10-6-25

SIGNATURE OF HUMAN RESOURCES: [Signature]

RECEIVED
OCT 06 2025
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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: 01-3182

EMPLOYEE NAME: Aaron Littleton

DEPARTMENT: Fire

TRAINING/ CONFERENCE TITLE: TAFP officer 1

LOCATION: Station 2

TRAINING / CONFERENCE DATE(S): 8-20-2025 - 9-30-2025

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 how to be a fire officer. The training was intended to teach me how to be a fire officer.

2. Summary of Activities or Topics Covered

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

management, budgetting, scene control.

3. Key Takeaways or Skills Learned

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

How to conduct myself in an officer position, as well as how to function in the department as an officer.

EMPLOYEE SIGNATURE: Aaron Littleton DATE: 9-30-2025

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RECEIVED DATE: <u>10-1-25</u>	SIGNATURE OF HUMAN RESOURCES: <u>[Signature]</u>	
		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: 2460

EMPLOYEE NAME: Eric Salles

DEPARTMENT: Police Dept.

TRAINING/ CONFERENCE TITLE: Leadership Fundamentals: Finding the leader in you

LOCATION: Baytown Police Dept.

TRAINING / CONFERENCE DATE(S): July 14th-17th 2025

1. Purpose of Training/ Conference

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

The reason for attending this training was to enhance leadership skills and bring new ideas for leading the newer generations.

2. Summary of Activities or Topics Covered

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

It was a four day class that covered different types of leaderships, past and present generations, team building, as well as retention.

3. Key Takeaways or Skills Learned

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

I learned that a great leader is more about attitude than skill. I also learned that to effectively lead, one must adapt to each individual employee.

EMPLOYEE SIGNATURE: Eric Salles Jr. Digitally signed by Eric Salles Jr. Date: 2025.08.12 13:29:50 -05'00' DATE: 8/12/25

FOR INTERNAL USE ONLY		RECEIVED Resubmitted SEP 10 2025 CITY OF PORT LAVACA CITY MANAGER
RECEIVED DATE: <u>8-10-25</u>	SIGNATURE OF HUMAN RESOURCES: <u>[Signature]</u>	

Original wording was cut off. Did not print in its entirety.



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: 2018 EMPLOYEE NAME: JARAMILLO AVILA

DEPARTMENT: Police TRAINING / CONFERENCE DATE(S): 09/23/2025 - 09/25/2025

TRAINING/ CONFERENCE TITLE: 2025 TCOLE TRAINING CONFERENCE

LOCATION: 700 CONVENTION CENTER BLVD, MCALLEN, TEX

1. Purpose of Training/ Conference

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

ATTENDED TO RECEIVE LAW UPDATES AND TRAINING MANDATES.

2. Summary of Activities or Topics Covered

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

LEGISLATIVE UPDATE, THE INFLUENCE OF LEADERSHIP STYLES ON OFFICER BEHAVIOR, TCOLE RULE CHANGES, LESSONS LEARNED FROM LEGAL AND INFORCEMENT INVESTIGATIONS, PTSD AND SUICIDE PREVENTION, DECISION MAKING IN UNCERTAIN CONDITIONS, APS 101.

3. Key Takeaways or Skills Learned

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

I LEARNED ABOUT THE LAW UPDATES AND TRAINING MANDATES.

EMPLOYEE SIGNATURE: JARAMILLO AVILA

DATE: 10/02/2025

DEPARTMENT HEAD SIGNATURE: _____

DATE: **RECEIVED**

HR SIGNATURE: [Signature]

DATE: **OCT 02 2025**



CITY OF PORT LAVACA

RECEIVED

OCT 02 2025

TRAINING REVIEW & ACKNOWLEDGEMENT FORM

PORT LAVACA
CITY MANAGER

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: 2460 EMPLOYEE NAME: ERIC SALLES JR

DEPARTMENT: Police TRAINING / CONFERENCE DATE(S): 10/01/2025

TRAINING/ CONFERENCE TITLE: 1st amendment auditors

LOCATION: Victoria Community Center

1. Purpose of Training/ Conference

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

The training was focused on how to respond to and communicate with 1st amendment auditors.

2. Summary of Activities or Topics Covered

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

It was a one hour session with a speaker who showed videos relating to 1st amendment auditors.

3. Key Takeaways or Skills Learned

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

I learned how to direct Officers under my command on how to respond to calls pertaining to 1st amendment auditors. We also briefly touched on some of the issues that can arise with 2nd amendment auditors. I also learned the importance of signage as well as a secured facility. There was also mention of how department policies can change with the increase in presence of 1st amendment auditors.

EMPLOYEE SIGNATURE: ERIC SALLES JR

DATE: 10/02/2025

DEPARTMENT HEAD SIGNATURE: _____

DATE: _____

HR SIGNATURE: [Signature]

DATE: OCT 02 2025

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: 1120 EMPLOYEE NAME: DERRICK SMITH

DEPARTMENT: Development Services TRAINING / CONFERENCE DATE(S): August 21-22, 2025

TRAINING/ CONFERENCE TITLE: TML Land Use Essentials Conference

LOCATION: Round Rock

1. Purpose of Training/ Conference

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

A refresher course on municipal authority on development and land use. I also wanted to be updated on any zoning regulations or development laws that will be changing during this current legislation.

2. Summary of Activities or Topics Covered

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

There was discussion on municipal authority in the ETJ, annexation, exactions, and zoning.

There was some good discussion on water rights.

Also, there was discussion on PIDs, MUDs, and TIRZ and how they may help developers.

We also were given the legislative updates that will impact municipalities.

3. Key Takeaways or Skills Learned

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

For only being 1 1/2 days, it was a good refresher course.

I was able to get better understanding of the changes that are happening during this current legislation.

Some employees with the City of Georgetown's planning department had some good points during their presentation. The key thing was that they do not provide recommendations to the Planning and Zoning Commission or City Council. They present all of the facts and let the boards decide on their own. The reason is that staff's recommendation could sway the members regardless of discussion from applicants or citizens.

EMPLOYEE SIGNATURE: DERRICK SMITH

DATE: 09/08/2025

DEPARTMENT HEAD SIGNATURE: _____

DATE: **RECEIVED**

HR SIGNATURE: [Signature]

DATE: **SEP 10 2025**



CITY OF PORT LAVACA

Section VII. Item #E.

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: 1620 EMPLOYEE NAME: JASMINE STAFFORD
DEPARTMENT: Finance TRAINING / CONFERENCE DATE(S): 09/08-09/09
TRAINING/ CONFERENCE TITLE: ADVANCED ASSESSMENT & COLLECTIONS
LOCATION: CALHOUN CAD

1. Purpose of Training/ Conference

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

I ATTENDED THIS TRAINING TO INCREASE MY KNOWLEDGE ON HOW THE GOVERNEMENT ENTITIES PLAY A ROLE IN THE TAXATION OF PROPERTY OWNERS. I ASLO ATTENED THIS CLASS TO STAY UP TO DATE ON THE LATEST BILL CHANGES THAT WILL EFFECT THE CITY OF PORT LAVACA.

2. Summary of Activities or Topics Covered

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

THE CLASS WAS TAUGHT BY CONNIE ROSE AND IT WAS HELD AT THE CALHOUN COUNTY APPRAISAL DISTRICT.

3. Key Takeaways or Skills Learned

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

- THE NEW BILLS THAT WERE PASSED THAT WILL EFFECT OUR BUDGET
- THE BILL THAT WAS PASSED ON BPP THAT WILL EFFECT OUR FUTER INCOME
- HOW MONEY IS GIVEN AND DIVDED TO GOVERNMENT ENTITIES
- MORE ABOUT CAD EXEMPTIONS

I LEARNED MANY OTHER THINGS IN THIS CLASS. I FEEL WELL EDUCATED IN ALL OF THE TOPICS DISCUSSED.

EMPLOYEE SIGNATURE: JASMINE STAFFORD

DATE: 09/09/2025

DEPARTMENT HEAD SIGNATURE:

DATE: RECEIVED

HR SIGNATURE:

DATE: SEP 09 2025

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: 4250 EMPLOYEE NAME: ALYSSA CALZADA

DEPARTMENT: Building Permits TRAINING / CONFERENCE DATE(S): 10/1/2025

TRAINING/ CONFERENCE TITLE: First Amendment Auditors

LOCATION: Victoria Tx

1. Purpose of Training/ Conference

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

A First Amendment auditor is typically a person who films or records in public spaces such as government buildings, police stations, or sidewalks—to test and assert their First Amendment rights, particularly freedom of speech, press, and the right to record public officials in public spaces. Some auditors post their videos on platforms like YouTube, often under titles like “1st Amendment Audit Gone Wrong” or “Cop Gets Educated.”

In the U.S., recording in public spaces is generally protected by the First Amendment, as long as it doesn't interfere with law enforcement or violate other laws (like trespassing, harassment, or wiretapping laws in two-party consent states).

2. Summary of Activities or Topics Covered

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

If You're a Public Employee or Law Enforcement:

1. Stay Calm and Professional Auditors often film to provoke a reaction. Don't let personal feelings or irritation override your professional conduct.

2. Know the Law
Recording in public spaces is legal.
They don't need permission to film in public areas of public buildings (like lobbies, parking lots, or sidewalks).
You can ask questions, but you can't demand ID unless there's reasonable suspicion of a crime.

3. Avoid Creating a Scene
Unless they're causing a disruption, interfering with operations, or going into restricted areas, let them record....

3. Key Takeaways or Skills Learned

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

- 1. Legal Knowledge
- 2. Clear & Calm Communication
- 3. Emotional Control (De-escalation)
- 4. Situational Awareness
- 5. Conflict Resolution
- 6. Policy Familiarity
- 7. Team Coordination
- 8. Media Awareness

EMPLOYEE SIGNATURE: ALYSSA CALZADA

DATE: 10/02/2025

DEPARTMENT HEAD SIGNATURE: _____

DATE: **RECEIVED**

HR SIGNATURE: [Signature]

DATE: **OCT 02 2025**

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: 4712 EMPLOYEE NAME: TRACIE DURRANCE

DEPARTMENT: Utility Billing TRAINING / CONFERENCE DATE(S): 10/01/2025

TRAINING/ CONFERENCE TITLE: 1st Amendment Training

LOCATION: Victoria, Texas

1. Purpose of Training/ Conference

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

To know the difference of what is allowed during confrontational people.
They just want a reaction to film and post on the Web.
The difference of 1st Amendment and 2nd Amendment.

2. Summary of Activities or Topics Covered

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

Signage, the exact wording and difference of the wording.
How to maintain a calm, cool exterior and know what the person wants a reaction for.
When someone is filming know where they are allowed and be polite!
We watched some good videos of things gone wrong and how it was fixed.
We had good questions and Answers.

3. Key Takeaways or Skills Learned

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

I learned alot of what Officers have to deal with.
I learned that I need to be calm and listen. To be able to know the real Amendment.
I will be better at my job and calmer to aggressive customers

EMPLOYEE SIGNATURE: TRACIE DURRANCE

DATE: 10/06/2025
RECEIVED

DEPARTMENT HEAD SIGNATURE: _____

DATE: _____

HR SIGNATURE: [Signature]

DATE: OCT 07 2025

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: 01-1135 EMPLOYEE NAME: Rachel Garza

DEPARTMENT: Human Resources TRAINING / CONFERENCE DATE(S): 10/01/2025

TRAINING/ CONFERENCE TITLE: TML - FIRST AMENDMENT AUDITORS TRAINING

LOCATION: VICTORIA COMMUNITY CENTER, VICTORIA, TX

1. Purpose of Training/ Conference

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

To equip yourself with the knowledge and skills to understand and respond to a First Amendment Auditors, who will assert their right to record in public buildings and with city officials. Training helps to avoid legal issues and how to avoid confrontations by teaching employees how to respect these individuals while protecting the City and the employee's reputation.

2. Summary of Activities or Topics Covered

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

Understanding Auditors: Training explains their intent to test their rights by recording them in public offices and potentially provoke a reaction.

Legal Rights: Learn the difference between protective speech and criminal behavior. Auditors have the right to record, photograph or film and technically they do not have to identify themselves unless and officer has reason of criminal intent.

Professional Interaction: Training provides learning to stay calm, communicate clearly, and be respectful.

3. Key Takeaways or Skills Learned

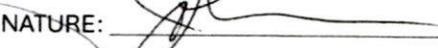
(What did you learn or gain from this experience?)

Auditors can photograph and record in any public building and have access to any public lobby, counters, parking lot, ect. They are not allowed in any area, that clearly states, "NON-PUBLIC ACCESS" OR "EMPLOYEES ONLY". Make your signs clear; do not leave room for interpretation. Most Auditors just want to get a recording of an employee or a city officials' reaction to post online for ratings and or money. If you feel unsafe, your safe place is your office or designated workspace for "Employees only" / Non-Public Access".

Do: 1) Document the Auditor's actions and any disruptive behavior and if he trespasses any restricted area; 2) Have areas clearly marked Public or Non-Public; 3) Be calm and polite; 4) Protect confidential information; 5) Best to have a designated person who is trained to deal with a First Amendment Auditor.

Avoid: 1) Do not grab or touch the Auditor or their recording device; 2) Do not tell them they can not record; 3) Best to not argue, debate or engage in their tactics.

EMPLOYEE SIGNATURE:  DATE: _____

DEPARTMENT HEAD SIGNATURE:  DATE: 10.2.2025

HR SIGNATURE:  DATE: _____



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: 1170 EMPLOYEE NAME: ORALIA MUNOZ

DEPARTMENT: Ports Operations TRAINING / CONFERENCE DATE(S): 10-1-25

TRAINING/ CONFERENCE TITLE: First Amendment Auditors

LOCATION: Community Center Annex, Victoria, Texas

1. Purpose of Training/ Conference

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

The purpose of the training of attending the training was/is to be better informed and prepared in case of a first amendment audit.

2. Summary of Activities or Topics Covered

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

I attended the First Amendment Auditor's training held at the Victoria Community Complex at 2905 East North Street, Victoria, Texas. I attended the 10:30 a.m. session.

3. Key Takeaways or Skills Learned

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

The training covered different scenarios of encounters of first amendment auditors showing up at workplaces attempting to video with the purpose of getting a reaction to get a larger audience for their videos. Some of the encounters ran smoothly while others didn't. This depended on how the employees reacted to being videoed or such encounters.

Skills that were taught were: Do's and Don'ts of such encounters. Keeping your cool and trying to not engage much, limited interaction. Suggestions on how to protect your workspace (environment) from wandering eyes or cameras. Also, how or where to put up signs stating, "Employees Only - No Public Access."

I found the training very insightful, with great ideas to try and deescalate such encounters, as well as protecting your workspace. Also, in representing your employer well in such situations.

I would like to see this training offered to the employees of the City of Port Lavaca as a whole possibly at our community center.

EMPLOYEE SIGNATURE: ORALIA MUNOZ

DATE: 10/02/2025

DEPARTMENT HEAD SIGNATURE: _____

DATE: OCT 02 2025

HR SIGNATURE: [Signature]

DATE: _____
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): October 1, 2025

TRAINING/ CONFERENCE TITLE: First Amendment Auditors

LOCATION: Victoria, Texas

1. Purpose of Training/ Conference

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

The First Amendment Auditors class is designed to prepare local government employees for encounters with individuals exercising their First Amendment rights. The goal of the class is to teach employees how to prepare for, communicate with, de-escalate, and appropriately interact with these individuals. These activists often seek to provoke inappropriate and sometimes embarrassing responses from employees while recording the interactions. They typically publish these videos, which can go viral, resulting in increased views and followers, ultimately generating more money for themselves.

2. Summary of Activities or Topics Covered

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

This class was a one-session course that covered the following topics:

1. Understand the rights guaranteed by the First Amendment of the United States Constitution.
2. Identify the various categories of individuals who identify themselves as First Amendment auditors.
3. Recognize appropriate and inappropriate responses to encounters with First Amendment auditors.
4. Analyze recent events that have increased public awareness and visibility of First Amendment auditors.

3. Key Takeaways or Skills Learned

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

This was a very informative class. I learned that our customer service skills can be tested by certain individuals, and it's essential for us to be ahead of the game. If employees aren't prepared and don't know how to respond appropriately, an encounter can result in a viral video being posted on social media or even lead to a lawsuit.

Additionally, I learned that to protect sensitive areas in City Hall, we need to have proper signage. The instructor mentioned that even though certain areas are secured with locked access, this does not prevent individuals from entering those spaces. Therefore, we should place signs in areas that the public is not supposed to enter.

I also learned that for the court to enforce a no-photo and no-recording policy, the judge must have a standing order in place, and this order should be posted visibly so that it can be enforced effectively.

Overall, the key takeaway is that minimizing encounters with these individuals is the best approach. Employees should interact only when absolutely necessary or if they are in immediate contact with them, and they should always maintain calm and composure.

EMPLOYEE SIGNATURE: *Lorena Perez Diaz* DATE: 10/07/2025

DEPARTMENT HEAD SIGNATURE: *[Signature]* DATE: 10-07-2025

HR SIGNATURE: *[Signature]* DATE: 10-7-25

RECEIVED
OCT 07 2025

COMMUNICATION

SUBJECT: Receive Office of Court Administrators (OCA) Monthly report ending 09.30.2025

INFORMATION:

OFFICE OF COURT ADMINISTRATION
TEXAS JUDICIAL COUNCIL



OFFICIAL MUNICIPAL COURT MONTHLY REPORT

Month SEPTEMBER Year 2025

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 10/2/2025 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	SEPTEMBER	Year 2025	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
1. Cases Pending First of Month			2,916	12	29	2,883	71	194
a. Active Cases			1,690	10	22	1,643	47	153
b. Inactive Cases			1,226	2	7	1,240	24	41
2. New Cases Filed During Month			80	0	1	9	1	1
3. Cases Reactivated			27	0	0	23	2	1
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>			1,797	10	23	1,675	50	155
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	20	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			70	0	1	16	1	1
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			5	0	0	1	0	0
8. Compliance Dismissals								
a. After Driving Safety Course <i>(CCP, Art. 45.0511)</i>			4					
b. After Deferred Disposition <i>(CCP, Art. 45.051 or CCP, Art. 45.054)</i>			4	0	0	0	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			2	0	0	1	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>			89	0	1	38	1	1
11. Placed on Inactive Status			40	0	1	5	1	0
12. Cases Pending End of Month			2,907	12	29	2,854	71	194
a. Active Cases <i>(Equals Line 5 minus the sum of Lines 10 & 11)</i>			1,668	10	21	1,632	48	154
b. Inactive Cases <i>(Equals Line 1b minus Line 3 plus Line 11)</i>			1,239	2	8	1,222	23	40
13. Show Cause and Other Required Hearings Held			2	0	0	0	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		TOTAL CASES
Month	Year	
SEPTEMBER	2025	
1. Cases Pending First of Month		309
a. Active Cases		307
b. Inactive Cases		2
2. New Cases Filed During Month		2
3. Cases Reactivated		1
4. All Other Cases Added		0
5. Total Cases on Docket <i>(Sum of Lines 1a, 2, 3 & 4)</i>		310
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		1
15. Cases Pending End of Month		311
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>		2
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		TOTAL
Month	Year	
SEPTEMBER	2025	
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>		0
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	NUMB
Month	Year		REQUESTS FOR COUNSEL
SEPTMBER	2025		
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			25
16. Cases in Which Fine and Court Costs Waived for Indigency (CCP, Art. 45.0491)			1
17. Amount of Fines and Court Costs Waived for Indigency (CCP, Art. 43.091)			\$219.50
18. Total Fines, Court Costs and Other Amounts Collected			
a. Retained by City			\$11,227.52
b. Remitted to State			\$6,102.28
c. Total			\$17,329.80

COMMUNICATION

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

INFORMATION:

VEDC Update for Port Lavaca
SEPTEMBER – October 13, 2025**Residential**

- VEDC Staff continues to provide a residential developer with information when asked. They are very excited a TIRZ will be put in place and are extremely interested in knowing the boundaries. This is an ongoing project and VEDC staff keep them updated.

Marketing

- VEDC will be having some photos done soon to compliment the web page. This has been weather dependent.
 - Photos will include both an “industrial” look and a retail look.
- Council passed the Resolution to become a Film Friendly Certified City, as suggested by VEDC staff. VEDC staff to follow up on approvals from state and once completed, will place on VEDC website (and have placed on city website) and promote.
- VEDC staff and Tania will meet again to select final photos. Pending. ONCE THE PHOTOS ARE UPLOADED, AN ANNOUNCEMENT WILL BE SENT OUT BY THE STATE, ACKNOWLEDGING THIS.

Business

- VEDC staff working with a business on a BUSINESS RETENTION project, to keep them in Port Lavaca. An NDA was signed so VEDC is unable to name the business at this time. THIS IS LOOKING VERY POSITIVE AT THIS TIME AND WILL BE PRESENTED TO CITY COUNCIL AT AN UPCOMING MEETING.
- The VEDC staff has reached out to a combined (breakfast/lunch) concept sit down restaurant to have a discussion with them opening in Port Lavaca. Followed up early August. Will follow up again.
- VEDC staff have scheduled business workshops for October 23 and November 13. These are the beginning of workshop series. You will begin seeing the graphics and invitations for these items.
- VEDC staff met with a local business owner who is interested in investing more in Port Lavaca-Centric projects. We discussed the various incentives offered by the state, depending on requirements. He visits the VEDC regularly now. This is ongoing as the interested party learns more about the area. THIS IS A CONTINUED CONVERSATION WITH THE BUSINESS OWNER.

Other

- VEDC will be hosting their annual meeting in November. All council members are invited to attend, along with the Mayor and City Manager. As always, the invitations are sent via email.
- VEDC staff participating in 20 -year Comprehensive plan.
- VEDC participated in and will continue to participate in TIRZ boundary planning.
- VEDC set to attend marketing and retail shows.
- VEDC planning for remainder of year and 2026 to attend retail events.

COMMUNICATION

SUBJECT: Ratify 2025-2026 FY Budget Ordinance #S-4-25 (adopted 09-22-2025 at Special meeting)

INFORMATION:

ORDINANCE #S-4-25

AN ORDINANCE APPROVING THE ANNUAL BUDGET FOR THE CITY OF PORT LAVACA, TEXAS AND ADOPTING THE BUDGET DOCUMENT FOR THE FISCAL YEAR OCTOBER 1, 2025 THROUGH SEPTEMBER 30, 2026; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council has approved a budget for the City of Port Lavaca, Texas, for the fiscal year October 1, 2025 through September 30, 2026, and accordingly held a public hearing for same, at which time all interested citizens were given an opportunity to be heard for or against any item or amount of any item contained in said budget; and

WHEREAS, all approved adjustments, if any, have been made in said budget and said public hearing has been officially closed:

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

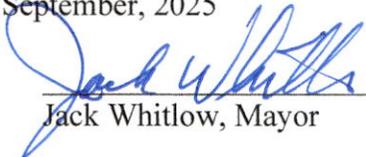
SECTION 1. That the annual budget for the City of Port Lavaca, Texas for the fiscal year October 1, 2025 through September 30, 2026 is hereby approved and the budget document is hereby in all things adopted and made a part of this ordinance as if set forth in full herein and is hereby declared to be the financial plan for the City of Port Lavaca, Texas for the fiscal year 2025/2026.

SECTION 2. That in accordance with the City Charter, Section 8.03 Transfer of Appropriations, the City Council hereby approves the City Manager to transfer any unencumbered appropriation balance or portion thereof between general classifications of expenditures within an office, department or agency.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

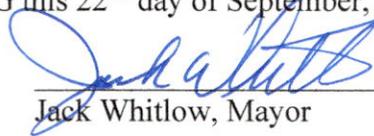
SECTION 4. This ordinance shall become effective on the date of its passage by the City Council of the City of Port Lavaca, Texas.

FIRST READING this 8th day of September, 2025



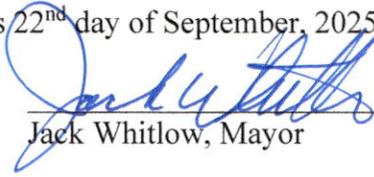
Jack Whitlow, Mayor

SECOND AND FINAL READING this 22nd day of September, 2025



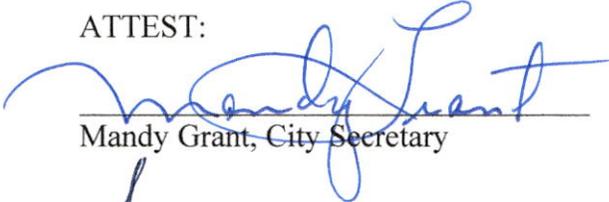
Jack Whitlow, Mayor

APPROVED AND ADOPTED this 22nd day of September, 2025.



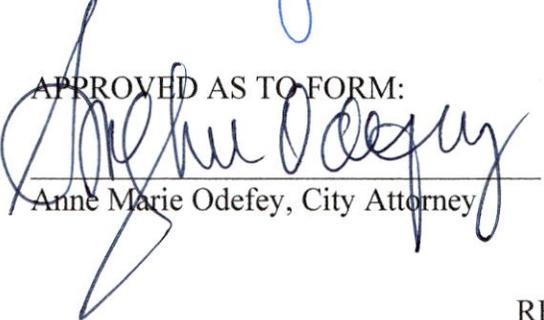
Jack Whitlow, Mayor

ATTEST:



Mandy Grant, City Secretary

APPROVED AS TO FORM:



Anne Marie Odefey, City Attorney

RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Aguirre	Aye	Aye	Aye
Councilman Dent	Aye	Absent	Absent
Councilman Tippit	Aye	Aye	Aye
Councilwoman Padron	Nay	Absent	Absent
Councilwoman Bland-Stewart	Aye	Aye	Aye
Councilman Burke	Aye	Aye	Aye

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

COMMUNICATION

SUBJECT: Ratify 2025 Tax Ordinance #S-5-25 (adopted 09-22-2025 at Special meeting)

INFORMATION:

ORDINANCE #S-5-25

AN ORDINANCE FIXING THE TAX RATE AND TAX LEVY FOR THE CITY OF PORT LAVACA, TEXAS, FOR THE YEAR 2025, UPON ALL TAXABLE PROPERTY IN SAID CITY OF PORT LAVACA, TEXAS SUBJECT TO TAXATION BY SAID CITY ON THE FIRST DAY OF JANUARY, 2025 IN CONFORMITY WITH THE CHARTER PROVISIONS AND ORDINANCES OF SAID CITY OF PORT LAVACA; APPROPRIATING THE FUNDS DERIVED FROM SAID TAX LEVY TO VARIOUS FUNDS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE

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

SECTION 1. That there shall be and there is hereby levied and assessed for the year 2025 upon all property of every description subject to taxation by the City of Port Lavaca, Texas on the 1st day of January, 2025, the following tax rate, to-wit:

An Ad Valorem Tax at the rate of \$0.8000 on the \$100.00 assessed value, based on 100% assessment thereof estimated in lawful currency of the United States of America, for the purpose of paying the general expenses of the City government and for payment of principal and interest on outstanding bonds and certificates of obligation for the fiscal year ending September 30, 2026.

(A) THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEARS TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 9.15 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$24.40

SECTION 2. All taxes collected pursuant to this ordinance shall be deposited in the funds known as the General Fund and the Tax Supported Debt Service Fund, and said monies shall be appropriated and distributed as follows:

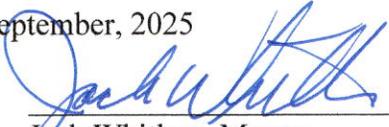
	Rate	Percentage
GENERAL FUND	\$ 0.6987	87.34 %
TAX SUPPORTED DEBT SERVICE FUND:		
2022 Cos & 2024 Cos	\$ 0.1013	12.66 %
TOTALS:	\$ 0.8000	100.00 %

SECTION 3. The duly authorized official responsible for the assessment and collection of taxes for the City of Port Lavaca is hereby directed to assess, extend and enter upon the tax rolls of the City of Port Lavaca, Texas, for the current taxable year the amount and rates herein levied, and to keep a correct account of same, and when so collected, to deposit same in the depository of the City of Port Lavaca to be distributed in accordance with this ordinance.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

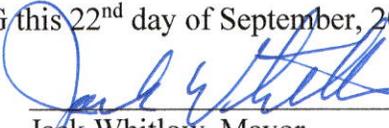
SECTION 5. This ordinance shall become effective on the date of its passage by the City Council of the City of Port Lavaca, Texas.

FIRST READING this 8th day of September, 2025



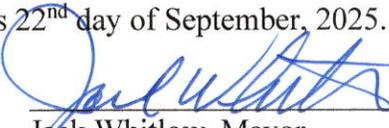
Jack Whitlow, Mayor

SECOND AND FINAL READING this 22nd day of September, 2025



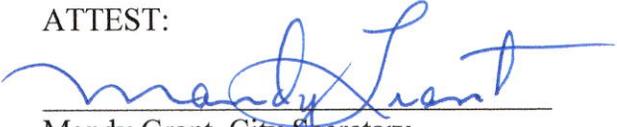
Jack Whitlow, Mayor

APPROVED AND ADOPTED this 22nd day of September, 2025.



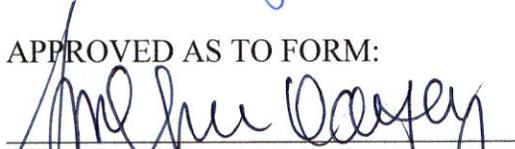
Jack Whitlow, Mayor

ATTEST:



Mandy Grant, City Secretary

APPROVED AS TO FORM:



Anne Marie Odefey, City Attorney

RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Aguirre	Aye	Aye	Aye
Councilman Dent	Aye	Absent	Absent
Councilman Tippit	Aye	Aye	Aye
Councilwoman Padron	Aye	Absent	Absent
Councilwoman Bland-Stewart	Aye	Aye	Aye
Councilman Burke	Aye	Aye	Aye

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

COMMUNICATION

SUBJECT: Receive Financial Investment Report from July 01, 2025 to September 30, 2025

INFORMATION:

City of Port Lavaca
Quarterly Investment Report
 7/1/2025 - 9/30/2025

Purchase Date	Maturity Date/Days	CUSIP	% of Portfolio	Security or Type	Principal	Interest	7/31/2025	9/30/2025	Yield	Bench Mark 6 mo. T-Bill	Par Value	Market Value	Accrued Interest	Date Sold	Paid Interest
			3%	<u>Demand Deposits</u>											
N/A	N/A			Payroll First National Bank		\$	9,336	\$ 12,596	0.0000%		\$ 12,596	\$ 12,596			\$ -
N/A	N/A			Pooled Cash First National Bank		\$	866,560	\$ 536,721	1.5000%		\$ 536,721	\$ 536,721			\$ 3,862
N/A	N/A			Fireman's Retirement First National Bank		\$	50	\$ 50	0.0000%		\$ 50	\$ 50			\$ -
N/A	N/A			Checking First National Bank		\$	-	\$ -	0.0000%		\$ -	\$ -			\$ -
N/A	N/A			Events First National Bank		\$	1	\$ 1	0.0000%		\$ 1	\$ 1			\$ -
N/A	N/A			Parks Donation First National Bank		\$	5,089	\$ 5,089	0.0000%		\$ 5,089	\$ 5,089			\$ -
			97%	<u>Local Government Investment Pools</u>											
N/A	54 *			Consolidated Cash Logic		\$	13,335,615	\$ 12,472,997	4.3317%	3.7200%	\$ 12,472,997	\$ 12,471,226			\$ 137,382
N/A	54 *			Series 2022 Capital Projects Logic		\$	236,950	\$ -	4.3317%	3.7200%	\$ -	\$ -			\$ 1,832
N/A	54 *			Series 2024 Capital Projects Logic		\$	10,808,695	\$ 8,667,154	4.3317%	3.7200%	\$ 8,667,154	\$ 8,665,923			\$ 108,459
Total Investments						\$	25,262,296	\$ 21,694,608	4.2321% Average		\$ 21,694,608	\$ 21,691,606	\$ -		\$ 251,535

* Weighted Average Maturity

Total Interest for July 1, 2025 through September 30, 2025

These Investments are in compliance with the City of Port Lavaca's Investment Policy.



Brittny Hogan
Finance Director

10/03/2025

Date

COMMUNICATION

SUBJECT: Consider Engagement Letter from Pattillo, Brown & Hill, L.L.P. for Auditing Services of City's Financials for Fiscal Year ending September 30, 2025

INFORMATION:



July 16, 2025

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

You have requested that we audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Port Lavaca, Texas (the "Entity"), as of September 30, 2025, and for the year then ended, and the related notes to the financial statements, which collectively comprise the Entity's basic financial statements as listed in the table of contents.

In addition, we will audit the Entity's compliance over major federal and state award programs for the period ended September 30, 2025. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audits will be conducted with the objectives of our expressing an opinion on each opinion unit and an opinion on compliance regarding the entity's major federal award programs. The objectives of our audit of the financial statements are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

The objectives of our compliance audit are to obtain sufficient appropriate audit evidence to form an opinion and report at the level specified in the governmental audit requirement about whether the entity complied in all material respects with the applicable compliance requirements and identify audit and reporting requirements specified in the governmental audit requirement that are supplementary to GAAS and *Government Auditing Standards*, if any, and perform procedures to address those requirements.

OFFICE LOCATIONS

TEXAS | Waco | Temple | Hillsboro | Houston
NEW MEXICO | Albuquerque



Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, and pension and other postemployment benefit related information be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by accounting principles generally accepted in the United States of America. This RSI will be subjected to certain limited procedures but will not be audited:

- Management's Discussion and Analysis.
- Budgetary Schedules.
- Schedule of Changes in Net Pension Liability and Related Ratios.
- Schedule of Pension Contributions.
- Schedule of Changes in Net Other Post Employment Benefit (OPEB) Liability and Related Ratios.
- Schedule of OPEB Contributions.

Supplementary information other than RSI will accompany the Entity's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on the following supplementary information in relation to the financial statements as a whole:

- Combining Statements and Schedules.

Also, the document we submit to you will include the following other additional information that will not be subjected to the auditing procedures applied in our audit of the financial statements:

- Introductory Section.
- Statistical Section.

Schedule of Expenditures of Federal Awards

We will subject the schedule of expenditures of federal awards to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling the schedule to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on whether the schedule of expenditures of federal awards is presented fairly in all material respects in relation to the financial statements as a whole.

Data Collection Form

Prior to the completion of our engagement, we will complete the sections of the Data Collection Form that are our responsibility. The form will summarize our audit findings, amounts and conclusions. It is management's responsibility to submit a reporting package including financial statements, schedule of expenditure of federal awards, summary schedule of prior audit findings and corrective action plan along with the Data Collection Form to the federal audit clearinghouse. The financial reporting package must be text searchable, unencrypted, and unlocked. Otherwise, the reporting package will not be accepted by the federal audit clearinghouse. We will assist you in the electronic submission and certification. You may request from us copies of our report for you to include with the reporting package submitted to pass-through entities.

The Data Collection Form is required to be submitted within the earlier of 30 days after receipt of our auditors' reports or nine months after the end of the audit period, unless specifically waived by a federal cognizant or oversight agency for audits. Data Collection Forms submitted untimely are one of the factors in assessing programs at a higher risk.

Audit of the Financial Statements

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS), the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America; the audit requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200 and *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

As part of an audit of financial statements in accordance with GAAS and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on the audit evidence obtained, whether there are conditions or events considered in the aggregate, that raise substantial doubt about the Entity's ability to continue as a going concern for a reasonable period of time.

Although we are currently in the planning stage of our audit, we have identified the following significant risks during our audit to date that require special audit consideration:

- Management override of controls is considered an inherent risk according to GAAS.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements or noncompliance may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards* of the Comptroller General of the United States of America. Please note that the determination of abuse is subjective, and *Government Auditing Standards* does not require auditors to detect abuse.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

We will issue a written report upon completion of our audit of the Entity's basic financial statements. Our report will be addressed to those charged with governance of the Entity. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s) to our auditor's report, or if necessary, withdraw from the engagement. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

In accordance with the requirements of *Government Auditing Standards*, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance over financial reporting will not be an objective of the audit and, therefore, no such opinion will be expressed.

Audit of Major Program Compliance

Our audit of the Entity's major federal award program(s) compliance will be conducted in accordance with the requirements of the Single Audit Act, as amended; and the Uniform Guidance, and will include tests of accounting records, a determination of major programs in accordance with the Uniform Guidance and other procedures we consider necessary to enable us to express such an opinion on major federal award program compliance and to render the required reports. We cannot provide assurance that an unmodified opinion on compliance will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or withdraw from the engagement.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether material noncompliance with applicable laws and regulations, the provisions of contracts and grant agreements applicable to major federal award programs, and the applicable compliance requirements occurred, whether due to fraud or error, and express an opinion on the entity's compliance based on the audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the entity's compliance with the requirements of the federal programs as a whole.

As part of a compliance audit in accordance with GAAS and *Government Auditing Standards* of the Comptroller General of the United States of America, we exercise professional judgment and maintain professional skepticism throughout the audit. We also identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks.

Our procedures will consist of determining major federal programs and, performing the applicable procedures described in the U.S. Office of Management and Budget *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the entity's major programs, and performing such other procedures as we consider necessary in the circumstances. The purpose of those procedures will be to express an opinion on the entity's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Also, as required by the Uniform Guidance, we will obtain an understanding of the entity's internal control over compliance relevant to the audit in order to design and perform tests of controls to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each of the entity's major federal award programs. Our tests will be less in scope than would be necessary to render an opinion on these controls and, accordingly, no opinion will be expressed in our report. However, we will communicate to you regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we have identified during the audit.

We will issue a report on compliance that will include an opinion or disclaimer of opinion regarding the entity's major federal award programs, and a report on internal controls over compliance that will report any significant deficiencies and material weaknesses identified; however, such report will not express an opinion on internal control.

Management's Responsibilities

Our audit will be conducted on the basis that management and those charged with governance acknowledge and understand that they have responsibility:

1. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America.
2. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
3. For identifying, in its accounts, all federal awards received and expended during the period and the federal programs under which they were received.
4. For maintaining records that adequately identify the source and application of funds for federally funded activities.
5. For preparing the schedule of expenditures of federal awards (including notes and noncash assistance received) in accordance with the Uniform Guidance.
6. For designing, implementing, and maintaining effective internal control over federal awards that provides reasonable assurance that the entity is managing federal awards in compliance with federal statutes, regulations, and the terms and conditions of the federal awards.

7. For identifying and ensuring that the entity complies with federal laws, statutes, regulations, rules, provisions of contracts or grant agreements, and the terms and conditions of federal award programs, and implementing systems designed to achieve compliance with applicable federal statutes, regulations, and the terms and conditions of federal award programs.
8. For disclosing accurately, currently, and completely the financial results of each federal award in accordance with the requirements of the award.
9. For identifying and providing report copies of previous audits, attestation engagements, or other studies that directly relate to the objectives of the audit, including whether related recommendations have been implemented.
10. For taking prompt action when instances of noncompliance are identified.
11. For addressing the findings and recommendations of auditors, for establishing and maintaining a process to track the status of such findings and recommendations and taking corrective action on reported audit findings from prior periods and preparing a summary schedule of prior audit findings.
12. For following up and taking corrective action on current year audit findings and preparing a corrective action plan for such findings.
13. For submitting the reporting package and data collection form to the appropriate parties.
14. For making the auditor aware of any significant contractor relationships where the contractor is responsible for program compliance.
15. To provide us with:
 - a. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements including the disclosures, and relevant to federal award programs, such as records, documentation, and other matters.
 - b. Additional information that we may request from management for the purpose of the audit.
 - c. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.
 - d. A written acknowledgement of all the documents that management expects to issue that will be included in the annual report and the planned timing and method of issuance of that annual report, if one is issued. This document would include more than an annual comprehensive financial report (ACFR) or annual financial report (AFR).
 - e. If applicable, a final version of the annual report, (including all the documents that, together, comprise the annual report) in a timely manner prior to the date of the auditor's report.
16. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole;
17. For acceptance of non-attest services, including identifying the proper party to oversee non-attest work.

18. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets.
19. For informing us of any known or suspected fraud affecting the entity involving management, employees with significant role in internal control and others where fraud could have a material effect on compliance.
20. For the accuracy and completeness of all information provided.
21. For taking reasonable measures to safeguard protected personally identifiable and other sensitive information.
22. For confirming your understanding of your responsibilities as defined in this letter to us in your management representation letter.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited basic financial statements, or if the supplementary information will not be presented with the audited basic financial statements, to make the audited basic financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

With regard to the schedule of expenditures of federal awards referred to above, you acknowledge and understand your responsibility (a) for the preparation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance, (b) to provide us with the appropriate written representations regarding the schedule of expenditures of federal awards, (c) to include our report on the schedule of expenditures of federal awards in any document that contains the schedule of expenditures of federal awards and that indicates that we have reported on such schedule, and (d) to present the schedule of expenditures of federal awards with the audited financial statements, or if the schedule will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the schedule of expenditures of federal awards no later than the date of issuance by you of the schedule and our report thereon.

As part of our audit process, we will request from management, written confirmation concerning representations made to us in connection with the audit.

We understand that your employees will prepare all confirmations we request and will locate any documents or invoices selected by us for testing.

If you intend to publish or otherwise reproduce the financial statements and make reference to our firm, you agree to provide us with printers' proof or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

Non-attest Services

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of the Entity in conformity with U.S. generally accepted accounting principles and the requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) based on information provided by you. These non-audit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with

Government Auditing Standards. These services are limited to preparing the financial statements, schedule of expenditures of federal awards, and related notes of the Entity as previously outlined.

We will not assume management responsibilities on behalf of the Entity. However, we will provide advice and recommendations to assist management of the Entity in performing its responsibilities.

The Entity's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) designing, implementing, and maintaining the system of internal control, including the process used to monitor the system of internal control.

Our responsibilities and limitations of the engagement is limited to our preparation of the financial statements and related note disclosures and the schedule of expenditures of federal awards previously outlined. Our firm in its sole professional judgment, reserves the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities, including determining account coding and approving journal entries. Our firm will advise with regard to financial reporting, but the Entity must make all decisions with regard to those matters.

Government Auditing Standards require that we document an assessment of the skills, knowledge, and experience of management, should we participate in any form of preparation of the basic financial statements and related schedules or disclosures as these actions are deemed a non-audit service.

Engagement Administration, Fees and Timing

We will schedule the engagement based in part on deadlines, working conditions, and the availability of your key personnel. We will plan the engagement based on the assumption that your personnel will cooperate and provide assistance by performing tasks such as preparing requested schedules, retrieving supporting documents, and preparing confirmations. If for whatever reason your personnel are unavailable to provide the necessary assistance in a timely manner, it may substantially increase the work we have to do to complete the engagement within the established deadlines, resulting in an increase in fees over our original fee estimate.

The timing of our audit will be scheduled for performance and completion as follows:

Document internal control and preliminary tests	July 2025
Mail confirmations	October 2025
Perform year-end audit procedures	February 2026
Issue audit reports	March 2026

Paula Lowe is the engagement partner for the audit services specified in this letter. Her responsibilities include supervising Pattillo, Brown & Hill, LLP's services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

Our fees for these services will be at our standard hourly rates plus out-of-pocket cost (such as reports reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed \$54,000. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account

becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional cost.

Other Matters

During the course of the engagement, we may communicate with you or your personnel via fax or email, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications. In addition to fax and email, our firm also exchanges data over the internet using other methods (such as portals) or store electronic data via software applications hosted remotely through a third-party vendor's secured portal and/or cloud.

Regarding the electronic dissemination of audited financial statements, including financial statements published electronically on your Internet website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Professional standards prohibit us from being the sole host and/or the sole storage for your financial and non-financial data. As such, it is your responsibility to maintain your original data and records and we cannot be responsible to maintain such original information. By signing this engagement letter, you affirm that you have all the data and records required to make your books and records complete.

You authorize us to disclose any and all information you furnish to us in connection with the services provided under this engagement, including audit procedures, to third-party service providers who assist us in fulfilling our professional responsibilities. These service providers may be located within or outside the United States. Such disclosures may include, but are not limited to, confidential financial or investment information necessary to complete assessments or verify valuations. We have obtained confidentiality agreements with all our service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have the appropriate procedures in place to prevent the unauthorized release of confidential information to others. We will remain responsible for the work provided by any third-party service providers used under this agreement. By your signature below, you consent to having confidential information transmitted to entities outside the firm. Please feel free to inquire if you would like additional information regarding the transmission of confidential information to entities outside the firm.

The audit documentation for this engagement is the property of Pattillo, Brown & Hill, LLP and constitutes confidential information. However, we may be requested to make certain audit documentation available to federal or state agencies and the U.S. Government Accountability Office pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Pattillo, Brown & Hill's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to these agencies and regulators. The regulators and agencies may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

During the course of the audit, we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

We agree to retain our audit documentation or work papers for a period of at least five years from the date of our report.

You agree to inform us of facts that may affect the financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued.

At the conclusion of our audit engagement, we will communicate to management and those charged with governance the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices.
- Significant difficulties, if any, encountered during the audit.
- Uncorrected misstatements, other than those we believe are trivial, if any.
- Disagreements with management, if any.
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process.
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures.
- Representations we requested from management.
- Management consultations with other accountants, if any.
- Significant issues, if any, arise from the audit that were discussed, or the subject of correspondence, with management.

In accordance with the requirements of *Government Auditing Standards*, we have attached a copy of our latest external peer review report of our firm for your consideration and files.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements, compliance over major federal award programs including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Respectfully,
Pattillo, Brown & Hill, L.L.P.



Paula Lowe, CPA
Waco, Texas

RESPONSE:

This letter correctly sets forth our understanding.

Acknowledged and agreed on behalf of City of Port Lavaca, Texas by:

Name: _____

Title: _____

Date: _____

Report on the Firm's System of Quality Control

December 9, 2022

To the Partners of Pattillo Brown & Hill, LLP
and the National Peer Review Committee

We have reviewed the system of quality control for the accounting and auditing practice of Pattillo Brown & Hill, LLP (the firm) in effect for the year ended May 31, 2022. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported on in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing and complying with a system of quality control to provide the firm with reasonable assurance of performing and reporting in conformity with the requirements of applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported on in conformity with the requirements of applicable professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of and compliance with the firm's system of quality control based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act; an audit of an employee benefit; and an audit performed under FDICIA.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Pattillo Brown & Hill, LLP in effect for the year ended May 31, 2022, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Pattillo Brown & Hill, LLP has received a peer review rating of *pass*.

Ericksen Krentel, LLP

Certified Public Accountants

COMMUNICATION

SUBJECT: Ratify parade permit for the OLG Catholic Church's "Marian Rosary" procession parade on Sunday, October 12, 2025

INFORMATION:



CITY OF
PORT LAVACA
POLICE DEPARTMENT

To: City Secretary Mandy Grant
From: Chief Colin Rangnow
Date: October 2, 2025
Subject: Agenda Item

It is recommended by staff for the Port Lavaca City Council to waiver all fees for the Our Lady of the Gulf's October rosary procession scheduled to take place on Sunday, October 12 starting at 5:00 P.M.

The route is as follows:

Start at Our Lady of the Gulf's parking lot taking a right on S. Nueces St., walk two (2) blocks towards W. Live Oak St., turn right on Live Oak, walk three (3) blocks towards S. Ann St., taking a right on S. Ann walking one (1) block to W. Leona St. We will take a right on Leona St. and walk back to Nueces St. and back to Our Lady of the Gulf's parking lot.

The Port Lavaca Police Department will escort the procession to ensure safety.

Chief Colin Rangnow
Port Lavaca Police Department

COMMUNICATION

SUBJECT: Receive Quarterly CIP Progress Report 07.01.2025 thru 09.30.2025

INFORMATION:



QUARTERLY CAPITAL PROJECTS PROGRESS REPORT

07/01/2025 - 09/30/2025

30
PROJECTS
BUDGETED FOR FY 24-25

37%
PROJECTS COMPLETION
FOR FY 24-25

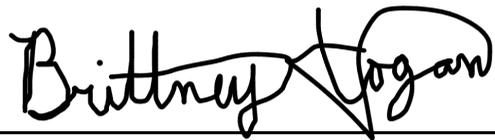
● NOT STARTED ● BEHIND ● ON TRACK ● OVERDUE ● COMPLETE

FUND/DEPT.	PROJECT NAME	TOTAL PROJECT COST	TOTAL PROJECT EXPENSES TO DATE	DETAILS	UPDATE	TOTAL PROJECT COMPLETION
HOT	GATEWAY SIGNS & LANDSCAPING	\$150,000	\$8,371	NEW GATEWAY SIGNS AND LANDSCAPING AT HWY 35 & HWY 87 AND HWY 35 & CAUSEWAY	PROPOSED DESIGN, WORKING WITH TXDOT TO UNDERSTAND REQUIREMENTS BEFORE FINALIZING THE DESIGN. REBUDGET FOR NEXT FY.	6%
GEN FUND/CITY HALL	CITY HALL UPGRADES	\$206,847	\$188,900	CITY HALL UPGRADE PHASE III	CONSTRUCTION OF PHASE 3 IS COMPLETED.PHASE 4: CONSTRUCTION CONTRACT IS AWARDED. WORKING TO SCHEDULE PRE-CONSTRUCTION CONFERENCE.	91%
GEN FUND/CITY HALL	UTILITY BILLING DRIVE THRU UPGRADES	\$75,000	\$27,082	DRIVE-THRU PNEUMATIC TUBE SYSTEM REPLACEMENT	CONSTRUCTION COMPLETE ON TUBE SYSTEM, REMAINING FUNDS FOR TUBE AWNING. REBUDGET FOR NEXT FY.	36%
GEN FUND/POLICE	RADAR TRAILERS	\$13,349	\$13,349	PURCHASE OF TWO NEW RADAR TRAILERS	DELIVERED. COMPLETED.	100%
GEN FUND/POLICE	REPLACEMENT TASERS	\$12,085	\$12,085	REPLACEMENT TASERS FOR THE POLICE DEPARTMENT	COMPLETED	100%

FUND	PROJECT NAME	TOTAL PROJECT COST	TOTAL PROJECT EXPENSES TO DATE	DETAILS	UPDATE	TOTAL PROJECT COMPLETION
GEN FUND/POLICE	NEW VINYL FLOOR PLANKS	\$44,925	\$44,925	NEW VINYL FLOOR PLANKS FOR POLICE DEPARTMENT	COMPLETED	100%
GEN FUND/FIRE	LADIES RESTROOM	\$15,000	\$0	INSTALLATION OF LADIES RESTROOM AND SHOWER AT FIRE STATION #1 ON AUSTIN ST.	HASN'T STARTED YET. RE-BUDGED FOR NEXT FY	0%
BOND/STREETS	INDEPENDENCE IMPROVEMENTS	\$5,170,529	\$2,502,407	INDEPENDENCE DR 2 LANE PLUS CONTINUOUS TURN LANE TO HALF LEAQUE	CONSTRUCTION IS ONGOING. SECTION FROM VIRGINIA TO SANCRABS WILL BE COMPLETED BY THANKSGIVING.	48%
BOND/STREETS	ALAMO HEIGHTS IMPROVEMENTS	\$9,669,716	\$4,843,261	ALAMO HEIGHTS PHASE I & II	CONSTRUCTION IS ONGOING	50%
BOND/STREETS	WESTERN HEIGHTS IMPROVEMENTS	\$2,829,300	\$24,550	REHAB OF BORDER, WAREHOUSE, CENTRAL, AND GEORGE ST. FROM BORDER TO WAREHOUSE	ENGINEERING DESIGN. PLANNING TO BID IN DECEMBER 2025.	1%
GEN FUND/STREETS	SMITH ROAD IMPROVEMENTS	\$479,553	\$220,080	SMITH ROAD SIDEWALK AND BIKE LANE	COMPLETED. WAITING FOR THE FINAL INVOICE	100%
FARF/STREETS	STREETS DUMP TRUCK	\$113,292	\$113,292	2 DUMP TRUCKS. ONE IS FOR STREETS DEPARTMENT AND THE OTHER IS FOR UTILITY MAINTENANCE	DELIVERED	100%
FARF/STREETS	STREET SWEEPER	\$339,500	\$339,500	PURCHASE OF A STREET SWEEPER	DELIVERED	100%
GEN FUND/STREETS	SCHOOLEY, HENRY, AND BONORDEN IMPROVEMENTS	\$31,550	\$31,550	SCHOOLEY, HENRY AND BONORDEN ST. REHAB	COMPLETED	100%
GEN FUND/PARKS	BAYFRONT SPLASHPAD IMPROVEMENTS	\$63,101	\$63,101	SHADE STRUCTURE AT BAYFRONT SPLASH PAD	THE SPLASH PAD IS COMPLETED	100%
GEN FUND/PARKS	BAYFRONT PARK IMPROVEMENTS	\$20,010	\$20,010	MURAL, SOLAR LIGHTS AND BOLLARDS	EVERYTHING IS COMPLETED EXCEPT THE INSTALLATION OF BOLLARDS	100%

FUND	PROJECT NAME	TOTAL PROJECT COST	TOTAL PROJECT EXPENSES TO DATE	DETAILS	UPDATE	TOTAL PROJECT COMPLETION
GEN FUND/PARKS	BAYFRONT PARK IMPROVEMENTS	\$3,150	\$0	POLE BANNERS FOR BAYFRONT PARK	COMPLETED. FINAL INVOICE WILL BE PAID IN OCTOBER.	100%
GEN FUND/PARKS	CITY PARK IMPROVEMENTS	\$20,345	\$0	IRRIGATION AND LANDSCAPING AT CITY PARK	COMPLETED. WAITING FOR FINAL INVOICE.	100%
GEN FUND/PARKS	BUTTERFLY PARK IMPROVEMENTS	\$14,898	\$14,898	IRRIGATION AND LANDSCAPING AT BUTTERFLY PARK	COMPLETED	100%
GEN FUND/BAUER	BAUER COMMUNITY CENTER IMPROVEMENTS	\$58,342	\$58,342	IRRIGATION AND LANDSCAPING AT BAUER COMMUNITY CENTER	COMPLETED.	100%
GEN FUND/BAUER	SOUVINEER COIN PRESS		\$0	SOUVENIR COIN PRESS	HASN'T STARTED. REPURPOSED FOR ADDITIONAL BAUER LANDSCAPING, COIN PRESS NO LONGER MADE	#DIV/0!
PUF FUND/WATER	WATER VALVE LOCATION AND EXERCISE PROGRAM	\$83,490	\$83,490	VALVE AUDIT AND MAPPING	COMPLETED	100%
PUF FUND/WATER	WATER SYSTEM IMPROVEMENT (ARPA)	\$4,478,210	\$4,469,119	WATER SYSTEM INPOVEMENT	COMPLETED.	100%
PUF FUND/WATER	DUMP TRUCK	\$113,292	\$113,292	2 DUMP TRUCKS. ONE IS FOR STREETS DEPARTMENT AND THE OTHER IS FOR UTILITY MAINTENANCE	COMPLETED	100%
PUF FUND/WATER & WWTP	TXCDBG	\$575,000	\$24,388	WATER/SEWER IMPROVEMENT	ENVIRONMENTAL PHASE. ENGINEERING DESIGN. REBUDGET FOR NEXT FY.	4%
UTILITY CONSTRUCTION FUND/WWTP	ANN ST LIFTSTATION	\$890,500	\$123,652	LIFT STATION UPGRADES: ANN STREET	CONSTRUCTION IS ONGOING. REBUDGET FOR NEXT FY.	14%

FUND	PROJECT NAME	TOTAL PROJECT COST	TOTAL PROJECT EXPENSES TO DATE	DETAILS	UPDATE	TOTAL PROJECT COMPLETION
PORTS & HARBORS	TPWL BOATING ACCESS	\$486,480	\$486,480	BOATING ACCESS.BREAKWATER REPAIR IN NAUTICAL LANDINGS MARINA	COMPLETED.	100%
PORTS & HARBORS	RESTORE GRANT	\$500,000	\$13,506	RESTORE CITY OF PORT LAVACA SHORELINE CLEANUP	ENVIRONMENTAL PHASE. SUBMITTED AN RFI TO ARMYCORPS. RFP IS UNDER TCEQ REVIEW.	3%
PORTS & HARBORS	SMITH HARBOR IMPROVEMENTS	\$725,000	\$179,657	IMPROVEMENTS SMITH HARBOR PHASE I DOWNTOWN WATERFRONT MASTER PLAN	CONSTRUCTION IS ONGOING. ENGINEERING DESIGN FOR PARKING LOT.	25%
PORTS & HARBORS	CDBG MIT	\$13,645,005	\$1,262,163	HAZARD MITIGATION LIVING SHORELINE PROJECT FOR COASTAL RESILIENCY PROGRAM	WAITING FOR PERMIT FROM ARMY CORP. PLANNING TO BID IN DECEMBER 2025. ENGINEERING DESIGN 100%.	9%
TOTAL:		\$40,827,468	\$15,281,449			37%



Brittney Hogan
Finance Director

10/06/2025

Date

COMMUNICATION

SUBJECT: Consider request of Our Lady of the Gulf Catholic Church (OLGULF) Altar Society, for closure of Benavides Street between Leona and Austin Streets for their annual fund-raising Thanksgiving Meal Drive-Thru on Sunday, November 02, 2025 from 9:00 a.m. to 2:00 p.m. Presenter is Anne Marie Odefey

INFORMATION:

OUR LADY OF THE GULF
CATHOLIC CHURCH
ALTAR SOCIETY

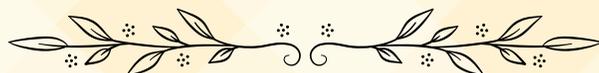
**TURKEY
DINNER**

SUN, NOVEMBER 2, 2025 11 AM - 1 PM

ST. JUDE HALL - 300 W. AUSTIN ST. PORT LAVACA, TX

**TURKEY, DRESSING, SWEET POTATOES,
GREEN BEANS, CRANBERRY SAUCE & A ROLL**

CATERED BY WERNER'S FROM SHINER, TX



\$14.00 PER PLATE

**DRIVE THRU OR DINE IN
BAKE SALE • RAFFLE TICKETS**

**QUESTIONS? PLEASE CALL:
DESIREE CARDONA, 361-484-0975 OR
ELIZABETH CHAVANA, 361-652-1723**

COMMUNICATION

SUBJECT: Consider request of Our Lady of the Gulf Catholic Church for a parade permit and traffic control assistance for their annual “Christ the King Eucharistic Procession Parade” on Sunday, November 23, 2025 beginning at 5:00 p.m. and also request waiver of any fees associated with the event. Presenter is Colin Rangnow

INFORMATION:



CITY OF
PORT LAVACA
POLICE DEPARTMENT

To: City Secretary Mandy Grant
From: Chief Colin Rangnow
Date: October 2, 2025
Subject: Agenda Item

It is recommended by staff for the Port Lavaca City Council to waiver all fees for the Our Lady of the Gulf's November Christ the King Procession scheduled to take place on Sunday, November 23rd starting at 5:00 PM.

The route is as follows:

Start at Our Lady of the Gulf's parking lot taking a right on S. Nueces St., walk two (2) blocks towards W. Live Oak St., turn right on Live Oak, walk three (3) blocks towards S. Ann St., taking a right on S. Ann walking one (1) block to W. Leona St. We will take a right on Leona St. and walk back to Nueces St. and back to Our Lady of the Gulf's parking lot.

The Port Lavaca Police Department will escort the procession to ensure safety.

Chief Colin Rangnow
Port Lavaca Police Department

COMMUNICATION

SUBJECT: Consider request of the Chamber of Commerce for parade permit, traffic control assistance and closing off several streets, for the Annual “Lighted Christmas Parade” on Friday, December 05, 2025, beginning at 6:30 p.m. and also request waiver of any fees associated with the event. Presenter is Tania French

INFORMATION:

CITY OF PORT LAVACA

CC MEETING: October 13, 2025

DATE: 10/07/25

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

FROM: Tanya French, Events Coordinator

SUBJECT: Closure of streets for the Lighted Christmas Parade

BACKGROUND:

The Port Lavaca Chamber of Commerce is requesting several city streets be closed on Friday, December 05, 2025, for the annual "Lighted Christmas Parade," beginning at 6:30 p.m. The parade begins at Sandcrab Stadium, travels down Sam Faubion Street, proceeds right onto Virginia Street, down to Main Street, turns left onto Main Street, proceeds down to Commerce Street, then crosses Commerce Street to the Bayfront Peninsula, where it ends.

The Port Lavaca Chamber of Commerce is requesting waiver of all fees associated with the event and also assistance with traffic control by the Police Department.

FINANCIAL IMPLICATIONS:

IMPACT ON COMMUNITY SUSTAINABILITY:

RECOMMENDATION:

Staff recommends approval of this Request.

ATTACHMENT(S):

None

COMMUNICATION

SUBJECT: Consider appointment/reappointment of member(s) to the Recreation and Parks Board to fill a vacancy and/or start a new term of two (2) years. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

CC MEETING: OCTOBER 13, 2025 AGENDA ITEM # _____

DATE: 10/6/2025

TO: HONORABLE JACK WHITLOW AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER., INTERIM CITY MANAGER

SUBJECT: APPOINTMENT/REAPPOINTMENT OF RECREATION AND PARKS
BOARD MEMBER

BACKGROUND:

The Recreation and Parks Board has two terms set to expire in October. The current members, Olga Szela and Mac Sistrunk, have both submitted letters of interest for reappointment to the board. Furthermore, a citizen named Socorro Cantu has expressed interest in a separate vacancy and has also submitted a letter of interest to serve on the Recreation and Parks Board.

All three candidates are long-term residents and would prove to be significant assets to the board. It should be noted that there are no established term limits, and each full term is designated for a duration of two years.

FINANCIAL IMPLICATIONS:

IMPACT ON COMMUNITY SUSTAINABILITY:

RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

See letters of interest from Mac Sistrunk, Olga Szela, and Socorro Cantu attached.

October 2, 2025

Council Members
City of Port Lavaca, TX

Dear Members:

My appointment to the Recreation & Parks Board (“Parks Board”) of the City of Port Lavaca, Texas, is up for renewal. I would appreciate a reappointment.

I have served on the Parks Board for 20+ years and would like to continue to do so. Over that period, I have witnessed vast improvements in the parks system and am sure that this will be a continuing trend in the foreseeable future. With the development of the Parks Master Plan in progress, I would like to stay on board to see the emerging projects come to fruition and implementation over time as the budgeting process allows.

To that end, I am seeking reappointment. Thank you for your consideration.

Sincerely,

Malcolm M. “Mac” Sistrunk, Jr.
215 Oakglen Dr.
Port Lavaca, TX 77979

September 24, 2025

Dear Members of City Council, City of Port Lavaca, TX:

As a longtime member of the Recreation and Parks Board (R&PB) and Board Vice Chairman for the past several years, I am seeking reappointment to fill a vacancy on the board which would result from my expiring term.

I would like to continue serving on the Recreation and Parks Board.

With this letter, I am asking that I be reappointed for another two-year term.

Sincerely,



Olga Szela

Socorro Cantu
2220 Larry Drive
Port Lavaca, Texas 77979
September 26, 2025

City of Port Lavaca
Parks and Recreation Board

Dear Board Members,

I would like to let you know of my interest in serving on the Parks and Recreation Board for the City of Port Lavaca. I care a lot about our community and believe our parks and recreation programs are an important part of what makes Port Lavaca a great place to live and raise a family.

I've been involved with local youth activities for over 20 years, including my work with the Calhoun County Youth Football League (CCYFL). Through that, I've seen how much our kids and families benefit from safe fields, good facilities, and fun community events. I would love the chance to be part of the team that helps plan and improve these spaces for everyone.

I bring dedication, organization, and a strong willingness to pitch in wherever I'm needed. My goal is to help make sure our parks stay clean, welcoming, and enjoyable for all ages.

Thank you for considering me. I'd be happy to answer any questions or share more about why I'd like to serve.

Sincerely,

Socorro Cantu
361-652-6338
socorrocantu@yahoo.com

COMMUNICATION

SUBJECT: Consider appointment of member(s) to the Building and Standards Commission to fill a vacancy and/or start a new term of two (2) years. Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

MEETING: October 13, 2025 **AGENDA ITEM** _____

DATE: 10/08/2025

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider appointment of member(s) to the Building and Standards Commission to fill a vacancy and/or start a new term of two (2) years

Ms. Mary Belle Meitzen submitted a request on September 30, 2025 for Ms. Bridgette Williams to be appointed to the Building and Standards Commission to fill a vacancy.

I did have a phone conversation with Ms. Williams, and she was very interested in serving.

Attached is the email sent providing Ms. Williams’s background and experience.

Attachments:

- Copy of Building and Standards Nomination Email

 Outlook

Building and Standards Commission

From Mary Meitzen <mmeitzen60@gmail.com>

Date Tue 9/30/2025 11:48 AM

To Jody Weaver <jweaver@portlavaca.org>; Derrick Smith <dsmith@portlavaca.org>

Cc bridgettew46@gmail.com <bridgettew46@gmail.com>

Dear Jody and Derrick,

I am pleased to nominate Bridgette Williams for the Building and Standards Commission. She was raised in Port Lavaca by her parents , Lorraine and Jacky Williams, whom I knew. Lorraine was in high school with me and retired from the First National Bank. Bridgette graduated from Calhoun High in 1979. She received a Business Management Degree from Prairie View A&M. Before she returned to Port Lavaca permanently, she was serving as a care giver for wounded vets at the Dallas V A Hospital and has a strong empathy for the Veterans. I have personally known her for over two years. She is very knowledgeable, rational, and understands business. She also works well with people and has made many friends within the agricultural community. Bridgette has been looking for a home to purchase. She is very aware of unoccupied homes and homes with poor living conditions within the City of Port Lavaca. Her business background will be an asset to the Commission. Derrick will be able to explain the Commission responsibilities to her. Her contact information is: Bridgette Williams, 218 Burnet, Port Lavaca, Texas 77979. bridgettew46@gmail.com 214 736 6774. Thank you for considering her qualifications. To me, it is a blessing to have someone with such knowledge consider the Commission.

With thanks,
Mary Belle Meitzen
305 Glenbrook
Port Lavaca, Tx. 779779
361 746 8218
Get [Outlook for Mac](#)

COMMUNICATION

SUBJECT: Ratify authorizing Mayor to sign participation agreements as they are presented on National Opioid Settlement. Presenter is Anne Marie Odefey

INFORMATION:

COMMUNICATION

SUBJECT: Consider proposed changes to the City's Purchasing Policy and Procedures.
Presenter is Brittney Hogan

INFORMATION:

CITY OF PORT LAVACA

CITY COUNCIL MEETING: OCTOBER 13, 2025

DATE: SEPTEMBER 17, 2025

TO: THE HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: BRITTNEY HOGAN, FINANCE DIRECTOR

SUBJECT: CONSIDER AND APPROVE PROPOSED CHANGES TO THE PURCHASING POLICY AND PROCEDURES

BACKGROUND:

The Purchasing Policy and Procedures was last approved in July 2022. This years legislative changes included Senate Bill 1173 which provided a change on the sealed bid limit from \$50,000 to \$100,000 effective September 1, 2025. This will not change the requirement on the number of bids the City is required to receive but rather removes the requirement for formally advertising.

FINANCIAL IMPLICATIONS:

Accepting the changes will provide guidance for future city purchases which will safeguard the usage of taxpayer funds.

RECOMMENDATION:

Approve the proposed changes to the City’s Purchasing Policy and Procedures.



Purchasing Policy and Procedures



- **Vendors**
- **Purchasing**

- **Credit Card**
- **Business Travel**



PURCHASING POLICY AND PROCEDURES

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PURCHASING POLICY AND PROCEDURES

Introduction

1.00 Introduction

Purchasing is the procurement of materials, supplies, equipment and services. Effective purchasing is buying at the lowest possible cost consistent with the quality needed for effective operation.

This manual is designed to acquaint you with information about the City’s Purchasing policies and procedures. You should read, understand, and comply with all provisions of the manual. The goal of the Finance Department is to provide assistance to departments within the City for securing these materials/services in the most efficient and economical way. Purchasing can only achieve this goal through mutual cooperation with each City department and the vendors. These procedures are to ensure that there will be no fraudulent or discriminating processing of materials or services provided by outside vendors and/or employees. Through adequate planning and teamwork by all departments, much can be accomplished toward furthering the growth and service rendered.

No Purchasing Manual can anticipate every circumstance or question. As the City continues to grow, the City may revise, supplement, or rescind any policies or portion of the manual from time to time as it deems appropriate.

We believe that each Department contributes directly to the City’s growth and success, and we hope you will take pride in being part of the City of Port Lavaca’s Team.



PURCHASING POLICY AND PROCEDURES

Introduction

1.01 Purchasing Manual Acknowledgment Form

The Purchasing Manual describes important information about the City’s internal controls and processes required to manage the day-to-day Accounts Payable operations. The manual is intended to inform Team Members handling accounts payable transactions and other accounting related functions about the formal policy guidelines and processes. These policies ensure that the work performed is consistent with the City’s fiscal and internal control goals.

Since the information, policies, and procedures described in the manual are subject to change, I acknowledge that revisions to the Purchasing Manual may occur. All policy changes require the appropriate authorized approvals before they are implemented. I understand that revised information may supersede, modify, or eliminate existing policies.

I acknowledge that I have received the Purchasing Manual, and I understand that it is my responsibility to read and comply with the policies contained in the manual and any revisions and updates made to it.

(Please return this form to the Human Resources Department for inclusion into Personnel File.)

Team Member's Signature

Date

Team Member's Name (Typed or Printed)

PURCHASING POLICY AND PROCEDURES

Introduction

1.02 Purpose

The purpose of this policy is to establish the responsibilities and authorization limits for the procurement of supplies and services for the City of Port Lavaca. All procurement activities for the City shall be administered in accordance with the provisions of this policy, with the express intent to promote open and fair conduct in all aspects of the procurement process. The Accounts Payable Division is committed to providing quality service through effective teamwork and communication with City departments and vendors alike, in order to fulfill the purchasing needs of the City in a professional, responsive and timely manner in compliance with all City policies and applicable federal, State, and local purchasing laws. Public purchasing has the responsibility to obtain the most value for the tax dollar in a fair, efficient and equitable manner. Our policy is intended to:

- Give all suppliers full, fair, prompt and courteous consideration.
- Keep competition open and fair.
- Cooperate with suppliers and consider possible difficulties they may encounter.
- Observe strict truthfulness and highest ethics in all transactions and correspondence.
- Promote positive supplier relations through courtesy and impartiality.
- Conduct business with potential and current suppliers in an atmosphere of good faith, devoid of any intentional misrepresentation.

1.03 Ethics Policy Statement

Public employment is a public trust. It is the policy of the City of Port Lavaca to promote and balance the objective of protecting government integrity. The foundations of honesty, respect, fairness, equality, teamwork and doing what is right for the citizens and the workplace is of utmost importance to the City of Port Lavaca. We are committed to making our behavior and decisions reflect these important aspects of employment. To accomplish this we will:

- Be honest in all areas of our jobs.
- Treat everyone with respect at all times, allowing for different cultures, abilities, races and belief systems.
- Strive to do the right thing at all times.
- Be accountable for our actions.
- Have standards that are the same for employees at all levels within the City.
- Guard the public's trust and be responsible with the use of revenue and resources.
- Be committed to giving the City of Port Lavaca our best and complete effort daily. Lead by example.

1.04 Conflicts of Interest

No employee or elected official shall have direct or indirect financial interest in any contract and/or purchase with the City, or be directly or indirectly financially interested in the sale of materials, supplies or services to the City.

See the Personnel Policy Manual for further details.

PURCHASING POLICY AND PROCEDURES

Introduction

1.05 Governing Authority

This policy manual is based on state law as found in the Texas Local Government Code and Federal Procurement standards in 2 CFR 200.317 – 2CFR 200.327 and Appendix II to Part 200 for procurement actions to be funded with Federal Funds. Any changes in state law and federal law will automatically supersede City Purchasing Policy. Copies of the Texas Local Government Code can be found in the appendix section of this policy or on the web at <http://www.capitol.state.tx.us>, and <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR45ddd4419ad436d/section-200.318>

Failure to comply with all of the provisions of this policy may result in disciplinary action up to and including termination in addition to any criminal penalties.

1.06 Authorities and Responsibilities

1.06.01 The **Finance Director** will assist as needed in the procurement of supplies, equipment and services for the City either on an individual basis or through annual contracts. These purchases will be in compliance with the Texas Local Government Code.

The Finance Director will:

1. Assist departments in purchasing or contracting of City supplies, equipment, and services.
2. Encourage competition and endeavor to obtain full and open participation in the bid process by all responsible vendors.
3. Maintain confidentiality of all information used in the bid process to be consistent with the State's open records law.
4. Maintain knowledge of current developments in the field of purchasing, prices, market conditions, and new products. Secure for the City the benefits of research done in the field of purchasing by other governmental agencies and private businesses.
5. Utilize all legitimate techniques such as volume buying, cooperative purchasing, and annual contracts to keep costs as low as possible.
6. Promote standardization whenever possible to include general conditions, specifications, quality standards, performance standards, equipment and supplies.
7. Work with departments/divisions to provide specifications with each bid request clearly identifying quantity/quality required and providing a basis for proper bid evaluation.
8. Implement improved methodology, procedures, and innovations in the Purchasing operation.
9. Conduct sale of surplus property and salvage material to be disposed of by the City.
10. Instruct City personnel on purchasing procedures.
11. Ensure compliance with all federal, state, and local laws and regulations.
12. Assist in coordinating and bidding all purchases over \$50,000.

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1.06.02 The using **Department** is/will:

1. Responsible for purchasing most equipment/supplies with a value less than \$50,000.
2. Responsible for obtaining supplies, equipment, and services that will receive the maximum return for dollars expended and not create unnecessary emergency order situations.
3. Complete a requisition form to request a purchase order (“PO”) on orders \geq \$5,000.
4. Use Requisition Request Form to document HUB Vendor search for purchases \geq \$3,000.
5. Encourage competition and endeavor to obtain full and open participation in the bidding process by all responsible vendors.
6. Check to be sure that the appropriate budget line item information is correct and money available before any purchase is made or requested for the sealed bid process.
7. Responsible for verifying that budget accounts are not overspent. If the category lacks a sufficient balance, the requisition could be sent back to the using department. Final determination will be made by the Finance Director and/or City Manager. The department head may then:
 - a. Withdraw the request.
 - b. Request a budget transfer. **Transfers within a department require approval from the City Manager or his/her designee. All other amendments require City Council approval.**
 - c. Transfers from **personnel** lines are not allowed without City Manager prior approval.
8. Verify all of the necessary purchasing information and approvals- determine the appropriate vendor (if necessary), obtain competitive quotes (as deemed necessary), forward the requisition to the Finance department for issuance of the purchase order and follow-up on the receipt of the item purchased.
9. Suggest any new or approved methodology that could be advantageous to the City.
10. Encourage, remind, and instruct all employees involved in the purchasing/bid process to always nurture, maintain and promote good vendor relationships.
11. Responsible for verifying that all materials/services are received and specifications are met. Once materials/services have been received and verified to be correct, indicate receipt of materials, sign/date the receiving copy then forward to Finance for payment. Any variation in quantity must be noted on the receiving copy. If the quantity received does not agree with the vendor's packing slip or the material does not conform to specification, the vendor must be notified immediately.
12. **Instruct vendors to clearly display the Purchase Order Number on all invoices, delivery slips, cases, cartons, boxes, packing slips and bills of lading.**
13. Submit invoices for payments in accordance with Local Government Code **and 2 CFR 200**

Introduction

1.06.03 Accounts Payable is/will:

1. Responsible for routing and receiving any invoices as submitted in a timely manner.
2. Responsible for verifying that each invoice is approved by each department and contains General Ledger account code for payment purposes.
3. Set-up and maintain vendor files in accordance with new vendor setup procedures.
4. Ensure payment of any outstanding invoices submitted and approved by departments in a timely manner.
5. Responsible for attaching any packing slips or receipts of merchandise to invoices for payment processing and paying only for items received as shown on packing slips.
6. Obtain approval to pay from departments if no packing slips have been submitted for invoices received on Purchase Orders.
7. Process required requisitions and provide Purchase Order number to the department.

1.06.04 Delegation of Authority

- A Department Head may delegate departmental purchasing; however, the Department Head will approve all invoices to be paid prior to payment.
- All delegation of authority must be made in writing with a copy provided to the City's Finance Department.

Authorization is not the same as the authority to sign a purchase order, which is the responsibility of the Finance Director. The Finance Director is also responsible to control the numerical sequence of the purchase orders.

Purchasing

2.00 Purchasing Limits and Methods

2.01 Purchasing Limits & Approvals

Dollar Threshold Per Unit Basis	Procurement Method	Purchase Order	Department Head or Designee	Finance Director	City Manager	City Council
\$1,000 or less	Invoice or verbal quote		✓			
\$1,001 to \$5,000	1 written Quote		✓			
\$5,001 to \$10,000	2 written Quotes	✓	✓	✓	*	
\$10,001 to \$49,999 \$99,999	3 written Quotes	✓	✓	✓	*	**
\$50,000 \$100,000 or more	Formal Bids	✓	✓	✓	✓	✓

✓ Denotes signature approval

* All capital purchases exceeding \$5,000 not planned in the annual budget should go to the City Manager prior to purchase.

** All capital purchases exceeding \$25,000 not planned in the annual budget should go to City Council prior to purchase.

Additional Guidelines:

- If acquiring a product, a purchase order is used as it pertains to the guidelines above. Dollar thresholds are on a per unit basis as it applies to approvals and documentation; however, any purchase exceeding \$5,000 requires a purchase order before order is placed.
- If acquiring a service (labor) or product with a service contract, quotes are strongly encouraged where services can be reasonably compared.
- All services that relate to capital projects will be issued a purchase order for tracking purposes indicating Council’s approval date.
- Written price quotations should be sought with unit costs > \$2,999. Two of these quotes **must** be from HUB vendors in Calhoun County if available.

See Section 2.01.01 of this policy for more information on HUB vendors

- **State Law** requires cities to contact at least two historically underutilized businesses whenever possible for purchases between \$3,000 and ~~\$50,000~~ **\$100,000**.
- **Federal** guidance of purchases requires a non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible.
- **State Law** requires cities and counties to use competitive bidding process for any purchases exceeding ~~\$50,000~~ **\$100,000**. For insurance contracts, cities with populations fewer than 75,000 must bid insurance contracts of \$5,000 or more.

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- **Aggregate** purchases that will exceed ~~-\$50,000~~ **\$100,000** are subject to competitive bidding requirements.
- Purchases made through a state approved cooperative purchasing contract satisfy the competitive bidding requirement.
- Emergency purchases or purchases from a sole source vendor are exempt from competitive bidding, however proper documentation must be obtained. **See Section 2.06 Emergency Purchases**
- **Federal** guidance of purchases prohibits awards, subawards and contracts with certain parties that are debarred, suspended or otherwise excluded from or ineligible for participation in Federal programs or activities. See debarment compliance in accordance with System for Award Management (SAM.gov).

All purchases are accumulated in the financial records and compared to the financial budget for fiscal control. Any anticipated purchase that will exceed the department’s budget requires a budget amendment to be approved by the City Council. The Department must provide the Finance Director with a recommended budget amendment to be approved by the City Manager and City Council prior to purchase. **See Section 8.03 of the City Charter - Transfer of Appropriations**

2.01.01 Supporting Documentation (Per Unit Basis)

A unit cost is not necessarily one line item, but can be separate components needed to complete the product and/or asset. Minor purchases are any purchases under \$5,000. Any purchase over \$5,000 is considered a major purchase. The **required supporting documentation** for any purchase is as follows:

Less than or equal to \$1,000 – Invoice, receipt, or other documents (i.e. packing slips, delivery tickets)
Verbal quotes are strongly encouraged for asset purchases > \$499 and total purchases > \$1,000.

\$1,001 to \$5,000 –At least one (1)* vendor written quote attached to the requisition in addition to documentation referenced above. To the extent possible, Minor purchases must be distributed equitably among qualified vendors.

* The Texas Local Government code §252.0215 – requires the City to solicit bids from at least two (2) Historically Underutilized Businesses whenever the expenditure will exceed \$3,000. If, however, there are no HUB vendors listed in the County, the City is exempt from this rule, but must document a search for a suitable HUB vendor was performed.

\$5,001 to \$10,000 – Purchase Order required with at least two (2) vendor written quotes attached to the requisition form in addition to documentation referenced above.

\$10,001 to ~~\$49,999~~ **\$99,999** – Purchase Order required with at least three (3) vendor written quotes attached to the requisition form in addition to documentation referenced above.

~~\$50,000~~ **\$100,000** or more – State law requires formal competitive bidding process. Please contact the Finance Department for guidance.

The City must contact at least two historically underutilized businesses (HUBs) on a rotating basis, for any purchase below bid limits but >\$3,000, based on information provided by the Comptroller’s Purchasing Program. If the list cannot identify a historically underutilized business (HUBs) in the Calhoun County, then the City is exempt from this section. (Pursuant to **Sec. 252.0215 Competitive Bidding in Relation to Historically Underutilized Business** as shown in the appendix section of this policy.)

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To search the Texas Comptroller's most recent master list of certified historically underutilized businesses, go to: <http://www.window.state.tx.us/procurement/cmb/cmbhub.html>.

Compliance with requirements of paragraphs (b)(1) through (5) of 2 C.F.R. section § 200.321 - Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms, must be followed when using state and federal funds. Contacting the local Small Business Administration and the Minority Business Development Agency of the Department of Commerce is a requirement of all federally funded purchases.

2.02 Purchasing Methods

The following methods may be used to purchase goods and services for the City.

2.02.01 Vendor Charge Accounts

Vendors will issue charge invoices to using departments showing date of service, department or buyer signature, description of materials being purchased, and amount due and owing. Using departments will mark each invoice with the appropriate general ledger account code to charge and submit to the Finance Department for payment.

See Section 3.00 - Vendors for further guidelines and restrictions

2.02.02 Requisitions

All employees purchasing an item with a purchase total \geq \$5,000 must request a purchase order ("PO") to be issued. Finance will process required requisitions and provide Purchase Order number to the department. Requisitions should be used for price comparisons and appropriate approvals.

The department must include freight costs as a separate line item in the body of the requisition. Note that freight costs must be considered in determining the awarded vendor(s).

2.02.03 Purchase Orders

All purchases \geq \$5,000 require an approved purchase order (PO) prior to ordering items. Using departments must submit a purchase requisition to the Finance Department for issuance of a PO number **prior to buying** the product. Purchase requisitions $>$ \$5,000 require at least two (2) written quotes to be attached to the purchase requisition.

A purchase order is required for all service contracts and construction contracts after award by City Council. This allows for proper tracking of project through the City's accounting system.

2.02.04 Credit Card

Credit cards may be used for purchases where normal purchasing procedures are not practical (i.e. booking hotel for travel). Purchase Order limits still apply on credit card transactions.

See Section 4.00 – Credit Card Purchases for further guidelines and restrictions

2.02.05 Competitive Bidding

Competitive bidding means to "let" or allow vendors to compete with each other to provide goods and / or services to the City. This process serves two additional purposes. The first purpose is to ensure that public monies are spent properly, legally, and that the best possible value is received for the money. The second purpose is to give those qualified and responsible vendors who desire to do business with the City a fair and equitable opportunity to do so. The use of a standard bidding procedure gives the public assurance that their monies are properly safeguarded.

Competitive bidding can be accomplished on two levels. The first level of bidding consists of contacting vendors, either by telephone or in writing to allow them the opportunity to give a price quotation on a desired good or service. The next level uses a formal sealed bid which is the process that is normally referred to as competitive bidding.

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Under no circumstances shall multiple requisitions be used in combination to avoid otherwise applicable bidding requirements or City Council Approval.

See Sec. 252.021 Competitive Requirements for Purchases, as shown in the appendix section of this policy.

Please note: Individual purchases of less than ~~\$50,000~~ **\$100,000** may require the use of competitive bidding procedures when it is in the best interest of the City.

See Section 2.04 Competitive Procurement Requirements for further guidelines and restrictions.

2.03 Specifications

2.03.01 Definition

A specification is an accurate description of the material or equipment to be purchased. All specifications shall be clear and definite and shall permit competitive bidding except for those items that may be noncompetitive due to patent or distribution rights, etc.

2.03.02 Purpose

The purpose of any specification is to provide vendors with firm criteria of minimum product or service acceptability. A good specification should:

- Set the minimum acceptability of the good or service.
- Promote competitive bidding.
- Contain provisions for reasonable tests and inspection for acceptability of the good or service.
- Provide for an equitable award to the lowest responsible.

2.03.03 Preparing Specifications

The using department, with the advice of the Finance Director, has the primary responsibility for drafting or revising specifications. Specifications must be prepared for each purchase, contract or commitment when requesting competitive procurement.

Where to Obtain Specifications

Departments are encouraged to contact the Finance Director to discuss obtaining specifications from another source.

- **Other Government Entities** – Contact cities, counties, school districts or other entities. Purchasing agents from other government agencies should be helpful
- **The State of Texas** – Access the State of Texas CO-OP Program website: <http://www.window.state.tx.us/coop>.
- **The federal government** – Access the federal procurement data system website: <https://www.fpds.gov/fpdsng/cms/>.
- **Trade associations and vendors** – If using a vendor's specifications, try to remove any "vendor bias," e.g. specifications that fit only one brand name.
- **Other public or private standards and specifications writing associations** – Examples include Underwriters Laboratories and the American National Standards Institute; and
- **Professional associations for procurement managers** – Examples include the National Purchasing Institute and the National Institute of Government Purchasers website: www.nigp.org

2.04 Competitive Procurement Requirements

PURCHASING POLICY AND PROCEDURES

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Purchases ≥ ~~\$50,000~~ **\$100,000** must be competitively bid. Purchases of less than ~~\$50,000~~ **\$100,000** may require the use of competitive bidding procedures when it is in the best interest of the City.

This is done in the following manner:

1. Invitation to Bid (one time purchase or annual contract)
2. Request for Proposal
3. Request for Qualifications

2.04.01 General Guidelines

1. All projects that require competitive bids should be discussed with the Finance Director or Public Works Director at least two weeks before the first advertising date.
2. A list of suggested vendors should be sent to the Public Works Director or Finance Director; especially if you have worked with vendors in obtaining specifications, or have tested / complete a demonstration of their product.
3. Bids shall be submitted to the Finance Director or Public Works Director by the date and time specified in the bid and shall be identified with the bid name on the outside of the envelope.
4. A tabulation of bids will be available after bid opening for public information.
5. Departments should be clear in the specifications of the intent to trade-in equipment.
6. The City shall have the right to reject any or all bids.
7. Identical bids of equal quality and services shall be awarded to the local (City of Port Lavaca) vendor. More information can be found in Section 2.04.03 Award Process.
8. If a vendor makes a mistake in bidding, they may correct or withdraw their bid before the time set for bid opening. After the bid opening, all bids are final. The only relief from an error is an “obvious error”.

2.04.02 Invitation to Bid Procedures

If the purchase is over ~~\$50,000~~ **\$100,000** the sealed bid process must be used unless the purchase meets one of the state allowed exemptions. All federally funded purchases must follow the requirements of 2 CFR 200.

1. Check the budget line to verify that funds are available to cover the purchase.
2. Determine specification of item needed.

See Section 2.03.03 Specifications for further details on writing specifications.

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3. Submit specifications to Finance Director.
4. Finance Director or his/her designee will complete the bid process. The bid process consists of: creating documents, locating vendors, advertising, responding to questions, issuing addenda, opening bid, assisting with evaluation of submitted bids, and notifying vendors / departments of award.
5. Department heads are responsible for assisting the Finance Director or his/her designee in answering technical questions.
6. Once bid process is complete and council approval has been obtained, the Department Head will obtain a purchase order.
7. The vendor copy of the purchase order will be sent to the awarded vendor with a letter notifying them of award and contract terms.

2.04.03 The Award Process

Bid awards for items exceeding ~~\$50,000~~ \$100,000 must be approved (awarded) by Council.

Bid awards are processed as follows:

1. If the competitive sealed bidding requirement applies to the contract for goods or services, the contract must be awarded to the “lowest responsible bidder” or to the bidder who provides goods or services at the “best value” for the city. In determining the “best value” for the city, the city may consider:
 - a. the purchase price;
 - b. the reputation of the bidder and the bidder’s goods or services;
 - c. the quality of the bidder’s goods or services;
 - d. the extent to which the goods or services meet the city’s needs;
 - e. the bidder’s past relationship with the city;
 - f. the impact on the ability of the city to comply with laws and rules relating to contracting with historically underutilized businesses and nonprofit organizations employing persons with disabilities;
 - g. total long-term cost to the city to acquire the bidder’s goods or services;
 - h. any relevant criteria specifically listed in the request for bids or proposals; and
 - i. if the vendor meets requirements regarding suspension and debarment compliance on SAM.gov
2. The Department Head will make a recommendation that is then reviewed and approved by the City Manager who recommends awards to Council.
3. Council meets on the second Monday of each month. Once approved by Council, the Department Head will notify the successful vendors of award.
4. Bid information is then processed and sent to the using departments.
5. **It is very important to document any problems you may encounter with vendors and that you notify the Finance Director and City Manager of the problem. Vendor contracts cannot be terminated without documentation history.**
6. New Products: It shall be the policy of the City to investigate and purchase new products or services for trial whenever possible. New products that are found acceptable will be included in the bid process to

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determine their cost effectiveness. Lesser expensive new products will be evaluated and quoted against the standard product.

7. Local preference may be awarded by City Council if bid is within three percent (3%) of the lowest non-residential bid, pursuant to section 271.905 of the Local Government Code

See Appendix section of this document for further details.

Occasionally a vendor who is not recommended for the bid award will file a protest with the City. It is the responsibility of the Finance Director in conjunction with the requesting Department Head to defend the recommendation to the vendor. **In these situations the importance of clear, defensible specifications and detailed documentation of past vendor performance cannot be over emphasized. In addition, if you are speaking with a vendor and at any point the vendor starts talking about a law suit or any type of legal action, terminate the conversation by directing the vendor to the City Manager's office.**

2.04.04 Annual Contracts

Annual Contracts are bids that have been completed for materials or services that are near or exceed \$25,000 and are regularly used by City departments. Pricing is locked for a set period of time and can be done either through quotes (less than ~~\$50,000~~ **\$100,000**) or by bidding (over ~~\$50,000~~ **\$100,000**). For example, the City seeks an annual contract each year for top soil, sand, and asphalt to obtain the best price with a locked in price.

Items purchased on an annual contract should be processed through the purchase requisition process. This will allow the Finance Department to track expenditures from the awarded contract amount.

In addition to the award process stated above, the Finance Department will receive notification from the Department Head of the awarded vendor along with a copy of the contract to include contract dates, pricing and discounts that apply, contact information, contract number, and any other information needed by the using department.

The contract number must be included on the purchase requisition form. All original signed contracts shall be provided to the City Secretary for filing pursuant to **Texas Local Government Code Section 252.043**.

2.04.05 Reciprocity

The process of evaluating out-of-state bidders is generally known as "reciprocity", which is a process of mutual dependence, action, or influence.

How does this work in a bidding situation? If a nonresident bidder's home state grants a **preference** to its resident bidders, an equal **penalty** is added to the nonresident bidder's proposal when bidding in Texas. The action is opposite, a preference becomes a penalty, but the amount is equal. If you get a preference there, you get a penalty here in an equal amount. Reciprocity and resident bidder preferences **do not** apply in the evaluation of solicitations that involve the use of federal funds.

The list is published annually in the *Texas Register*. The list provided on this web site will be updated as changes occur. The list is a valuable resource. However, the Commission stresses that statutes should be construed in their

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entirety. Before relying on any section for evaluation of a bid, the Commission recommends obtaining and reviewing the relevant law or regulation in its entirety, pursuant to **Texas Government Code Section 2252.003(a)**.

Texas law requires that out-of-state bidders who reside in states that grant resident bidder preferences for that state's purchases be evaluated in the same manner that a Texas resident bidder would be evaluated in the out-of-state bidder's home state, pursuant to **Texas Government Code Section 2251.002**.

2.04.06 Request for Qualifications (RFQ) or Proposals (RFP)

A request for qualifications (RFQ) and a request for proposals (RFP) are similar to the invitation to bid except that the RFQ and RFP are used to obtain professional/consulting services and the purchase of high technology equipment. In addition, once the RFQ and RFP are opened and evaluated, the City may negotiate price and other factors, such as training, with the vendor for the product or service to be purchased.

The following services are considered professional.

- Accounting
- Architecture
- Landscape Architecture
- Medicine
- Optometry
- Professional Engineering
- Real Estate Appraising
- Professional Nursing

A government entity may not select a provider of professional services or a group or association of providers or award a contract for these services on the basis of competitive bids, but shall make the selection and award based on the following:

1. Demonstrated competence and qualifications to perform the services; and
2. Fair and reasonable price;

If considerations are equal, preference shall be given to a consultant whose whole principal place of business is in the state or who will manage the contract wholly from an office in the state.

The professional fees under said contract must be consistent with and not higher than the recommended practices and fees published by the applicable professional associations; and may not exceed any maximum provided by law.

Furthermore, proposals/qualifications are treated differently than competitive bids in that there are additional steps that have to be completed before the proposals are ready for final consideration.

Proposals/qualifications are received publicly, but not opened for inspection. Proposals/qualifications are evaluated one against the other according to the evaluation criteria set in the specifications, and then initially ranked. The proposals/qualifications are then negotiated, and re-ranked to a list of finalists. Additional negotiations may be required before a final selection made.

To determine which process is most appropriate and/or legal, contact the Finance Director for guidance.

Request for Qualifications (RFQ)

The request for qualification process is similar to the sealed bid process except it is used to obtain vendor information for professional services. The process is not used to obtain pricing, but rather in obtaining information regarding vendor availability or when seeking highly technical information.

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Note: A request for qualifications **must** be used when securing engineering or architectural services per **Texas Government Code, Section 2254.004**.

The following information must be included in the request for qualifications (RFQ):

- Introduction – Tells what we are asking for.
- General City Information – States ruling type (home rule), population, and other details that may be of interest or help vendors in preparing their responses.
- Background Information – States what the vendor will be involved in.
- Budget Information
- Scope of Services – What is expected of the vendor such as design/development, preparing bid specifications, pre-qualification statements, construction observation, etc.
- Specific Service Needs/Notes to Firms – Type of experience the City is looking for.
- Timing / Schedule – Provides deadline information.
- Submission Procedures – This should be detailed and state how the proposals should be submitted.
 - Example: Tab 1 – Letter of Submission
 - Tab 2 – Company History
 - Tab 3 – Project Members Resumes
 - Tab 4 – Availability
 - Tab 5 – Statement of Qualifications
 - Tab 6 – Methodology
 - Tab 7 – References
 - Tab 8 – List of past projects
- Questions – Where to submit questions and to whom.
- Pre-Submission Meeting Information
- Selection Process with Evaluation Criteria

RFQ’s are evaluated according to the evaluation criteria detailed in the specifications.

Example:	Experience & Qualifications	20%
	Similar Work Experience	30%
	Quality of Response	15%
	Past Performance	20%
	Capabilities	10%
	HUB Vendor	5%

Request for Professional Services (RFP)

The request for proposal process is also similar to the sealed bid process except it is used to obtain vendor information and pricing for professional services. The process is used to obtain pricing and information for professional services and highly technical equipment.

An RFP should include the following items:

- Scope & Intent of Services
- Definitions of required items/services

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- Minimum Requirements for Performance and Design
- Submission Requirements – For ease of evaluation it is suggested that documents be submitted in a specific order and include the number of copies required.

Example:

Tab 1	Letter of Submission
Tab 2	Company History
Tab 3	Project Members Resumes
Tab 4	Availability
Tab 5	Statement of Qualifications
Tab 6	Methodology
Tab 7	References
Tab 8	List of past projects
Tab 9	Pricing
Tab 10	Financial Statements

- Evaluation Criteria – **Required by law** (Example: 50% price, 25% experience, etc.)
 - a. Price – This will always be a factor, no matter what the purchase. The weight should be based on the difference in systems/services. For example, when there is little difference in the product, price should be weighted heavily. In other cases, the system cost will be less important than its efficiency and the price should be weighted lower.
 - b. Experience – The weight of the experience will depend on the complexity associated with project development or the service provided.
 - c. Other factors – financial resources, service capability, service response time, payment options, upgrade capability & cost, maintenance cost/back up units, reputation of vendor, and other factors determined by the Finance Director or his/her designee.

NOTE: Certain professional standards and/or state law may prohibit negotiation or submission of price.

02.04.07 Federal Grant Awards

The City will perform a cost or price analysis in accordance with 2 CFR 200 using the guidelines outlined below when applicable for federal grant awards. The overall objective for the City is to negotiate total prices that are fair and reasonable.

§ 200.323 Contract cost and price:

(a) The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.

(b) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and, in all cases, where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

(c) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred, or cost estimates included in negotiated prices would be allowable for the non-

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Federal entity under Subpart E—Cost Principles of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.

(d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

2.05 Cooperative Purchasing

Under State Law, a local government may participate in a cooperative purchasing program with another local government or a local cooperative organization.

The City has established memberships to and promotes the participation in cooperative purchasing programs. In addition to participating in inter-local agreements with other cities, the following inter-local agreements have been established with, but not limited to, Houston-Galveston Area Council (HGAC), the State of Texas, Buy Board, and TIPS.

The bids completed by these agencies must have an inter-local clause in them to be used. These agencies can provide great pricing and quick turn-around time for items such as vehicles, software, hardware, heavy equipment and many more types of supplies.

2.06 Emergency Purchases

Texas statutes allow the local government to make emergency or exempted purchases without competitive bidding under specific circumstances. Purchases that are required immediately for purposes that could not reasonably have been foreseen are generally exempt from bids. Emergency purchases are made to meet critical, unforeseen needs of the City and must qualify as an emergency purchase as defined in State law **Local Government Code Chapters 252, 262 and 271**, which can be found in the appendix section of this policy. True emergencies almost always occur as a result of parts and labor needed for unforeseen repairs to equipment that must be kept operational. When an emergency occurs, the need for quotes will be eliminated. However, written explanation must be indicated on the submitted form.

In the event the emergency exceeds ~~\$50,000~~ **\$100,000**, a resolution must be submitted to Council prior to payment for the products or services purchased with the actual fact being certified by the Finance Director and City Manager.

If the product or service is over \$5,000 and under ~~\$50,000~~ **\$100,000**, then as soon as practical submit a copy of the invoice or delivery ticket and the appropriate Purchase Requisition to the Finance Director with written explanation of the emergency situation and an appropriate signature. Finance will document all PO exceptions. Any continuous PO exceptions for lack of planning will be submitted to the City Manager. **Emergencies Created Through Neglect Must Be Avoided.**

Typical examples of neglect are:

- a. Depletion of stock due to lack of planning.
- b. Building or equipment needing repairs for some time, suddenly becoming an emergency overnight.
- c. Orders of materials for projects most of which must be planned weeks or months ahead of time, and requested just before desired use.

2.07 Sole Source Purchases

Minor Purchase Vouchers or Requisitions for any material or service, which can only be supplied by one source, should be accompanied by a written explanation fully describing the conditions, which make the supplier an only source. The using Department will attach this explanation to the accounting copy of the Purchase Requisition to

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support the purchase for audit and justification purposes. If possible, the requesting department should ask the vendor for a sole source letter indicating the specifics of the product availability. The product must be unique and only available from one distribution source. **Items that are only available from one manufacturer are not a sole source if the items can be quoted from more than one distributor.**

Example: Patented Products, Books and Software with exclusive distribution rights

2.08 Capital Purchases / Fixed Assets

2.08.01 Definitions

Capital Purchase– Any item or combination of items over \$5,000 with a useful life greater than one year. These items are charged to the 56XX general ledger budget lines.

Fixed Asset – Any item with a unit cost of \$500 or more and with a useful life greater than one year. A Fixed Asset Form should be turned in to the Finance Department once asset is delivered. The Finance Director has discretion to track assets less than \$500 if determined sensitive in nature.

2.08.02 General Guidelines

All items purchased with a price of \$5,000 or greater and a useful life exceeding one year will be placed on the fixed asset list. Each department will be required to monitor their inventory and be accountable for the location of the asset. Verification of inventory is performed annually.

All sensitive items (i.e. computers, radios, firearms, small equipment etc.) will be tracked in the City's Asset System for internal purposes regardless of price if the Finance Department deems necessary. These items are generally charged to the Non-Capitalized Asset account number 528.03. Asset numbers will be assigned to all assets.

All capital items, regardless of the dollar amount, are approved by the Finance Director.

All capital purchases not planned in the annual budget should be discussed with the City Manager, who will then recommend it go to City Council prior to purchase.

2.09 Disposal of Surplus Property

There are multiple ways to dispose of assets such as: auction, trade-in, and destruction.

Surplus property is equipment owned by the City that is no longer needed. This property must be declared surplus by City Council prior to disposing of the asset.

2.09.01 Fixed Assets

If the property is on the fixed asset list and the department determines it is no longer needed - a Fixed Asset Disposal Form must be completed, signed by the Department Head, and sent to the Finance Department for processing.

2.09.02 General Information

- The Publics Works and Finance Departments coordinate items for auctions (i.e. Chamber Auction in November).
- Departments wanting to pursue other disposal methods should contact the Finance Department.
- Any item that is still operable and has a potential value at auction, please hold for auction.
- Disposition Forms / Fixed Asset Forms are available from the Finance Department.
- After approval by the City Council, equipment should be stored until the property can be removed for

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Section VIII. Item #7.

Purchasing

 auction.

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2.10 Receiving Procedures

2.10.01 Receipt of Merchandise

Receiving personnel will match each item received, noting agreement of the packing slip, invoice, or other shipping data to the P.O. or order confirmation as follows:

1. Vendor's Name
2. Quantity
3. Description
4. Purchase Order Number (if applicable)

Receiving personnel shall specifically review all merchandise received to determine whether there are any items shipped which are damaged or not in conformity with specifications as ordered. A physical count of each item received must also be performed, noting agreement between the quantity received and the quantity shown on the shipping ticket or packing slip. Should a shortage occur, the receiving personnel should notate if any of the items are back ordered, note the quantity next to the quantity ordered, circle the quantity received and place his/her initials next to the quantity received.

2.10.02 Receiving and Reporting Hazardous Materials

Any department receiving for the first time a material classified as being a "hazardous material" by the Environmental Protection Agency (EPA), must forward a copy of the Material Safety Data Sheet (M.S.D.S.) to the City's Fire Chief within five (5) working days of receipt of the materials. The material must also have a "hazardous warning label", a copy of which must also be forwarded to the City's Fire Chief.

NOTE: M.S.D.S. must be available to employees working with any material classified as being "hazardous".

See City Safety Manual for further details

2.10.02 Rejection of Merchandise or Discrepancies

If any items received are damaged or missing or if items are received in excess, the Department Head has the responsibility of communicating with the vendor to resolve the issue.

2.10.03 Completion of the Receiving Process

If all materials ordered have been received, receiving personnel shall sign the shipping ticket or packing slip. The packing slip and invoice, if received, must be forwarded to the Accounts Payable Department for processing.

2.11 Invoice Processing

An Invoice should be treated as a legal document that represents a commitment to make payment to a vendor who has delivered a product or rendered a service to the City. Prior to the processing of all invoices the appropriate documentation must be attached with the authorized signatures. A bona fide invoice is a financial liability that if not recorded in a timely and accurate manner can result in the misstatement of the City's financial records.

2.11.01 Accrued Invoice Liability

An accrued invoice liability is created when an authorized and approved vendor invoice has been received but has not yet been entered into the financial payables system by the end of the fiscal period and where the goods have been received or the services have been provided. Such invoices must be accumulated and the dollar value estimated and accrued in the City's financial records. The City maintains its financial records in compliance with

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the accounting profession's Generally Accepted Accounting Principles (GAAP) for accrual based accounting records. The failure to follow this process under GAAP results in:

- i) An unrecorded liability.
- ii) A potential misstatement of the City's earnings due to missing an expense item in the financial records during the fiscal period.
- iii) A potential understatement of the City's assets due to the failure to record a capital expenditure or material inventory item received before the end of a period closes.

2.11.02 Invoice Documentation

Vendor invoices must have the following documentation prior to entry into the financial payable system:

i) Invoice/Purchase Order/Receiving Report or Packing List

This is a three way match that does not require an approval on the face of the invoice if the Purchase Order (PO) has the required authorized signatures, a receiving report signed and dated, and an invoice that matches the PO. Generally, all purchases in excess of \$1,000 should have this documentation submitted. Any invoices missing the appropriate signatures from authorized personnel will be returned to the originating department to follow-up on the information and resubmit it for processing.

ii) Invoice Only

Invoices without a corresponding PO must be signed by the appropriate authorized person. This might include invoices for purchases of less than \$1,000.00, equipment rentals, office rent or other recurring expenses that are part of an executed agreement with the City. In addition, any invoices exceeding the authorization limits of the signer must have the other appropriate signatures before it can be processed.

2.11.03 Responsibilities

All employees/departments submitting an invoice for entry and processing in the financial system must ensure the appropriate documentation is attached to the invoice. Any invoices submitted missing documentation or authorizations will be returned to the employee or department.

The Department Head is responsible to review all invoices for purchases from their department and ensure the invoices are provided to the Finance Department in a timely manner to meet the vendor terms and internal processing deadlines. In addition, the Department Head must assign a person to attach the appropriate documentation to each invoice prior to submitting it to the Finance Department.

The person assigned by each Department Head is responsible for verifying the receiving report to the purchasing documentation. Each Department will indicate on the packing receipt that all goods are received and "O.K. to pay", then submit the documents to the Finance Department for processing.

The Accounting Clerk Accounts Payable Specialist is responsible for verifying that all appropriate documentation is attached to the invoice and for ensuring the numerical accuracy of each invoice including a review of each unit price exception and variation tolerance limits between the invoices compared to PO price. In addition, the Accounting Clerk must review the cost center coding per the PO to ensure the proper charge to the financial records and an accurate analysis of budget controls.

The Accounting Clerk Accounts Payable Specialist is responsible for determining the value of outstanding purchase commitments that have been fulfilled either through the delivery of goods or the rendering of services to the City at the end of any fiscal period; even though the invoices have yet to be submitted to the Finance Department. This is done by matching

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vendor statements to vendor file in the Incode system. Any invoices not shown paid will be forwarded to the appropriate department for verification following the end of a fiscal period (i.e. end of the month) with the vendor name, invoice date, receipt date and the amount.

2.11.04 Data Entry

Invoices are entered daily by the Finance Department. The Accounting Clerk verifies that each invoice has the appropriate documentation outlined in **section 2.10.02**. At a minimum, the vendor invoice data entered into the financial payables system consists of:

- Invoice Date
- Vendor Name
- Invoice Reference Number
- Invoice Amount (splitting out the shipping and handling charges from the product or service cost)
- PO Number
- General Ledger Code for each item on the invoice
- Description of the item
- The City's account number with the vendor (if applicable)

Any invoice rejected by the financial payables system due to "No Vendor Found" message will result in the invoice being returned to the originating department for proper set up of a new vendor. This will delay the prompt payment of the invoice and the vendor should be notified by the Department Head.

The Accounting Clerk date stamps each vendor invoice with a received date and routes it to the appropriate department. Any invoices, which cannot be determined as to what department it belongs, will be returned to the vendor.

2.11.05 Payment Cycle Schedule

The Finance Department processes payments every other week, in accordance with payroll dates. Checks get mailed out every other Friday. At the discretion of the Finance Department, small check runs may be done in between processing dates, to accommodate due dates or other instances that may require immediate payment. This should be kept to a minimum so as not to interfere with other departmental duties.

3.00 Vendors

3.01 Responsibilities

The City values its relationship with its vendors who provide important goods and services that help in our overall success. Accurate, timely and well organized vendor database files are important to achieve this objective.

Access to the vendor files indirectly provides access to City's cash funds and, therefore, all new vendor set ups and purchases must be approved by authorized employees of the City prior to entry into the vendor database. Accurate maintenance of the vendor transaction history and access to this information is important for the City's ability to negotiate prices, payment terms, cash discounts and rebates.

PURCHASING POLICY AND PROCEDURES

Vendors

Authorized employees who may request a new vendor set up must complete a Vendor Information Form (“VIF”) and forward the VIF with the required information to the Accounts Payable Department. **See Section 3.02.02 and 3.02.03 for further instructions.**

The Accounting Clerk **Accounts Payable Specialist** is responsible for the set up of the vendor database file and ensuring all of the appropriate information is documented on the VIF and include any attachments necessary.

The Accounting Clerk **Accounts Payable Specialist** is responsible for ensuring all vendors entered into the vendor database are authorized, valid and the information entered is accurate.

The Finance Director is responsible for the overall implementation of the City’s Purchasing Policy and Procedures. The Finance Director is specifically directed to the set up, maintenance and accuracy of the vendor file database for this policy. In addition, the Finance Director will coordinate the development and implementation of internal controls to protect against vendor fraud.

3.02 Vendor Maintenance

3.02.01 Vendor Types

There are generally three types of vendors for the City. Each vendor type is an important part of the City’s ability to deliver our products and services.

A) Strategic Vendors

A strategic vendor is an integral part of our business processes and often supplements the City’s operation or management team. These relationships are generally long term in nature and established through a contract that outlines pricing, payment terms, cash discounts and volume rebates. An example of such a vendor is our depository contract vendor. These types of vendors require a competitive bid and must submit a Request for Proposal or a Request for Qualification. The City must obtain at least two proposals from different vendors and the competitive bid analysis should also consider other factors such as quality.

B) Core Vendors

The City will use local and national vendors for purchases where location, price and timely delivery are important criteria. They generally do not require a contract or minimum purchase amount. Often the City will have a couple of vendors to choose from when ordering the particular product or service. These types of vendors only require a Vendor Information Form with the appropriate approvals. The Finance Department reviews these Core Vendors to ensure that the City does not have too many duplicate vendors offering the same product and match it to the best price.

C) Utility/Facility Vendors

The utility and facility vendors provide important services for the City including telephone, gas, power, water and other support services. These vendors are generally able to be price competitive with various types of service offerings and contract terms. A contract is not always required by either the vendor or the City when purchasing these types of services. A Vendor Information Form must still be completed with all of the appropriate information and approvals. The Finance department should be notified when new service locations need to added or deleted with the current vendors on file (i.e. electricity needed at a new location).

PURCHASING POLICY AND PROCEDURES

Vendors

3.02.02 Vendor Information Form

The VIF must be completed for each vendor added to or updated in the City’s vendor database. It requests important information about the vendor to ensure accurate, timely payment and reporting data for the Finance Department. Any vendor invoice submitted for payment that is not an existing vendor or the invoice is not accompanied with a VIF cannot be processed for payment. The invoice will be returned to the department originating the purchase or to the vendor if it is not readily apparent what department originated the purchase.

A copy of the VIF can be found in the appendix section of this document.

All new vendor set ups must be routed through the Accounts Payable for verification and to determine if alternative sources are available in the City’s vendor database. The following management level personnel have authorization to sign off on the VIF to request a new vendor.

- Department Head or his/her designee
- Finance Director

The final approval of a new vendor set up is the Finance Director or his/her designee.

3.02.03 Vendor Tax Information

The Vendor is required to submit a completed W-9 to the Finance Department, pursuant to Federal Regulations 6109. Federal Income Tax law requires the City to have each Vendors taxpayer identification number (TIN) on file. For individuals this would be their social security number, for other entities this is the employer identification number (EIN). If the vendor fails to furnish the City with this information, they may be subject to a \$50.00 penalty imposed by the IRS under Section 6723 and all payments made to the Vendor could be subject to 28% backup withholding.

3.02.04 Vendor Code

The vendor code is the system assigned number for identifying each new vendor in the City’s database. The sort key is the first 15 letters of the vendor name used to easily identify the vendor for all personnel who access data about the vendor.

3.02.05 Vendor Statistic Analysis

On a periodic basis, the Finance Department performs a review of the vendor files. The purpose of the analysis is to provide management with information to assist in the negotiation of prices, payment terms, cash discounts and volume rebates with the City’s vendors. It also provides an opportunity to analyze purchasing trends and amounts that appear to be irregular or unusual in order to prevent vendor fraud. Vendor files with no activity for 2 years will be moved to inactive status. Vendor files with no activity after 5 years will be purged.

3.02.06 Annual Information Return

Form 1099’s are required to be issued once payments total \$600 or more for rents, services, prizes or awards, medical and health care payments, gross proceeds to an attorney, or certain other payments. Certain payments to individuals, partnerships and certain corporations must be reported. We will not have to file an Annual Information Return, Form 1099 NEC or Miscellaneous, for certain corporations, tax-exempt organizations, government agencies or other exempt payees. The information submitted on the vendor W-9 determines whether the vendor will receive a 1099-NEC or MISC. Forms 1099-NEC or MISC will be issued in the month of January and must be postmarked on or before January 31st of each year.

PURCHASING POLICY AND PROCEDURES

Credit Card Purchases

4.00 Credit Card Purchases

4.01 Purpose

The City issues a credit card to certain authorized employees for convenience of qualified business transactions and to take advantage of possible preferred vendor discounts offered to the City. The City card is not a replacement for a personal credit card and any personal purchases on the card are strictly prohibited. In addition, credit cards are not for use in the purchase of materials for inventory or capital expenditures.

Credit cards should not be carried permanently by the cardholder in their purse or billfold in order to prevent the potential for the card being lost or stolen and consequently resulting in unauthorized purchase transactions.

The issuance of a credit card to an employee provides the user with an ability to commit City cash funds to buy certain goods or services. All purchases must be eligible to charge to the card and requires the appropriate documentation to adequately safeguard City assets. Any misuse of the Credit Card must be reported immediately to the offender’s supervisor and Finance Director.

The City maintains its financial records on an accrual basis in compliance with the accounting profession’s Generally Accepted Accounting Principles (“GAAP”) for accrual based accounting records. An accurate accounting of the charges to the credit card and the submission of the monthly statements to the Finance Department is critical to assuring costs are recorded in the correct fiscal period. Failure to follow the principles and practices of this policy can result in:

- i) Unrecorded expense liabilities,
- ii) A potential misstatement of the City’s earnings due to missing an expense item in the financial records during the fiscal period.
- iii) Additional finance charges

4.02 Responsibilities

All employees issued a card are responsible for record keeping and the monthly transactions including obtaining and submitting receipts for the purchases with the monthly statement. The employee is also responsible to submit original receipts with their monthly statement. The Finance Department prefers receipts be turned in as they are made with proper account code and written description of business purpose.

The Accounting Clerk is responsible for reconciling the credit card statement received directly from the City’s bank to the credit card statements received from the employee. Any disputes or discrepancies must be investigated immediately and resolved in order to avoid the assessment of late fees. The Accounting Clerk must also review the credits and returns on the card with the supporting documentation submitted by the employee to assess the validity and completeness of the transaction. Any lack of documentation or support must be communicated immediately to the employee and resolved in a timely manner.

The Finance Director is responsible for issuing the credit card agreements to appropriate authorized personnel. All agreements must be returned to the Finance Director prior to the issuance of the credit card.

4.02 Procedures

4.02.01 Credit Payment Cycles

The monthly cycle closes on the 5th day of each month.

PURCHASING POLICY AND PROCEDURES

Credit Card Purchases

4.02.02 Card Cancellation

All cards must be immediately cancelled when an employee terminates employment with the City or assumes another position that does not require the use of the credit card. Please notify the Finance Director immediately, cut the credit card, and return it to the Finance Department.

4.02.03 Dollar Limits of the Credit Card

Each credit card issued has monthly and single transaction limits. Any request to raise the limit must be submitted to the Finance Director in writing and authorized by the City Manager.

Definition of a single purchase-

A single transaction is defined as one or more items purchased from the same vendor at the same time on the same day. Any intentional circumvention of this policy is strictly prohibited and can result in the discipline up to and including immediate termination of employment.

4.02.04 When to Use the Credit Card

The Credit Card is a card that can be used primarily for out of town travel on City business and sometimes for small purchases where City accounts are not set up. It is a fast and flexible tool which offers an alternative to the existing purchasing processes and provides an extremely efficient and effective method for purchasing and paying of small dollar items and for travel-related expenses. Dollar limits are programmed on an individual basis as set and approved by the City Manager. **The card is to be used only for official city purchases.**

The Credit Card will enable you to purchase non-restricted commodities by telephone, the internet, or in person directly from the vendors. It will eventually decrease the need for issuing low dollar purchase orders and save on the number of checks generated. Check with your department supervisor or the Finance Department for any other purchases not listed here.

- 1) Airline tickets
- 2) Hotel accommodations for travel
- 3) Car rental for travel
- 4) Registrations for conferences
- 5) Ground transportation for travel
- 6) Fax charges when traveling
- 7) Business meals
- 8) Authorized memberships or subscriptions
- 9) Certain online promotional items and/or educational publications

4.02.05 Excluded Charges from the Credit card Program

The following are a few examples from a list of charges that are not allowed as purchases using the Credit Card.

- Personal Use
- Inventory raw materials or finished goods
- Capital expenditures (e.g. computers, equipment, fax machines, phones, printers...)
- Long term leases or equipment rentals
- Property leases including short term or long term storage
- Cell phone payments (must be submitted through an expense report)
- Alcoholic beverages

Check with your Department Head or the Finance Department if you have any questions about whether a charge is valid or not under the credit card program. Credit cards should not be used to avoid setting up a vendor or circumvent the normal purchasing procedure.

PURCHASING POLICY AND PROCEDURES

Credit Card Purchases

4.02.06 Receipts Documentation

All charges on the credit card require an original detailed receipt from the vendor as support for the transaction. If the charge is invoiced to the user, then it should be sent directly to the user's department. Receipts must include at a minimum: 1) vendor name 2) amount 3) date of transaction 4) description of the items purchased. Receipts that do not include this minimum documentation are not considered acceptable. If a receipt cannot be produced for a charge to the City's credit card, the user will be required to fill out a "Lost Receipt" form and submit to both the City Manager and Finance Director for approval. Habitual lost receipts will result in revocation of credit card privileges.

4.02.07 Distribution of Credit card Statements

The Credit Card statement is automatically billed and sent to the Finance Department by the financial institution breaking down the charges by cardholder name and department. A copy will be sent to the cardholder's department only if and when receipts have not been submitted.

4.02.08 Dates and Deadlines

The Finance Department must receive the cardholder's statement and supporting documentation by the 15th of the month. If the information received is incomplete, a notice will be sent to the cardholder via email as a reminder. If the documentation is still not received by the Finance Department after one week, then a notice will be sent to the cardholder's department manager for follow up. If there is still no response after the notice to the department manager within one week of the 2nd notice, then the cardholder's account will be deactivated and no further transactions will be allowed. In order for the cardholder to be reinstated, the Finance Director and City Manager will assess the cardholder's history and determine if reinstatement is warranted.

4.02.09 Lost Cards

If a card is lost or stolen, please notify immediately:

- i) Bank Card Division
 - a. 800-556-LOST(5678)
- ii) Finance Director
 - a. 361-552-9793 Ext. 234

4.02.10 Misuse and Credit Card Violations

The following is a list of violations of the card program policy. Repeated violations can result in the deactivation of your card and penalties including possible termination of employment.

- Unacceptable Purchases (**see section 4.02.05**)
- Unacceptable documentation (**see section 4.02.06**)
- Missed deadlines for submitting the Credit Card documentation
- Intentional circumvention of the authorized limits such as splitting transactions to avoid the single transaction limit (**see section 4.02.03**)

Accidental misuse of the city credit card will result in the suspension of card use for 30 days for the first infraction. A second infraction will result in the permanent removal of credit card privileges.

PURCHASING POLICY AND PROCEDURES

Business and Travel Expenses

5.00 Business and Travel Expense Policy

5.01 General Information

The purpose of this administrative policy is to establish a standing City policy regulating out-of-town travel, local meetings, personal car usage, and/or other expenses incurred by City employees, elected officials, and appointed officials who are authorized to officially represent the City at various conferences, meetings, conventions, seminars, and other business functions. Travel and Training expenses must be generated for a business purpose. The purchase of personal items will not be reimbursed by the City. The application of this policy must be consistent throughout the City and any exceptions must be reported and reviewed by the Finance Director.

The timely reporting of travel and/or training expenses is important for the City to maintain accurate financial records and ensure the items purchased are recorded as expenses in the correct fiscal period. Expenses incurred during the period but not recorded in the financial records results in the misstatement of the City's reported financial results and its failure to follow Generally Accepted Accounting Principles (GAAP). The GAAP rules require expenses to be recorded in the period that they were incurred.

This section outlines the allowable expenses. Noncompliance with the policy can be punishable by penalties up to and including termination of the employee.

5.02 Responsibilities

All employees requesting the reimbursement of travel and entertainment expenses incurred on behalf of the City must submit a Travel Expense Report. Section **5.02** contains the guidelines of allowable expenses along with the authority and dollar value limits.

The Department Head must verify all of the necessary expense information, including attached receipts documenting the charges, and determine that the charges do not exceed the allowable limits.

5.03 Procedures

5.03.01 Travel Guidelines

All business travel within the State must be approved by the Department Head. All out of State travel should be approved by the City Manager prior to any registration.

5.03.02 Eligible Expenses

Eligible expenses while traveling away from home are:

Registration – Registration fees for conferences, seminars and conventions are paid by the City, if deemed as City business. Registration prepaid by the City must include documentation. If registration is not prepaid, a registration receipt must be included with backup material upon submission of the travel expense report.

Air Travel – Only “coach” flights will be authorized for air travel to conferences or meetings. Advance purchase, non-refundable tickets are considered standard air travel. All out of state travel must be approved by the City Manager.

**The City credit card may be used to purchase airline tickets. However, use of the credit card to purchase airline tickets for family members/friends is strictly prohibited.*

PURCHASING POLICY AND PROCEDURES

Business and Travel Expenses

Local Business Meals are reimbursable with the approval of the Department Head. No advances will be given for Business Meals. Reimbursement may only be requested for legitimate business meals. Supporting documentation must be provided detailing the date, place, name of individuals attending and the business purpose when requesting reimbursement. *Tax exempt forms can be provided by the Finance Department to avoid charges of sales tax on meals. The City credit card may be used to purchase business meals.*

Meals & Incidental Expense (M&IE) Rates - Per IRS regulation, per diem rates are only allowed while an employee is traveling away from home overnight on business. Meals that are included in registration cost or provided at no cost to the employee will be taken into consideration when reimbursements are determined. Please consult the United States General Services Administration (GSA) website or contact the Finance Department for the current rates. The first and last day of travel is calculated at 75 percent.

Lodging- Overnight lodging is an eligible expense with the approval of the Department Head. If attending a conference where a block of rooms has been designated for attendees, the employee is required to participate at reduced costs. Only single room rates are reimbursable with the exception being if two employees share a room. If an employee's family member or friend accompanies them on travel, the employee is expected to pay the difference between the single room rate and the rate for two or more persons. As a general rule, the day preceding the day which the conference/seminar begins is considered a travel day. Lodging expense is eligible for the night preceding the conference/seminar.

** You may use the City credit card for the purpose of reserving and checking out of a hotel room or you may request a check in advance to pay for the hotel room upon arriving at your destination site. Hotel stays are not tax exempt.*

Car rental- Car rental at the destination site will be reimbursed if the cost to the City is less than other modes of transportation, such as taxi, bus or shuttle. Reimbursement will be limited to the most economical car available. If shuttles are available to/from airport and conference site, a car rental will be deemed unnecessary. Any exceptions would require Department Head and City Manager approval.

Mileage reimbursement (private automobile only) - An employee traveling on extended business in their private vehicle may request mileage reimbursement. The standard business mileage rate as determined by the IRS Publication 463 is used to calculate mileage reimbursement. To determine the number of miles, the City will utilize mapping tools available on the internet. Printed driving directions (using the shortest route) are required to be submitted as part of your travel report. Mileage is calculated from the lesser of the employee's business site or home site to the destination site. When two or more people are traveling to the same destination, every effort should be made to utilize one vehicle.

**An employee receiving a car allowance will not be eligible for mileage reimbursement for trips made within Calhoun, Victoria, and Jackson Counties.*

** Insurance coverage for personal vehicles is the responsibility of the employee traveling, as the city will not be responsible for cost incurred due to an accident.*

Tips and Gratuities- Gratuities on meals and taxis should not exceed fifteen (15%) of the cost of the meal or taxi fare. Tips to bellhops should be reasonable in amount.

PURCHASING POLICY AND PROCEDURES

Business and Travel Expenses

Incidental travel expenses include the following:

- Public Transportation between hotel and seminars or conference location, to/from airport and hotel, etc.
- Toll Fees
- Parking for both private and city-owned vehicles. Self-Parking is preferred for hotel parking.
- Business phone calls
- Gasoline purchased for city vehicles.

Prohibited Expense – Dry cleaning and/or laundry service, alcoholic beverages, pay-per-view movies, personal phone calls, etc. are prohibited. ***Use of City credit card for anyone other than the authorized person(s) traveling on official city business is strictly prohibited.***

5.03.03 Expense Report and Receipt Documentation

Complete Expense Report Promptly - Upon return from travel, the employee shall promptly fill out an expense report for approval by the department head within ten (10) working days. The Finance Director must approve all expense reports prior to payment processing.

Itemized Receipts - Each claim of expense must be supported with an acceptable detailed receipt. Some incidental items such as parking or tipping will not have a receipt available. In these cases, a handwritten receipt will be acceptable.

Return of Unused Funds - The City of Port Lavaca follows the IRS Guidelines for Accountable Plans. Under an Accountable Plan where an advance of City's funds was made and not entirely used, or if the trip was not taken, the employee shall return the unused funds to the City when the expense report is filed.

In addition, any expenses charged to the City not adequately accounted for within a reasonable period of time must be reimbursed to the City.

For example, you were issued an advance and did not spend all the money or you do not have proof of all your expenses- you have an excess reimbursement.

5.03.04 Advances

Travel advances are considered the exception and not the rule when an employee travels on business. If a travel advance is necessary, then a check request must be submitted by the Department Head to the Finance Department with sufficient notice prior to the travel date in order to process the payment in a timely manner. The amount of an advance may not exceed estimated meal and hotel charges and any exception to this policy must be provided in writing from the City Manager.

5.03.05 Reimbursement

The City reimburses the employee in the form of a check, issued every other week in accordance with payroll dates and may be picked up in the Finance Department. If the funds are available, employee may receive reimbursement from petty cash for small amounts.

Falsification of travel expenses shall result in disciplinary action, up to and including termination.

PURCHASING POLICY AND PROCEDURES

Appendix

6.00 Appendix

6.01 Definitions

6.01.01 Local Government Code, Section 252.001, Definitions, In this chapter:

- (1) *"Bond funds" includes money in the treasury received from the sale of bonds and includes the proceeds of bonds that have been voted but have not been issued and delivered.*
- (2) *"Component purchases" means purchases of the component parts of an item that in normal purchasing practices would be purchased in one purchase.*
- (3) *"Current funds" includes money in the treasury, taxes in the process of being collected in the current tax year, and all other revenue that may be anticipated with reasonable certainty in the current tax year.*
- (4) *"High technology procurement" means the procurement of equipment, goods, or services of a highly technical nature, including:*
 - (A) *data processing equipment and software and firmware used in conjunction with data processing equipment;*
 - (B) *telecommunications equipment and radio and microwave systems;*
 - (C) *electronic distributed control systems, including building energy management systems;*
 - and*
 - (D) *technical services related to those items.*
- (5) *"Planning services" means services primarily intended to guide governmental policy to ensure the orderly and coordinated development of the state or of municipal, county, metropolitan, or regional land areas.*
- (6) *"Separate purchases" means purchases, made separately, of items that in normal purchasing practices would be purchased in one purchase.*
- (7) *"Sequential purchases" means purchases, made over a period, of items that in normal purchasing practices would be purchased in one purchase.*
- (8) *"Time warrant" includes any warrant issued by a municipality that is not payable from current funds.*

6.01.02 Texas Government Code, Subtitle F. State and Local Contracts and Fund Management, Chapter 2251. Payment For Goods And Services, Subchapter A. General Provisions, 2251.001. Definitions, In this chapter:

- (1) *"Goods" includes supplies, materials, or equipment.*
- (2) *"Governmental entity" means a state agency or political subdivision of this state.*
- (3) *"Payment" means money owed to a vendor.*
- (4) *"Political subdivision" means:*
 - (A) *a county;*
 - (B) *a municipality;*
 - (C) *a public school district; or*
 - (D) *a special-purpose district or authority.*
- (5) *"Service" includes gas and water utility service.*
- (6) *"State agency" means:*
 - (A) *a board, commission, department, office, or other agency in the executive branch of state government that is created by the constitution or a statute of this state, including a river authority and an institution of higher education as defined by Section 61.003, Education Code;*
 - (B) *the legislature or a legislative agency; or*

PURCHASING POLICY AND PROCEDURES

Appendix

(C) the Supreme Court of Texas, the Court of Criminal Appeals of Texas, a court of appeals, a state judicial agency, or the State Bar of Texas.

(7) "Subcontractor" means a person who contracts with a vendor to work or contribute toward completing work for a governmental entity.

(8) "Vendor" means a person who supplies goods or services to a governmental entity. The term includes Texas Correctional Industries.

6.02 Local Government Code Statutes

Subchapter B. Competitive Bidding or Competitive Proposals Required Sec. 252.021 Competitive Requirements for Purchases

1. Before a municipality may enter into a contract that requires an expenditure of more than \$50,000 from one or more municipal funds, the municipality must:

- 1) Comply with the procedure prescribed by this subchapter and Subchapter C for competitive sealed bidding or competitive sealed proposals;*
- 2) Use the reverse auction procedure, as defined by Section 2155.062(d), Government Code, for purchasing; or*
- 3) Comply with a method described by Subchapter H or J, Chapter 271.*

(B) A municipality may use the competitive sealed proposal procedure for the purchase of goods or services, including high technology items and insurance.

(C) The governing body of a municipality that is considering using a method other than competitive sealed bidding must determine before notice is given the method of purchase that provides the best value for the municipality. The governing body may delegate, as appropriate, its authority under this subsection to a designated representative. If the competitive sealed proposals requirement applies to the contract, the municipality shall consider the criteria described by Section 252.043(b) and the discussions conducted under Section 252.042 to determine the best value for the municipality.

This chapter does not apply to the expenditure of municipal funds that are derived from an appropriation, loan, or grant received by a municipality from the federal or state government for conducting a community development program established under Chapter 373 if under the program items are purchased under the request-for-proposal process described by Section 252.042. A municipality using a request-for-proposal process under this subsection shall also comply with the requirements of Section 252.0215.

PURCHASING POLICY AND PROCEDURES

Appendix

Local Government Code, Section 252.043. Award of Contract

(a) *If the competitive sealed bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or to the bidder who provides goods or services at the best value for the municipality.*

(b) *In determining the best value for the municipality, the municipality may consider:*

- (1) *the purchase price;*
- (2) *the reputation of the bidder and of the bidder's goods or services;*
- (3) *the quality of the bidder's goods or services;*
- (4) *the extent to which the goods or services meet the municipality's needs;*
- (5) *the bidder's past relationship with the municipality;*
- (6) *the impact on the ability of the municipality to comply with laws and rules relating to contracting with historically underutilized businesses and nonprofit organizations employing persons with disabilities;*
- (7) *the total long-term cost to the municipality to acquire the bidder's goods or services; and*
- (8) *any relevant criteria specifically listed in the request for bids or proposals.*

(c) *Before awarding a contract under this section, a municipality must indicate in the bid specifications and requirements that the contract may be awarded either to the lowest responsible bidder or to the bidder who provides goods or services at the best value for the municipality.*

(d) *Except as provided by Subsection (d-1), the contract must be awarded to the lowest responsible bidder if the competitive sealed bidding requirement applies to the contract for construction of:*

- (1) *highways, roads, streets, bridges, utilities, water supply projects, water plants, wastewater plants, water and wastewater distribution or conveyance facilities, wharves, docks, airport runways and taxiways, drainage projects, or related types of projects associated with civil engineering construction;*
or
- (2) *buildings or structures that are incidental to projects that are primarily civil engineering construction projects.*

(d-1) *A contract for construction of a project described by Subsection (d) that requires an expenditure of \$1.5 million or less may be awarded using the competitive sealed proposal procedure prescribed by Section 271.116.*

(e) *If the competitive sealed bidding requirement applies to the contract for construction of a facility, as that term is defined by Section 271.111, the contract must be awarded to the lowest responsible bidder or awarded under the method described by Subchapter H, Chapter 271.*

(f) *The governing body may reject any and all bids.*

(g) *A bid that has been opened may not be changed for the purpose of correcting an error in the bid price. This chapter does not change the common law right of a bidder to withdraw a bid due to a material mistake in the bid.*

(h) *If the competitive sealed proposals requirement applies to the contract, the contract must be awarded to the responsible offer or whose proposal is determined to be the most advantageous to the municipality considering the relative importance of price and the other evaluation factors included in the request for proposals.*

(i) *This section does not apply to a contract for professional services, as that term is defined by Section 2254.002, Government Code.*

Section 252.0215 Competitive Bidding in Relation to Historically Underutilized Business which states:

A municipality, in making an expenditure of more than \$3,000 but less than \$50,000, shall contact at least two historically underutilized businesses on a rotating basis, based on information provided by the comptroller pursuant to Chapter 2161, Government Code. If the list fails to identify a historically underutilized business in the county in which the municipality is situated, the municipality is exempt from this section.

PURCHASING POLICY AND PROCEDURES

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Section 252.049(b) Confidentiality of Information in Bids or Proposals

(b) If provided in a request for proposals, proposals shall be opened in a manner that avoids disclosure of the contents to competing offerors and keeps the proposals secret during negotiations. All proposals are open for public inspection after the contract is awarded, but trade secrets and confidential information in the proposals are not open for public inspection.

Subchapter D. Enforcement Sec. 252.062 Criminal Penalties states:

A municipal officer or employee commits an offense if the officer or employee intentionally or knowingly makes or authorizes separate, sequential, or component purchases to avoid the competitive bidding requirements of Section 252.021. An offense under this subsection is a Class B misdemeanor.

A municipal officer or employee commits an offense if the officer or employee intentionally or knowingly violates Section 252.021, other than by conduct described by Subsection (a). An offense under this subsection is a Class B misdemeanor.

A municipal officer or employee commits an offense if the officer or employee intentionally or knowingly violates this chapter, other than by conduct described by Subsection (a) or (b). An offense under this subsection is a Class C misdemeanor.

Section 252.063. Removal; Ineligibility states:

The final conviction of a municipal officer or employee for an offense under Section 252.062 (a) or (b) results in the immediate removal from office or employment of that person.

For four years after the date of the final conviction, the removed officer or employee is ineligible: to be a candidate for or to be appointed or elected to a public office in this state; to be employed by the municipality with which the person served when the offense occurred; and To receive any compensation through a contract with that municipality. This section does not prohibit the payment of retirement or workers' compensation benefits to the removed officer or employee.

Sec. 271.905. Consideration of Location of Bidder's Principal Place of Business states:

(a) In this section, "local government" means a municipality with a population of 200,000 or less, a county with a population of 400,000 or less, or another political subdivision authorized under this title to purchase real property or personal property that is not affixed to real property. The term does not include a school district.

(b) In purchasing under this title any real property or personal property that is not affixed to real property, if a local government receives one or more bids from a bidder whose principal place of business is in the local government and whose bid is within three percent of the lowest bid price received by the local government from a bidder who is not a resident of the local government, the local government may enter into a contract with:

(1) the lowest bidder; or

(2) the bidder whose principal place of business is in the local government if the governing body of the local government determines, in writing, that the local bidder offers the local government the best combination of contract price and additional economic development opportunities for the local government created by the contract award, including the employment of residents of the local government and increased tax revenues to the local government.

(c) This section does not prohibit a local government from rejecting all bids.

Appendix

6.03 Texas Government Code Statutes

Texas Government Code, Subtitle F. State and Local Contracts and Fund Management, Chapter 2251. Payment for Goods and Services, Subchapter B. Payments and Interest, Sec. 2251.021. Time for payment by Governmental Entity states:

- a) *Except as provided by Subsection (b), a payment by a governmental entity under a contract executed on or after September 1, 1987, is overdue on the 31st day after the later of:*
 - 1) *the date the governmental entity receives the goods under the contract;*
 - 2) *the date the performance of the service under the contract is completed; or*
 - 3) *the date the governmental entity receives an invoice for the goods or service.*
- b) *A payment under a contract executed on or after September 1, 1993, owed by a political subdivision whose governing body meets only once a month or less frequently is overdue on the 46th day after the later event described by Subsections (a)(1) through (3).*
- c) *For a contract executed on or after July 1, 1986, and before September 1, 1987, a payment by a governmental entity under that contract is overdue on the 46th day after the later event described by Subsections (a)(1) through (3).*
- d) *For purposes of this section, the renewal, amendment, or extension of a contract executed on or before September 1, 1993, is considered to be the execution of a new contract.*

Texas Government Code, 2252.002. Award of Contract to Nonresident Bidder, states:

“A [Texas] governmental entity may not award a governmental contract to a nonresident bidder unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident’s principal place of business is located.”

Texas Government Code, Sec. 2252.003. Publication of Other States' Laws on Contracts states:

- (a) *The General Services Commission annually shall publish in the Texas Register:*
 - (1) *a list showing each state that regulates the award of a governmental contract to a bidder whose principal place of business is not located in that state; and*
 - (2) *the citation to and a summary of each state's most recent law or regulation relating to the evaluation of a bid from and award of a contract to a bidder whose principal place of business is not located in that state.*
- (b) *A governmental entity shall use the information published under this section to evaluate the bid of a nonresident bidder. A governmental entity may rely on information published under this section to meet the requirements of Section 2252.002.*

PURCHASING POLICY AND PROCEDURES

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Texas Government Code, Subtitle F. State and Local Contracts and Fund Management, Chapter 2254. Professional and Consulting Services, Subchapter A. Professional Services, Sec. 2254.004, Contract for Professional Services of Architect, Engineer, or Surveyor

- (a) In procuring architectural, engineering, or land surveying services, a governmental entity shall:
 - (1) first select the most highly qualified provider of those services on the basis of demonstrated competence and qualifications; and*
 - (2) then attempt to negotiate with that provider a contract at a fair and reasonable price.**
- (b) If a satisfactory contract cannot be negotiated with the most highly qualified provider of architectural, engineering, or land surveying services, the entity shall:
 - (1) formally end negotiations with that provider;*
 - (2) select the next most highly qualified provider; and*
 - (3) attempt to negotiate a contract with that provider at a fair and reasonable price.**
- (c) The entity shall continue the process described in Subsection (b) to select and negotiate with providers until a contract is entered into.*

6.04 Forms

You may contact the Finance Department for copies of the following forms.

PURCHASING POLICY AND PROCEDURES

Appendix

Requisition Form



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

CITY OF PORT LAVACA REQUISITION REQUEST FORM

Expedited Review

PURCHASE ORDER #
 (Assigned by Finance)

Section I - General Information

Requisitioned by: _____
 (Name) (Title)

Department: _____

Project: _____

Description of Goods/Services: _____

DATE: _____

Name of Vendor _____

G/L Acct #: _____

Project #: _____ Line #: _____

Total: _____

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?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	PSA/Contract # _____
Sole Source?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
Single Source?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
Professional Services?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
Emergency Purchase?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	

* If yes, City Manager authorization _____

Competitive Bid? Yes No Attach bid tabulation and Council minutes

	Quotation #1	Quotation #2	Quotation #3
	\$1,001 - \$5,000	\$5,001 - \$10,000	\$10,001 - \$49,999
	PO NOT REQUIRED	\$3,000	HUB Vendor Search-----\$49,999
Name of Company			
Telephone Number			
Contact Person			
Email Address			
Quotation #			
Total Price Quoted			

Section IV - Approvals

Department Head or Designee: _____ Date: _____

To be routed for signature by Finance staff:

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

*Revised 02/27/2025

Appendix
Vendor Information Form

Vendor Information Form

VENDOR/PAYEE NAME
 Vendor Name: _____ Date: _____

MAILING ADDRESS INFORMATION
 Address: _____
 Address: _____
 City, State: _____
 Zip Code: _____

REMIT TO ADDRESS (if different from mailing address)
 Address: _____
 Address: _____
 City, State: _____
 Zip Code: _____

CONTACT INFORMATION
 Contact Name: _____ Phone: _____
 Email: _____ Fax: _____

PAYMENT METHOD
 Please check one:
 Check ACH Electronic Payment
 Bank Routing # _____ Banking Institution _____
 Bank Account # _____

SIGNATURE INFORMATION
 The information provided on this vendor information form is true and correct.
 Authorized Vendor Signature: _____
 Return this form and completed W-9 tax form to the Accounts Payable Department by fax at 361-552-6062 or email at gcantu@portlavaca.org. If you have any questions, you may contact Giani Cantu at 361-552-9793 ext.237.

THIS SECTION COMPLETED BY COMPANY

Approved by: _____
 System Assigned Vendor Code: _____
 Date Entered _____

**Appendix
Expense Report**



TRAVEL/TRAINING REQUEST

Travel Expense (Section 1,2,4)
 Advance Expense (Section 1,2,4)
 School/Workshop/Seminar (Section 1,3,4)

Employee: _____ Department _____ Date _____

Section 1: Description of Travel/Training

Location _____ Beginning _____ Through _____

Section 2: Type of Expense

	Total Cost	Funds Advanced	Prepaid By City	Reimbursement
Registration/Tuition				
Travel				
Meals (s)				
Lodging				
Other (List)				
Total Advanced Requested:			Total Reimbursement:	

I hereby certify the above expenditures represent funds spent for legitimate City business. I have attached all receipts that apply.

Employee Signature _____ Date _____

Section 3: Type of Training

<p><u>Reason for Application</u></p> <p><input type="checkbox"/> Special Training for employee's job classification</p> <p><input type="checkbox"/> Special training for another job classification</p> <p><input type="checkbox"/> Required training for certification on employee's job classification</p> <p><input type="checkbox"/> Required training for certification on another job class classification</p> <p><input type="checkbox"/> Other _____</p>	<p><u>Type of Application</u></p> <p><input type="checkbox"/> To attend on city time and expense</p> <p><input type="checkbox"/> To attend on employee's time and expense</p> <p><input type="checkbox"/> To attend on employee's time at city expense</p> <p><input type="checkbox"/> Other _____</p>
--	--

Section 4: Authorization

APPROVED OR DISAPPROVED
 Reasons for actions: _____
 Signature of Supervisor/Dept. Head: _____ Date _____

APPROVED OR DISAPPROVED
 Reasons for actions: _____
 Signature of City Manager/Personnel Director _____ Date _____

COMMUNICATION

SUBJECT: Consider Second and Final reading of an Ordinance (G-12-25) of the City of Port Lavaca; amending Code of Ordinances, Chapter 48, Traffic and Vehicles, addition of new Article VI, Golf Carts and Off-highway Vehicles; 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: OCTOBER 13, 2025

DATE: 10.08.2025

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: CONSIDER ADOPTING AN ORDINANCE ALLOWING THE OPERATION OF GOLF CARTS, RECREATIONAL OFF-HIGHWAY VEHICLES AND UTILITY VEHICLES TO OPERATE ON PUBLIC STREETS.

As discussed in the August 25, 2025 workshop, there has been a request regarding the City of Port Lavaca allowing golf carts, recreational off-highway vehicles and utility vehicles to operate on public streets. The thought is that it would give our coastal city a more relaxing and laid back coastal feel. This feel would help intise tourist to visit our city.

The proposed ordinance allows golf carts, recreational off-highway vehicles and utility vehicles to operate on public streets as long as the following requirements are met:

1. The operator must have a valid license.
2. The vehicle is insured.
3. The vehicle has all required safety equipment in accordance with the Transportation Code.
4. The vehicle must have a reflective triangle affixed to the rear.
5. Golf Carts and other Off-Highway Vehicles may not be driven on streets that where the posted speed limit is greater than 35 miles per hour.

After our discussion and after reviewing other coastal municipal ordinances, staff recommends the attached ordinance.

CHAPTER 48 – TRAFFIC AND VEHICLES

ARTICLE VI. – GOLF CARTS AND OFF-HIGHWAY VEHICLES

Sec. 48-231. – Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

All-terrain vehicle means a motor vehicle, as described and defined under Texas Transportation Code as amended, which is an off-highway vehicle equipped with a seat or seats for the use of the rider and a passenger, if the motor vehicle is designed by the manufacturer to transport a passenger, and is not more than 50 inches wide.

Golf Cart means a motor vehicle designed by the manufacturer primarily for use on a golf course.

Off-highway vehicle means an all-terrain vehicle, a recreational off-highway vehicle, a sand rail or a utility vehicle.

Nighttime means thirty (30) minutes before sunset and thirty (30) minutes after sunrise.

Recreational Off-highway vehicle means a motor vehicle, as described and defined under Texas Transportation Code as amended, which is an off-highway vehicle equipped with a seat or seats for the use of the rider and a passenger or passengers, if the vehicle is designed by the manufacturer to transport a passenger or passengers, and is not designed by the manufacturer primarily for farming or lawn care.

Utility vehicle means a motor vehicle, as described and defined under Texas Transportation Code as amended, which is an off-highway vehicle that is not a golf cart or lawn mower, is equipped with side-by-side seating for the use of the operator and a passenger, and is designed by the manufacturer primarily for utility work and not for recreational purposes.

Street means a public roadway in the City of Port Lavaca that is open to vehicular traffic.

Sec. 48-231. – Limited Operations.

- (a) Golf carts and Off-Highway vehicles are permitted to be operated on:
 - (1) Streets where the posted speed limit is 35 miles per hour or less,
 - (2) A parking area as defined by this article.
- (b) Nighttime driving of Golf carts is prohibited. Golf carts may only be driven during the Daytime.
- (c) Notwithstanding anything in this section 48-231 to the contrary, Golf Carts and Neighborhood Vehicles may be operated on public streets for activities related to

CITY OF PORT LAVACA

parades permitted under this chapter and events organized or sponsored by the City of Port Lavaca.

Sec. 48-231. – Requirements for operation within corporate limits

- (a) A Golf cart operated under this article must be equipped, at a minimum, with the following equipment as mandated by the Texas Transportation Code Chapter 551, as amended, and/or required by the City to operate on permitted locations:
 - (1) Operational headlamps;
 - (2) Operational tail lamps;
 - (3) Side reflectors;
 - (4) Operational Parking brake;
 - (5) Rearview mirror(s); and
 - (6) A “slow moving vehicle” reflective triangle affixed to the rear.
- (b) In compliance with the Texas Transportation Code, as amended, a golf cart, recreational off-highway vehicle or utility vehicle operated under this section must display a golf cart license plate or off-highway vehicle license plate issued by the Texas Department of Motor Vehicles on the rear of the vehicle
- (c) Equipment, and its installation and maintenance, must meet standards provided by the Texas Transportation Code, as amended.
- (d) A person operating a golf cart, recreational off-highway vehicle or utility vehicle under this section must possess a valid driver license and obey all state laws and traffic regulations, regardless of whether such vehicle is permitted or properly equipped.
- (e) A golf cart, recreational off-highway vehicle, or utility vehicle operated under this section must be covered by insurance equal to the current state requirement for motor vehicles, regardless of whether the golf cart, recreational off-highway vehicle or utility vehicle is permitted or properly equipped. This coverage may be by a separate policy or covered by the owner's or operator's homeowner's insurance policy.
- (f) Not exceed the seating capacity of the vehicle as designed by the manufacturer.
- (g) Not operate or park on a sidewalk, hike and bike trails, or in parks where vehicular traffic is not permitted.

- (h) A Golf cart may be driven across intersections where the cross Street has a posted speed limit of more than 35 miles per hour.

ORDINANCE #G-12-25

AN ORDINANCE OF THE CITY OF PORT LAVACA AMENDING THE ORDINANCE CODIFIED AND DESCRIBED IN THE CITY OF PORT LAVACA’S CODE OF ORDINANCES CHAPTER 48 - TRAFFIC AND VEHICLES, ADDITION OF NEW ARTICLE VI, GOLF CARTS AND OFF-HIGHWAY VEHICLES; 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 48 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 8th day of September, 2025

Jack Whitlow, Mayor

SECOND AND FINAL READING this 13th day of October, 2025

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 13th day of October, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Aguirre	Nay		
Councilman Dent	Aye		
Councilman Tippit	Aye		
Councilwoman Padron	Aye		
Councilwoman Bland-Stewart	Aye		
Councilman Burke	Aye		

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

EXHIBIT A

CHAPTER 48 – TRAFFIC AND VEHICLES

ARTICLE VI. – GOLF CARTS AND OFF-HIGHWAY VEHICLES

Sec. 48-231. – Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

All-terrain vehicle means a motor vehicle, as described and defined under Texas Transportation Code as amended, which is an off-highway vehicle equipped with a seat or seats for the use of the rider and a passenger, if the motor vehicle is designed by the manufacturer to transport a passenger, and is not more than 50 inches wide.

Golf Cart means a motor vehicle designed by the manufacturer primarily for use on a golf course.

Off-highway vehicle means an all-terrain vehicle, a recreational off-highway vehicle, a sand rail or a utility vehicle.

Nighttime means thirty (30) minutes before sunset and thirty (30) minutes after sunrise.

Recreational Off-highway vehicle means a motor vehicle, as described and defined under Texas Transportation Code as amended, which is an off-highway vehicle equipped with a seat or seats for the use of the rider and a passenger or passengers, if the vehicle is designed by the manufacturer to transport a passenger or passengers, and is not designed by the manufacturer primarily for farming or lawn care.

Utility vehicle means a motor vehicle, as described and defined under Texas Transportation Code as amended, which is an off-highway vehicle that is not a golf cart or lawn mower, is equipped with side-by-side seating for the use of the operator and a passenger, and is designed by the manufacturer primarily for utility work and not for recreational purposes.

Street means a public roadway in the City of Port Lavaca that is open to vehicular traffic.

Sec. 48-231. – Limited Operations.

- (a) Golf carts and Off-Highway vehicles are permitted to be operated on:
 - (1) Streets where the posted speed limit is 35 miles per hour or less and State Highway 238 between Lighthouse Beach Road and State Highway 35 South.
 - (2) A parking area as defined by this article.

- (b) Nighttime driving of Golf carts is prohibited. Golf carts may only be driven during the Daytime.

CITY OF PORT LAVACA
PART II – CODE OF ORDINANCES

- (c) Notwithstanding anything in this section 48-231 to the contrary, Golf Carts and Neighborhood Vehicles may be operated on public streets for activities related to parades permitted under this chapter and events organized or sponsored by the City of Port Lavaca.

Sec. 48-231. – Requirements for operation within corporate limits

- (a) A Golf cart operated under this article must be equipped, at a minimum, with the following equipment as mandated by the Texas Transportation Code Chapter 551, as amended, and/or required by the City to operate on permitted locations:
 - (1) Operational headlamps;
 - (2) Operational tail lamps;
 - (3) Side reflectors;
 - (4) Operational Parking brake;
 - (5) Rearview mirror(s); and
 - (6) A “slow moving vehicle” reflective triangle affixed to the rear.
- (b) In compliance with the Texas Transportation Code, as amended, a golf cart, recreational off-highway vehicle or utility vehicle operated under this section must display a golf cart license plate or off-highway vehicle license plate issued by the Texas Department of Motor Vehicles on the rear of the vehicle
- (c) Equipment, and its installation and maintenance, must meet standards provided by the Texas Transportation Code, as amended.
- (d) A person operating a golf cart, recreational off-highway vehicle or utility vehicle under this section must possess a valid driver license and obey all state laws and traffic regulations, regardless of whether such vehicle is permitted or properly equipped.
- (e) A golf cart, recreational off-highway vehicle, or utility vehicle operated under this section must be covered by insurance equal to the current state requirement for motor vehicles, regardless of whether the golf cart, recreational off-highway vehicle or utility vehicle is permitted or properly equipped. This coverage may be by a separate policy or covered by the owner's or operator's homeowner's insurance policy.
- (f) Not exceed the seating capacity of the vehicle as designed by the manufacturer.
- (g) Not operate or park on a sidewalk, hike and bike trails, or in parks where vehicular traffic is not permitted.
- (h) A Golf cart may be driven across intersections where the cross Street has a posted speed limit of more than 35 miles per hour.

COMMUNICATION

SUBJECT: Consider Second and Final reading of an Ordinance (G-13-25) of the City of Port Lavaca; amending Code of Ordinances, Chapter 12, Buildings and Building Regulations, Article II, Building Trade Codes, Section 12-21, Same-Additions, Deletions and Changes, (21) the National Electrical Code to allow aluminum conductors on the load side of the power company; 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: OCTOBER 13, 2025

DATE: 10.08.2025

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: RECOMMEND AMENDING CHAPTER 12, Article II, Sec. 12-21(21)
TO ALLOW ALUMINUM CONDUCTORS ON THE LOAD SIDE OF THE POWER
COMPANY

Due to the increasing costs of copper, contractors are trying to save customers money by using aluminum and copper-clad aluminum for wiring of homes and businesses. Both types are safe to use. They are UL listed and approved by the NEC. Therefore, I have waived the restriction and allowed the installation of both on several occasions.

It is therefore staff’s recommendation to omit restricting aluminum only to aerial installations.

Chapter 12 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE II. - BUILDING TRADE CODES

Sec. 12-21. - Same—Additions, deletions and changes.

(21) The National Electrical Code, 2014 Edition is amended as follows:

Section 408.36, Exception 1 is deleted.

Section 250-62(b) is amended to read as follows:

Section 250-62 (b) Where exposed, a grounding electrode conductor or its enclosure shall be securely fastened to the surface on which it is carried. Grounding electrode conductors shall be permitted to be installed on or through framing members. A 4 AWG or larger copper or aluminum grounding electrode conductor shall be protected if exposed to physical damage. A 6 AWG grounding electrode conductor that is free from exposure to physical damage shall be permitted to be run along the surface of the building construction without metal covering or protection if it is securely fastened to the construction without metal covering or protections if it is securely fastened to the construction; otherwise, it shall be protected by rigid polyvinyl chloride (PVC) conduit.

Where the grounding electrode conductor is exposed to severe physical damage, it shall be protected by rigid metal conduit (RGC) or intermediate metal conduit (IMC) only where the conduit is bonded to the ground rod by approved connectors in compliance

with 250-64 (e) (1). Electrical metallic tubing (EMT) is not allowed for protection of grounding electrode conductors.

For the purpose of expediting the extinguishing of fires in all buildings, both public and private, the main service disconnect switch shall be placed adjacent to the power company meter on the exterior of all buildings, residential and commercial. The maximum distance between meter service and disconnection means shall be six feet.

No wire smaller than number 12 shall be used, other than motor control wiring. All metal and non-metallic conduits shall have an equipment grounding conductor sized in accordance with 250-122.

~~All conductors on the load side of the power company service drop shall be copper material. No aluminum conductors shall be permitted, with the exception of aerial.~~

ORDINANCE #G-13-25

AN ORDINANCE OF THE CITY OF PORT LAVACA AMENDING THE ORDINANCE CODIFIED AND DESCRIBED IN THE CITY OF PORT LAVACA’S CODE OF ORDINANCES CHAPTER 12 - BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADE CODES; SEC. 12-21. - SAME - ADDITIONS, DELETIONS AND CHANGES; (21) ELECTRICAL CONDUCTORS; 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 8th day of September, 2025

Jack Whitlow, Mayor

SECOND AND FINAL READING this 13th day of October, 2025

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 13th day of October, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Aguirre	Nay		
Councilman Dent	Aye		
Councilman Tippit	Nay		
Councilwoman Padron	Aye		
Councilwoman Bland-Stewart	Aye		
Councilman Burke	Aye		

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

EXHIBIT A

Chapter 12 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE II. - BUILDING TRADE CODES

Sec. 12-21. Same - Additions, deletions and changes.

- (21) The National Electrical Code, 2014 Edition is amended as follows:
Section 408.36, Exception 1 is deleted.

Section 250-62(b) is amended to read as follows:

Section 250-62 (b) Where exposed, a grounding electrode conductor or its enclosure shall be securely fastened to the surface on which it is carried. Grounding electrode conductors shall be permitted to be installed on or through framing members. A 4 AWG or larger copper or aluminum grounding electrode conductor shall be protected if exposed to physical damage. A 6 AWG grounding electrode conductor that is free from exposure to physical damage shall be permitted to be run along the surface of the building construction without metal covering or protection if it is securely fastened to the construction without metal covering or protections if it is securely fastened to the construction; otherwise, it shall be protected by rigid polyvinyl chloride (PVC) conduit. Where the grounding electrode conductor is exposed to severe physical damage, it shall be protected by rigid metal conduit (RGC) or intermediate metal conduit (IMC) only where the conduit is bonded to the ground rod by approved connectors in compliance with 250-64 (e) (1). Electrical metallic tubing (EMT) is not allowed for protection of grounding electrode conductors.

For the purpose of expediting the extinguishing of fires in all buildings, both public and private, the main service disconnect switch shall be placed adjacent to the power company meter on the exterior of all buildings, residential and commercial. The maximum distance between meter service and disconnection means shall be six feet.

No wire smaller than number 12 shall be used, other than motor control wiring. All metal and non-metallic conduits shall have an equipment grounding conductor sized in accordance with 250-122.

~~All conductors on the load side of the power company service drop shall be copper material. No aluminum conductors shall be permitted, with the exception of aerial.~~

(Ord. No. G-7-06, § 3, 9-11-2006; Ord. No. G-4-15, § 1, 4-13-2015; Ord. No. G-2-16, § 2, 4-11-2016; Ord. No. G-11-19, § 1, 8-12-2019; Ord. No. G-9-22, § 1, 12-12-2022; Ord. No. G-6-23, § 1 (Exh. A), 8-14-2023)

COMMUNICATION

SUBJECT: Consider First reading of an Ordinance (S-6-25) of the City of Port Lavaca designating a geographic area within the City and within the City's extraterritorial jurisdiction a Reinvestment Zone for Tax Increment Financing purposes (Tax Increment Reinvestment Zone Number One, City of Port Lavaca, Texas); describing the boundaries of the zone; creating the zone pursuant to Chapter 311 of the Texas Tax Code; establishing a Board of Directors for the zone; providing a termination date for the zone; providing that the zone take effect immediately upon passage of the ordinance; and providing for severability. Presenter is Jody Weaver

INFORMATION:

ORDINANCE #S-6-25

AN ORDINANCE OF THE CITY OF PORT LAVACA, TEXAS, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY AND WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION A REINVESTMENT ZONE FOR TAX INCREMENT FINANCING PURPOSES (TAX INCREMENT REINVESTMENT ZONE NUMBER ONE, CITY OF PORT LAVACA, TEXAS); DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING THE ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE; ESTABLISHING A BOARD OF DIRECTORS FOR THE ZONE; PROVIDING A TERMINATION DATE FOR THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City of Port Lavaca, Texas (the "City"), pursuant to Chapter 311 of the Texas Tax Code, as amended (the "Act"), may designate a geographic area within the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and

WHEREAS, the Act provides that the governing body of a municipality by ordinance may designate a contiguous or noncontiguous geographic area that is in the corporate limits of the municipality or the extraterritorial jurisdiction (the "ETJ") of the municipality to be a reinvestment zone if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, the City Council desires to promote the development of a certain contiguous geographic area in the City, which is more specifically described in Exhibits "A" and "B" of this Ordinance (the "Zone"), through the creation of a reinvestment zone as authorized by and in accordance with the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code; and

WHEREAS, pursuant to and as required by the Act, the City has prepared a Preliminary Reinvestment Zone Project Plan and Financing Plan for Reinvestment Zone Number One, City of Port Lavaca, attached as Exhibit C (hereinafter referred to as the "Preliminary Project and Finance Plan") for a proposed tax increment reinvestment zone containing the real property within the Zone; and

WHEREAS, notice of the public hearing on the creation of the proposed zone was published in a newspaper having general circulation in the City on October 1, 2025, which date is before the seventh (7th) day before the public hearing held on October 13, 2025; and

WHEREAS, at the public hearing on October 13, 2025, interested persons were allowed to speak for or against the creation of the Zone, the boundaries of the Zone, and the concept of tax increment financing, and owners of property in the proposed Zone were given a reasonable opportunity to protest the inclusion of their property in the Zone; the public hearing was held in full accordance with Section 311.003(c) of the Act; and

WHEREAS, evidence was received and presented at the public hearing on October 13, 2025, and in favor of the creation of the Zone; and

WHEREAS, after all comments and evidence, both written and oral, were received by the City Council, the public hearing was closed on October 13, 2025; and

WHEREAS, the City has taken all actions required to create the Zone including, but not limited to, all actions required by the home-rule Charter of the City, the Act, the Texas Open Meetings Act (defined herein), and all other laws applicable to the creation of the Zone; and

WHEREAS, the percentage of the property in the proposed zone, excluding property that is publicly owned, that is used for residential purposes is less than thirty percent; and

WHEREAS, a Preliminary Project and Finance Plan has been prepared for the proposed reinvestment zone.

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

Section 1. Recitals Incorporated.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

Section 2. Findings.

That the City Council, after conducting the above-described hearing and having heard the evidence and testimony presented at the hearing, has made the following findings and determined based on the evidence and testimony presented to it:

- a) That the public hearing on the creation of the reinvestment zone has been properly called, held, and conducted and that notice of such hearing has been published as required by law; and
- b) That the creation of the proposed reinvestment zone with boundaries as described and depicted in *Exhibits "A" and "B"* will result in benefits to the City, its residents and property owners, in general, and to the property, residents, and property owners in the reinvestment zone; and
- c) That the proposed reinvestment zone, as defined in *Exhibits "A" and "B"*, meets the criteria for the creation of a reinvestment zone set forth in the Act in that:
 1. It is a geographic area located within the City limits of the City; and
 2. That the City Council further finds and declares that the proposed zone meets the criteria and requirements of Section 311.005 of the Texas Tax Code because the proposed zone is predominantly open and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impair or arrest the sound growth of the City or county.

- (d) That 30 percent or less of the property in the proposed reinvestment zone, excluding property dedicated to public use, is currently used for residential purposes; and
- (e) That the total appraised value of all taxable real property in the proposed reinvestment zone according to the most recent appraisal rolls of the City, together with the total appraised value of taxable real property in all other existing reinvestment zones within the City, according to the most recent appraisal rolls of the City, does not exceed 50 percent of the current total appraised value of taxable real property in the City and in the industrial districts created by the City, if any; and
- (f) That the improvements in the proposed reinvestment zone will significantly enhance the value of all taxable real property in the proposed reinvestment zone and will be of general benefit to the City or county; and
- (g) That the development or redevelopment of the property in the proposed reinvestment zone will not occur solely through private investment in the reasonable foreseeable future.

Section 3. Designations and Name of the Zone.

Pursuant to the authority of, and in accordance with the requirements of the Act, the City Council hereby designates the area described and depicted in Exhibits “A” and “B” hereto as a tax increment reinvestment zone. The name assigned to the zone for identification is Reinvestment Zone Number One, City of Port Lavaca, Texas (hereinafter referred to as the “Zone”).

Section 4. Board of Directors.

That a board of directors for the Zone (“Board”) is hereby created. The Board shall consist of seven (7) members comprised of six (6) City Council members and the Mayor.

The Mayor shall serve as chairman of the Board and the Board may elect a vice chairman and such other officers as the Board sees fit. Additionally, each taxing unit that levies taxes within the Zone and chooses to contribute all or part of the tax increment produced by the unit into the tax increment fund may appoint one member of the board. The number of directors on the Board of Directors shall be increased by one for each taxing unit that appoints a director to the board; provided, that the maximum number of directors shall not exceed fifteen (15).

The Board shall make recommendations to the City Council concerning the administration, management, and operation of the Zone. The Board shall prepare and adopt a project plan and a reinvestment zone financing plan for the Zone and submit such plans to the City Council for its approval. The Board shall perform all duties imposed upon it by Chapter 311 of the Texas Tax Code and all other applicable laws. Notwithstanding anything to the contrary herein, the Board shall not be authorized to (i) issues bonds; (ii) impose taxes or fees; (iii) exercise the power of eminent domain, or (iv) give final approval to the Zone’s project plan and financing plan.

Pursuant to Section 311.010(h) of the Act and Article III, Section 52-a of the Texas Constitution, the City Council hereby authorizes the Board, as necessary or convenient to implement the Project and Finance Plan and achieve its purposes, to establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the Zone, eliminating unemployment and underemployment in the Zone, and developing or expanding transportation, business, and commercial activity in the Zone, including programs to make grants of land and buildings and make grants from the Tax Increment Fund for activities that benefit the Zone and stimulate business and commercial activity in the Zone. In addition, the City Council hereby authorizes the Board to exercise all of the powers of the City under Chapter 380, Texas Local Government Code, as amended.

Section 5. Duration of the Zone.

That the Zone shall take effect immediately upon the passage and approval of this Ordinance, consistent with Section 311.004(a)(3) of the Act, and termination of the Zone shall occur upon any of the following: (i) on December 31, 2055 (with the final year's tax increment to be collected by September 1, 2056); (ii) at an earlier time designated by subsequent ordinance; (iii) at such time, subsequent to the issuance of tax increment bonds, if any, that all project costs, tax increment bonds, notes and other obligations of the Zone, and the interest thereon, have been paid in full, in accordance with Section 311.017 of the Act.

Section 6. Tax Increment Base and Tax Increment.

That the tax increment base for the Zone, as defined by Section 311.012(c) of the Texas Tax Code, shall be the total appraised value of all real property in the Zone taxable by a taxing unit, determined as of January 1, 2025, which is the year in which the Zone was designated as a reinvestment zone.

The TIF Fund shall consist of (i) the percentage of the tax increment, as defined by Section 311.012(a) of the Texas Tax Code, that each taxing unit which levies real property taxes in the Zone, other than the City, has elected to dedicate to the TIF Fund under an agreement with the City authorized by Section 311.013(f) of the Texas Tax Code, and (ii) fifty percent (50%) of the City's tax increment, as defined by section 311.012(a) of the Texas Tax Code, subject to any binding agreement executed at any time by the City that pledges a portion of such tax increment or an amount of other legally available funds whose calculation is based on receipt of any portion of such tax increment.

Section 7. Tax Increment Fund.

That there is hereby created and established a "Tax Increment Fund" for the Zone which may be divided into such subaccounts as may be authorized by subsequent ordinance, into which all tax increments of the City, as such increments are described in the final project plan and reinvestment zone financing plan and may include administration costs, less any of the amounts not required to be paid into the Tax Increment Fund pursuant to the Act, are to be deposited. The Tax Increment Fund and any subaccounts are to be maintained in an account at the affiliated depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. In addition, all revenues from (i) the sale of any obligations hereafter issued by the City and secured in whole or in

part from the tax increments; (ii) the sale of any property acquired as part of a tax increment financing plan adopted by the Board; and (iii) other revenues dedicated to and used in the Zone shall be deposited into the TIF Fund. Prior to the termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs, as defined by the Texas Tax Code, for the Zone, to satisfy the claims of holders of tax increments bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the project plan and reinvestment zone financing plan and achieve their purpose pursuant to Section 311.010(b), Texas Tax Code.

Section 8. Severability Clause.

Should any 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 hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

Section 9. Open Meetings.

It is hereby found, determined, and declared that sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding its meeting, as required by Chapter 551 of the Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 10. Effective Date

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

FIRST READING this 13th day of October, 2025

Jack Whitlow, Mayor

SECOND AND FINAL READING this 10th day of November, 2025

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 10th day of November, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Aguirre			
Councilman Dent			
Councilman Tippit			
Councilwoman Padron			
Councilwoman Bland-Stewart			
Councilman Burke			

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

EXHIBIT A**BOUNDARY DESCRIPTION**

Legal Description for TIRZ #1 Port Lavaca

The TIRZ consists of approximately 5,695 acres in three noncontiguous areas made up of various parcels. The non-contiguous areas are described in greater detail below:

Area #1

Beginning at the northeast corner of Property ID 27911 at the point it meets the Lavaca Bay coast, following the coastline to the eastern corner of Property ID 28664, thence

South following the boundary of Property ID 28664, thence

Southeast following the boundary of Property ID 29257, thence

South along the boundary of Property ID 28782, thence

South along the boundary of Property ID 29552 to the point it meets the northern right of way boundary of State Highway 35, thence

West along the northern right of way boundary of State Highway 35 to the point it meets the southwest corner of Property ID 29097, thence

South across State Highway 35 to the northern boundary of Property ID 28983, thence

East along the boundary of Property ID 28983, continuing east along the boundaries of Property IDs 29094, 29173, 85415, 94514, thence

South to include Property ID 28958, thence

South across Broadway Street, thence

South along the boundary of Property ID 28982, thence

East along the northern boundary of Property ID 27897, thence

North and then east along the boundary of Property ID 29393, thence

North along the eastern right of way boundary of Roemer Road, thence

East along the southern right of way boundary of State Highway 35, thence

North across State Highway 35 to Property ID 28520, thence

Northeast to the coastline, thence

East to the northeast corner of Property ID 28614, thence

South along the eastern boundary of Property ID 28614 to the point it meets Property ID 28337, thence

South along the boundary of Property ID 28337, thence

South across State Highway 35 to Property ID 28361, thence

East along the boundary of Property ID 28361 to the coastline, continuing southwest along the coastline to the southwest corner of Property ID 27897, thence

Northwest along Property ID 27897 and Property ID 28982, thence

Northwest across Broadway Street, thence

Southwest to Property ID 30019, thence

South across Broadway Street, thence

South along Property ID 30063 to the point it meets the coastline, thence

South to the southwest corner of Property ID 29901, thence

North along the western boundary of Property ID 29901, continuing north across Broadway Street, continuing north to the western corner of Property ID 29879, thence

East across Property ID 29879, 29954, and 29998 to the point it meets Property ID 30019, thence

North along the western boundary of Property ID 30019, thence

North across State Highway 35 to the southwest corner of Property ID 87273, thence

West along the northern right of way boundary of State Highway 35 to the point it meets the southwest corner of Property ID 38216, thence

South across State Highway 35 to Property ID 78270, thence

Southeast along Property ID 78270, continuing south along Property ID 38302 to the point it meets the eastern right of way boundary of N Virginia Street, thence

North across State Highway 35 to Property ID 38103, thence

West along the northern right of way boundary of State Highway 35 to the southwest corner of Property ID 94457, thence

West along the boundaries of Property IDs 75808, 37865, and 93965, thence

South along the boundary of Property IDs 76161, 38040 and 42059 to the point it meets the eastern right of way boundary of Sandcrab Boulevard, thence

North along the eastern right of way boundary of Sandcrab Boulevard, thence

West along the northern right of way boundary of Independence Drive, thence

South along the western right of way boundary of Half League Road, thence

East along the southern right of way boundary of Sandie Lane, thence

South along the western right of way boundary of Sandcrab Boulevard, thence

South along the northern right of way boundary of State Highway 35 to the point it meets Property ID 38066, thence

East across State Highway 35 to Property ID 38386, thence

East and south to include Property IDs 38386 and 38505, to the point the eastern corner of Property ID 38505 meets the northern right of way boundary of Tilley Street, thence

West along the northern right of way boundary of Tilley Street, thence

North along the eastern right of way boundary of FM 3084, thence

North across State highway 35 to the southern corner of Property ID 38066, thence

North along the eastern right of way boundary of Half League Road, thence

West across Half League Road to the eastern boundary Property ID 91615, thence

Southwest along the boundary of Property ID 91615, continuing west along the southern boundary of Property IDs 91616 and 91617 to the point Property ID 91617 meets the northern right of way boundary of State Highway 35, thence

South across State Highway 35 to the northern right of way boundary of W Main Street, thence

East along the northern right of way boundary of W Main Street to the point it meets Property ID 38625, thence

North to Property ID 19679, thence

North then east following the boundary of Property ID 19679 to the point it meets FM 3084, thence

South along the western right of way boundary of FM 3084 to the point it meets the southeast corner of Property ID 19679, thence

West across FM 3084, continuing west to the western boundary of Property ID 38326, thence

Northwest along the boundary of Property ID 38326, continuing north across W Mahan Street, thence

North and then south along the boundary of Property ID 38326, to the point it meets the southern right of way boundary of W Railroad Street, thence

East along the southern right of way boundary of W Railroad Street to the point it meets the eastern right of way boundary of N Commerce Street, thence

North along the eastern right of way boundary of N Commerce Street to the point it meets the northern corner of Property ID 66303, thence

West across Broadway Street, continuing west to the eastern corner of Property ID 38729, thence

West along the southern boundary of Property ID 38729, thence

South along the eastern boundary of Property ID 17916, thence

West along the boundary of Property ID 17916 to the eastern right of way boundary of n
Commerce Street, thence

North along the eastern right of way boundary of N Commerce Street, thence

Northeast to include Property ID 20109, thence

South along the eastern right of way boundary of Houston Street to the point it meets the
northwest corner of Property ID 17916, thence

East along the northern boundary of Property ID 17916, continuing southeast along the
boundary of Property ID 38729, thence

East across Broadway Street to the southwest corner of Property ID 27821, thence

North along the eastern right of way boundary of Broadway Street to the point it meets
Property ID 19001, thence

West across Broadway Street to Property ID 29146, thence

Northwest along the western boundary of Property ID 29146, continuing northeast along
the boundary of Property IDs 29146, 29174, 29204, 29453, 29472, and 29498, thence

Southeast along the boundary of Property ID 29498 to the point it meets Broadway Street,
thence

East across Broadway Street to Property ID 28167, thence

East across the northern boundary of Property ID 28167 to the point it meets coastline,
thence

South along the coastline to Property ID 41803, thence

West to Property ID 32090, thence

South and then west along Property IDs 32090, 31821, and 44063, thence

East across the northern boundary of Property ID 32090, continuing east to the western
boundary of Property ID 41803, thence

North along the western boundary of Property ID 41803, continuing west to the eastern
right of way boundary of S Commerce Street, thence

North along the eastern right of way boundary of S Commerce Street, thence

West along the northern right of way boundary of Live Oak Street, thence

North along the eastern right of way boundary of San Antonio Street to the point it meets
the southwest corner of Property ID 56445, thence

West along the southern boundary of Property ID 56445, thence

Continuing west along the southern right of way boundary of the Union Pacific Railroad to the point it meets the northeast corner of Property ID 38625, thence

South along the eastern boundary of Property ID 38625 to the point it meets Main Street, thence

South across Main Street, continuing west along the southern right of way boundary of Main Street to the point it meets the western right of way boundary of Alcoa Drive, thence

South along the western right of way boundary of Alcoa Drive to the eastern corner of Property ID 40091, thence

South to include Property IDs 40091, 71377, 40479, 40462, 40322, and 40496, continuing south across W Austin Street, thence

South and then west to following the boundaries of Property IDs 40023, 40484, 39975, 40079, thence

North across W Austin Street to Property ID 40496, thence

North along the boundary of Property ID 40496, continuing north along the boundaries of Property IDs 40375, 40462, and 40479, thence

West along the southern boundary of Property ID 71377, thence

North along the eastern right of way boundary of County Road 101, thence

West across County Road 101 to Property ID 41012, thence

West and then south along Property IDs 41012, 20102884, and 40451, thence

Southwest along the boundaries of Property IDs 40451, 40480, 86377, and 82762, thence

South across State Highway 238 to Property ID 40389, thence

East across the southern right of way boundary of State Highway 238 to the point it meets the northeast corner of Property ID 40837, thence

South along Property ID 40837 to the point it meets the coastline, thence

South along the coastline to the point it meets Property ID 40389, thence

Southwest to include Property IDs 40389, 40425, 40446, and 40603, thence

North along the western boundary of Property ID 40603, thence

North across State Highway 238 and VFW Road to Property ID 40740, thence

North along the western boundaries of Property IDs 40740 and 20102884, thence

East across the northern boundary of Property ID 20102884, thence

North across State Highway 35 to Property ID 36425, thence

North along the western boundaries of Property IDs 36425 and 33702, continuing east along the boundary of Property IDs 33702, 36425, 36838, and 67721 to the point it meets the western right of way boundary of Mildred Drive, thence

South along the western right of way boundary of Mildred Drive to the point it meets the southern right of way boundary of State Highway 35, thence

East along the southern right of way boundary of State Highway 35, thence

North to the southwest corner of Property ID 36684, thence

North along the western boundary of Property ID 36684 to the southern right of way boundary of Main Street, thence

East along the southern right of way boundary of Main Street, thence

North across Main Street to the southwest corner of Property ID 91618, thence

North along the western boundaries of Property IDs 91618, 91621, 91622, 13476, and 37916, thence

Continuing east along the northern boundary of Property ID 37916 to the point it meets the western right of way boundary of Half League Road, thence

East across Half League Road to the southwest corner of Property ID 92959, thence

North along the western right of way boundary of Half League Road to the point it meets the northwest corner of Property ID 37580, thence

East across the northern boundary of Property IDs 37580, 37289, and 20100671, thence

East across the northern boundary of Property ID 27911 to the point the northeast corner of Property ID 27911 meets the Lavaca Bay coast, which is the point of beginning.

Area #2

Beginning at the point the eastern right of way boundary of Seadrift Street meets the southern right of way boundary of W Austin Street, thence

East along the southern right of way boundary of W Austin Street to the point it meets the southern right of way boundary of the Union Pacific Railroad, thence

East along the southern right of way boundary of the Union Pacific Railroad to the point it meets the northern corner of Property ID 53568, thence

North across Lavaca Street to Property ID 18044, thence

North, east, and south following the boundary of Property ID 18044, thence

South across Lavaca Street to the northwest corner of Property ID 18055, thence

East across the northern boundary of Property ID 18055, continuing east along the southern right of way boundary of the Union Pacific Railroad, thence

Northeast across the Union Pacific Railroad to the northwest corner of Property ID 94026, thence

Northeast across the boundaries of Property IDs 94026 and 56797 to the point the northeast corner of Property ID 56797 meets the western right of way boundary S Virginia Street, thence

South along the western right of way boundary S Virginia Street to the point it meets the southeast corner of Property ID 38819, thence

Southeast to the northern corner of Property ID 90768, thence

South along the eastern boundaries of Property IDs 90768, 38494, and 38231 to the point the eastern boundary of Property of Property ID 38231 meets the coastline, thence

South along the coastline to the point it meets the southwest corner of Property ID 81505, thence

North along the western boundary of Property ID 81505 to the point it meets the eastern right of way boundary of Bredan Road, thence

West and south across Bredan Road, to the point the southern right of way boundary of Bredan Road meets the northeast corner of Property ID 37999, thence

South and then west along the boundary of Property ID 37999 to the point it meets the eastern right of way boundary of FM 1090, thence

West across FM 1090, thence

South along the western right of way boundary of FM 1090, thence

East across FM 1090 to include Property ID 31401, thence

Continuing south along the western right of way boundary of FM 1090 to the southeast corner of Property ID 52592, thence

West along the southern boundary Property ID 52592, continuing west across FM 1090, thence

South along the western right of way boundary of FM 1090 to the point it meets the northwest corner of Property ID 31826, thence

East along the northern boundary of Property ID 31826 to the point it meets the coastline, thence

South, then west, then north along the coastline to the point it meets the northwest corner of Property ID 78140, thence

North along the western boundaries of Property IDs 78139, 78138, 78137, 78136, 78135, 78134, 78133, 78132, and 78131, thence

East along the northern boundaries of Property IDs 78131, 80121, and 80120, thence

South along the eastern boundary of Property ID 80120, thence

East across Alcoa Drive to the northwest corner of Property ID 30730, thence

East along the northern boundary of Property ID 30730, continuing north along the western boundary of Property ID 39560, thence

Continuing north, then west, following the boundaries of Property IDs 39650, 39600, 10035, 39618, 39488, and 39504, continuing east along the northern boundaries of Property IDs 39560 and 57192 to the point it meets the western right of way boundary of Seadrift Street, thence

North along the western right of way boundary of Seadrift Street to the point it meets the northwest corner of Property ID 38739, thence

East along the northern boundary of Property ID 38739 to the point it meets the northeast corner of Property ID 38739, thence

West to the eastern corner of Property ID 50020, thence

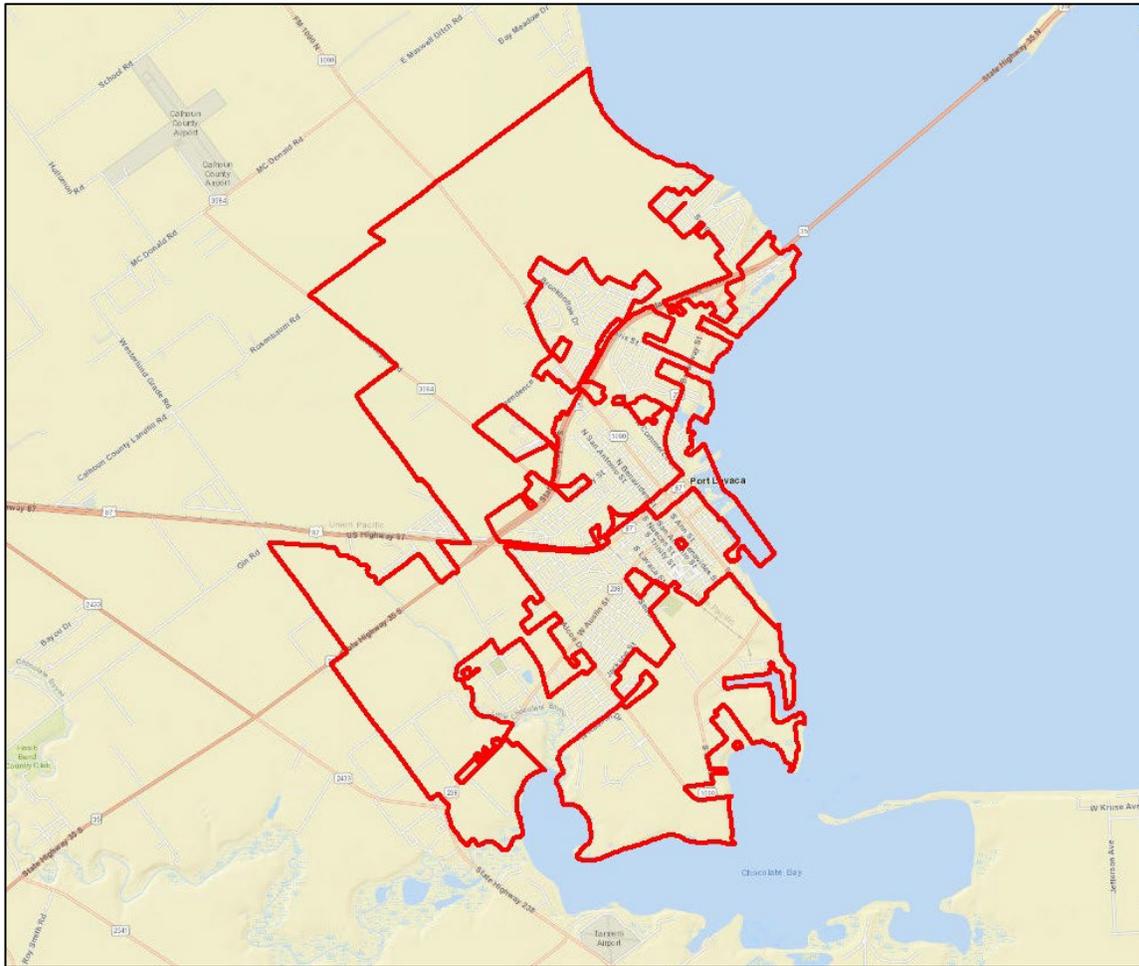
Southwest along the boundary of Property ID 50020 to the point the southern corner of Property ID 50020 meets the eastern right of way boundary of Seadrift Street, thence

North along the eastern right of way boundary of Seadrift Street to the point the eastern right of way boundary of Seadrift Street meets the southern right of way boundary of W Austin Street, which is the point of beginning.

Area #3

Area #3 consists of Property ID 17282, which is described as PORT LAVACA ORIGINAL TOWNSITE, BLOCK 45, LOT 1 THRU 12.

EXHIBIT B
BOUNDARY MAP



 - TIRZ Boundary

EXHIBIT C
PRELIMINARY PROJECT PLAN AND FINANCE PLAN

COMMUNICATION

SUBJECT: Consider First reading of an Ordinance (G-14-25) regarding the City of Port Lavaca's Texas Municipal Retirement System Benefits adopting: (1) A change in the City's Matching Ratio; (2) Annually accruing updated Service Credits and transfer updated Service Credits; and (3) Annually accruing annuity increases, also referred to as Cost of Living Adjustments (COLAS) for retirees and their beneficiaries. Presenter is Brittney Hogan

INFORMATION:

ORDINANCE #G-14-25

AN ORDINANCE REGARDING THE CITY OF PORT LAVACA'S TEXAS MUNICIPAL RETIREMENT SYSTEM BENEFITS ADOPTING: (1) A CHANGE IN THE CITY'S MATCHING RATIO; (2) ANNUALLY ACCRUING UPDATED SERVICE CREDITS AND TRANSFER UPDATED SERVICE CREDITS; AND (3) ANNUALLY ACCRUING ANNUITY INCREASES, ALSO REFERRED TO AS COST OF LIVING ADJUSTMENTS (COLAS) FOR RETIREES AND THEIR BENEFICIARIES.

WHEREAS, the City of Port Lavaca, Texas (the "City"), elected to participate in the Texas Municipal Retirement System (the "System" or "TMRS") pursuant to Subtitle G of Title 8, Texas Government Code, as amended (which subtitle is referred to as the "TMRS Act"); and

WHEREAS, each person who is or becomes an employee of the City on or after the effective date of the City's participation in the System in a position that normally requires services of 1,000 hours or more per year ("Employee") shall be a member of the System ("Member") as a condition of their employment; and

WHEREAS, pursuant to TMRS Act §855.501, the City is electing to change its "current service annuity reserve on retirement" for its Members, which is more commonly referred to as its City matching ratio; and

WHEREAS, the City Council finds that it is in the public interest to: (1) in accordance with TMRS Act §855.501, authorize a change in the City's matching ratio so that the City's match of an Employee's contributions at retirement is increased; (2) in accordance with TMRS Act §853.404 and §854.203(h), reauthorize annually accruing Updated Service Credits and provide transfer Updated Service Credits, and (3) in accordance with TMRS Act §854.203 and §853.404, reauthorize annually accruing annuity increases, also referred to as cost of living adjustments ("COLAs"), for retirees and their beneficiaries; now:

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

Section 1. Authorization of a Change in the City Matching Ratio on the Retirement of TMRS Members Who Were Employees.

(a) For each month of current service rendered to the City by a Member after the effective date of this Section, the City elects to provide, at the time of such Member's retirement, a sum that is 200% of such Member's accumulated contributions (as defined in the TMRS Act) for such month of employment and said sum shall be a liability of the City's account in the System's benefit accumulation fund (the "City's BAF") in accordance with TMRS Act §§854.002 and 855.501.

(b) The change in City contributions shall be effective on the January 1 immediately following the year in which this Ordinance is approved, subject to receipt by the System prior to such January 1.

Section 2. Authorization of Annually Accruing Updated Service Credits and Transfer Updated Service Credits.

(a) As authorized by TMRS Act §854.203(h) and §853.404, and on the terms and conditions set out in TMRS Act §§853.401 through 853.404, the City authorizes each Member who on the first day of January of the calendar year immediately preceding the January 1 on which the Updated Service Credits will take effect (i) has current service credit or prior service credit in the System by reason of service to the City, (ii) has at least 36 months of credited service with the System, and (iii) is a TMRS-contributing Employee of the City, to receive “Updated Service Credit,” as that term is defined and calculated in accordance with TMRS Act §853.402.

(b) The City authorizes and provides that each Employee of the City who (i) is eligible for Updated Service Credits under Subsection (a) above, and (ii) who has unforfeited prior service credit and/or current service credit with another System-participating municipality or municipalities by reason of previous employment, shall be credited with Updated Service Credits pursuant to, calculated in accordance with, and subject to adjustment as set forth in TMRS Act §853.601 (also known as “Transfer USC”), both as to the initial grant and all future grants under this Ordinance.

(c) The Updated Service Credit authorized and provided under this Ordinance shall be 100% of the “base Updated Service Credit” of the TMRS Member calculated as provided in TMRS Act §853.402.

(d) Each Updated Service Credit authorized and provided by this Ordinance shall replace any Updated Service Credit, prior service credit, special prior service credit, or antecedent service credit previously authorized for part of the same service.

(e) The initial Updated Service Credit authorized by this Section shall be effective on January 1 immediately following the year in which this Ordinance is approved, subject to receipt by the System prior to such January 1 and approval by the Board of Trustees (“Board”) of the System. Pursuant to TMRS Act §853.404, the authorization and grant of Updated Service Credits in this Section shall be effective on January 1 of each subsequent year, using the same percentage of the “base Updated Service Credit” stated in Subsection (c) in computing Updated Service Credits for each future year, provided that, as to such subsequent year, the actuary for the System has made the determination set forth in TMRS Act §853.404(d), until this Ordinance ceases to be in effect as provided in TMRS Act §853.404(e).

Section 3. Authorization of Annual Increases in Retirement Annuities, or COLAs.

(a) On the terms and conditions set out in TMRS Act §854.203 and §853.404, the City authorizes and provides for payment of the increases described by this Section to the annuities paid to retired City Employees and beneficiaries of deceased City retirees (such increases also called COLAs). An annuity increased under this Section replaces any annuity or increased annuity previously granted to the same person.

(b) The amount of the annuity increase under this Section is computed as the sum of the prior service and current service annuities on the effective date of retirement of the person on whose service the annuities are based, multiplied by 70% of the percentage change in Consumer Price Index for All Urban Consumers, from December of the year immediately preceding the effective date of the person's retirement to the December that is 13 months before the effective date of the increase under this Section.

(c) An increase in an annuity that was reduced because of an option selection is reducible in the same proportion and in the same manner that the original annuity was reduced.

(d) If a computation under this Section does not result in an increase in the amount of an annuity, the amount of the annuity will not be changed under this Section.

(e) The amount by which an increase under this Section exceeds all previously granted increases to an annuitant is an obligation of this City and of the City's BAF.

(f) The initial increase in annuities authorized by this Section shall be effective on January 1 immediately following the year in which this Ordinance is approved, subject to receipt by the System prior to such January 1 and approval by the System's Board. Pursuant to TMRS Act §853.404, an increase in retirement annuities shall be made on January 1 of each subsequent year, provided that, as to such subsequent year, the actuary for the System has made the determination set forth in TMRS Act §853.404(d), until this Ordinance ceases to be in effect as provided in TMRS Act §853.404(e).

FIRST READING this 13th day of October, 2025

Jack Whitlow, Mayor

SECOND AND FINAL READING this 10th day of November, 2025

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 10th day of November, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

First Reading	Second and Final	Passed and Approved
------------------	---------------------	------------------------

Councilman Aguirre
 Councilman Dent
 Councilman Tippit
 Councilwoman Padron
 Councilwoman Bland-Stewart
 Councilman Burke

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



September 11, 2025

Brittney Hogan
Accountant
City of Port Lavaca
202 N. Virginia St.
Port Lavaca, TX 77979

Dear Ms. Hogan:

We are pleased to enclose a model ordinance for your city to adopt:

**2 To 1 City Matching Ratio
&
100% Updated Service Credit with Transfers
70% Cost of Living Adjustment Increase to Annuitants
Both Annually Repeating**

All Effective January 1, 2026

With respect to your interest in increasing your city's TMRS matching ratio from a 1.5:1 to a 2:1, your City Council must make this change by adopting an ordinance.

By statute, when a city changes its city matching ratio and the city currently offers Updated Service Credits (USC) and Cost of Living Adjustments (COLA) on an annually repeating basis, the city must readopt these annually repeating provisions. These readoptions are necessary because there are new USC and COLA costs associated with the new provisions. Therefore, the enclosed ordinance includes the city's readoption of these benefits.

By adopting this ordinance, your city will not need to adopt an ordinance each year to reauthorize the calculation of the Updated Service Credits and Cost of Living Adjustments. These benefits will remain in effect for future years until they are discontinued by an ordinance adopted by the City Council.

As reflected in the Plan Change Study you previously received, the city's contribution rate will be **9.03%** beginning January 1, 2026.

Please make sure the ordinance is adopted and signed before the effective date. When the ordinance is adopted, please send a copy to City Services at cityservices@tmrs.com.

If you have any questions about the model ordinance or anything else, please call me at 512-225-3742.

Sincerely,

A handwritten signature in blue ink, appearing to read "Colin Davidson".

Colin Davidson
Director of City and Member Services

2026 Rates • Port Lavaca

July 29, 2025

Plan Provisions	Current	Option 1
Employee Contribution Rate	5%	5%
City Matching Ratio	1.5 to 1	2 to 1
Updated Service Credit (USC)	100% (Repeating)	100% (Repeating)
Transfer USC *	Yes	Yes
COLA	70% (Repeating)	70% (Repeating)
Retroactive COLA	Yes	Yes
Retirement Eligibility	25 years	25 years
Vesting	5 years	5 years
Supplemental Death Benefit	Actives + Retirees	Actives + Retirees
Contribution Rates	2026	2026
Normal Cost Rate	4.46%	6.27%
Prior Service Rate	<u>0.95%</u>	<u>2.40%</u>
Retirement Rate	5.41%	8.67%
Supplemental Death Rate	<u>0.36%</u>	<u>0.36%</u>
Total Contribution Rate	5.77%	9.03%
Unfunded Actuarial Liability	\$704,289	\$1,827,470
Funded Ratio	95.4%	89.0%
Benefit Increase Amortization Period	20 years	20 years
Stat Max	9.50%	11.50%
Retirement Rate Exceeds Stat Max	No	No

* As of the December 31, 2024 valuation date, there were 9 employees with service in other TMRS cities eligible for transfer USC.

COMMUNICATION

SUBJECT: Consider First reading of an Ordinance (G-15-25) of the City of Port Lavaca; amending Code of Ordinances, Chapter 20, Environmental and Health, Article V. - Junk Vehicles, Abandoned Motor Vehicles, Junked Boats, Junked Trailers, Junked Towable Recreational Vehicles, Sec. 20-97 - Unlawful to Maintain a Nuisance; Exceptions; 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: OCTOBER 13, 2025

DATE: 10.08.2025

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: CONSIDER AMENDING CHAPTER 20 - ENVIRONMENTAL AND HEALTH, ARTICLE V. - JUNK VEHICLES, ABANDONED MOTOR VEHICLES, JUNKED BOATS, JUNKED TRAILERS, JUNKED TOWABLE RECREATIONAL VEHICLES, SEC. 20-97. - UNLAWFUL TO MAINTAIN A NUISANCE; EXCEPTIONS

Our office has received numerous complaints regarding the accumulation of junk vehicles at automotive repair shops that are in public view. These repair shops are also located on major thoroughfares within city limits. Therefore, this is what people see as they travel through our city. These vehicles tend to sit at these locations for months or even years with no improvements made. It is staff's recommendation that these vehicles need to be repaired or removed from public view.

Therefore, staff recommends amendment to Ch. 20, Article V, Sec. 20-97 be approved.

ORDINANCE #G-15-25

AN ORDINANCE OF THE CITY OF PORT LAVACA AMENDING THE ORDINANCE CODIFIED AND DESCRIBED IN THE CITY OF PORT LAVACA'S CODE OF ORDINANCES AS CHAPTER 20, ENVIRONMENTAL AND HEALTH, ARTICLE V, JUNK VEHICLES ABANDONED MOTOR VEHICLES, JUNKED BOATS, JUNKED TRAILERS, JUNKED TOWABLE RECREATIONAL VEHICLES; SECTION 20-97 UNLAWFUL TO MAINTAIN A NUISANCE, EXCEPTIONS; 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 20, Section 20-97, Unlawful to maintain a nuisance; exceptions, 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 13th day of October, 2025

Jack Whitlow, Mayor

SECOND AND FINAL READING this 10th day of November, 2025

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 10th day of November, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

First Reading	Second and Final	Passed and Approved
------------------	---------------------	------------------------

Councilman Aguirre
 Councilman Dent
 Councilman Tippit
 Councilwoman Padron
 Councilwoman Bland-Stewart
 Councilman Burke

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

CHAPTER 20 – ENVIRONMENTAL AND HEALTH

ARTICLE V. - JUNK VEHICLES, ABANDONED MOTOR VEHICLES, JUNKED BOATS, JUNKED TRAILERS, JUNKED TOWABLE RECREATIONAL VEHICLES

Sec. 20-97. - Unlawful to maintain a nuisance; exceptions.

(a) It shall be unlawful for any person to cause or maintain a public nuisance on the real property of another or to suffer, permit or allow any nuisance to be left or maintained on his own real property; provided that this section shall not apply with regard to:

(1) Any junk in an enclosed building;

(2) Any junk, or a part thereof, parked or stored in a lawful manner on private property in connection with the business of a ~~licensed vehicle dealer or~~ licensed junkyard;

(3) Any junk in an appropriate storage place or depository maintained at a location officially designed and in the manner approved by the city; and

(4) Any accumulation of junk by a duly licensed junk dealer, if maintained in an orderly manner, and does not constitute a health hazard.

(b) Junked vehicles or vehicle parts cannot be stored on non residential property as determined by the city future land use plan, at an automotive repair facility, an automotive body shop, an automotive painting facility, or an automotive wrecking or salvage yard, within the city, except that:

(1) Junked vehicles, including any vehicle parts associated therewith, may be kept inside a completely enclosed building, so long as said vehicles, and vehicle parts, are maintained in an orderly manner, are not a health hazard, are not visible from the street or other public or private property, and complies with the currently adopted International Building Code and International Fire Code;

(2) Junked vehicles or vehicle parts stored outside of an enclosed building shall be kept in an area that is completely surrounded and enclosed by a solid fence or wall, as follows:

a. Such fence or wall must be constructed of a material that prevents the junked vehicles or vehicle parts from being visible from the street or other public or private property;

b. The fence or wall must be a height that prevents the junked vehicles and vehicle parts from being visible from the street or other public or private property, in no event shall the wall or fence be less than six feet tall;

c.All fences or walls shall extend downward to within three inches of the ground and shall be plumb and square at all times;

d.Any gates or openings must be built in accordance with the requirements of this section for a fence or wall. Gates shall be closed and securely locked at all times, except during normal hours.

(3)Automotive repair facilities and automotive body shops may store no more than two junked vehicles outside of a building or fenced-in area so long as each vehicle is owned by a person other than the owner of the automotive repair facility or automotive body shop, each vehicle is being stored for the purpose of repair, and each vehicle has been stored there for 30 days or less. Automotive repair facilities and automotive body shops may temporarily store up to an additional five junked vehicle outside of a fenced-in area during normal business hours. For purposes of this section, normal business hours shall be Monday through Friday, 8:00 a.m. to 5:00 p.m.

(4)Any junked vehicle that is not stored inside a completely enclosed building must be kept neatly parked, maintained in an orderly manner, and cannot be a health hazard.

(Ord. No. G-8-04, § 2, 11-8-2004; Ord. No. G-5-16, § 1, 4-11-2016)

COMMUNICATION

SUBJECT: Consider First reading of an Ordinance (G-16-25) of the City of Port Lavaca; amending Code of Ordinances, Chapter 34, Peddlers, Solicitors, Itinerant Vendors, Garage Sales and Mobile Food Units Street Vendors; providing for purpose of the ordinance; providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

MEETING: OCTOBER 13, 2025

DATE: 10.08.2025

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: CONSIDER AMENDING CHAPTER 34 - PEDDLERS, SOLICITORS, ITINERANT VENDORS, GARAGE SALES AND MOBILE FOOD UNITS.

It was brought to our department's attention that we are a lot more stringent on "Street Vendors" than other surrounding communities. Our permitting process does not differentiate between a vendor operating a snow cone/ ice cream truck and a door-to-door salesman.

Currently, a street vendor pays \$100 for one person and \$20 each additional person for a 14 day permit.

After looking at surrounding communities, I found that our fees are more than double the cost to operate and that other communities provide an annual permit.

Therefore, It is staff's recommendation that amendments be made to Chapter 34 - Peddlers, Solicitors, Itinerant Vendors, Garage Sales and Mobile Food Units

ORDINANCE #G-16-25

AN ORDINANCE OF THE CITY OF PORT LAVACA AMENDING THE ORDINANCE CODIFIED AND DESCRIBED IN THE CITY OF PORT LAVACA'S CODE OF ORDINANCES AS CHAPTER 34 PEDDLERS, SOLICITORS, ITINERANT VENDORS, GARAGE SALES AND MOBILE FOOD UNITS, ARTICLE III, MOBILE FOOD UNITS; ADDITION OF SEC. 34-53, STREET VENDORS; PROVIDING FOR PURPOSE OF ORDINANCE, PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Purpose.

The attached Exhibit A document identifies amendments that are to be made to various Sections of Chapter 34 and the addition of Section 34-53, Street Vendors, 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 13th day of October, 2025

Jack Whitlow, Mayor

SECOND AND FINAL READING this 10th day of November, 2025

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 10th day of November, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

First Reading	Second and Final	Passed and Approved
------------------	---------------------	------------------------

- Councilman Aguirre
- Councilman Dent
- Councilman Tippit
- Councilwoman Padron
- Councilwoman Bland-Stewart
- Councilman Burke

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

CITY OF PORT LAVACA
PART II – CODE OF ORDINANCES

EXHIBIT “A”

CHAPTER 34 - PEDDLERS, SOLICITORS, ITINERANT VENDORS, GARAGE SALES, ~~AND~~ MOBILE FOOD UNITS AND STREET VENDORS

ARTICLE III. - MOBILE FOOD UNITS VENDORS AND STREET VENDORS

Sec. 34-53. - Street vendors.

(a) It shall be unlawful for any person to sell or offer for sale a snow cone or any prepackaged food including, but not limited to candy, beverages, and ice cream, from a vehicle upon a public street without first obtaining a Street Vendor Permit from the city permit department. The term of permits shall be from January 1 to December 31 of the year of issuance.

(b) Applications for Street Vendor Permits shall be made on a form provided by the city permit department including at least the following information:

(1) The name, date of birth, driver's license number, home address, business address, and business telephone number of the applicant.

(2) A description of each vehicle to be used including the make, model, vehicle identification number and license number.

(3) A description of the products or services to be sold.

(4) Each completed application shall be accompanied by the following:

a. a fee for each vehicle as established in appendix A to this Code;

b. a certificate of liability insurance for each vehicle, naming the City as an additional insured, in amounts of not less than three hundred thousand dollars (\$300,000.00) for claims of injury to or death of one person, five hundred thousand dollars (\$500,000.00) for all claims for injury to or death of persons arising from a single accident, and one hundred thousand dollars (\$100,000.00) for claims for damage to property; and

(c) Criminal history check of applicant. Persons applying for a Street Vendors Permit shall provide a state department of public safety criminal history check. Persons who have been convicted of any crime other than a minor traffic violation shall not be issued a Street Vendor Permit. Provided the applicant passes the background check, the permit department shall issue a permit for each vehicle proposed to be operated by the applicant upon compliance with the provisions of (b) above and with other applicable ordinances, and upon certification that each vehicle complies with the following equipment requirements:

(1) Vehicles shall be identified on the front and rear thereof by reflective lettering at least eight (8) inches in height stating "CAUTION-STREET VENDOR."

Vehicles shall be equipped with amber flashing lights at the front and rear thereof visible from at least five hundred (500) feet in normal daylight.

CITY OF PORT LAVACA
PART II – CODE OF ORDINANCES

- (2) All vehicles conducting sales of goods that generate litter shall be equipped with containers for the deposit of such litter, accessible from the outside of the vehicle.
- (3) Audible devices used on vehicles shall not be capable of being heard more than three hundred (300) feet from the vehicle.
- (d) It shall be unlawful for any person to sell or offer for sale any goods or services from any street vending vehicle contrary to the following operating requirements:
- (1) Vehicles shall pull as far as practicable to the right-hand curb or edge of the roadway, and shall come to a complete stop, before conducting any sale and during all times when sales are conducted.
- (2) All sales from vehicles shall be conducted in such a manner that persons do not enter or leave the sales vehicle in order to conduct sales.
- (3) No sales shall be conducted within any of the following areas:
- a. Upon any street designated as a collector or an arterial thoroughfare as designated on the adopted thoroughfare master plan.
- b. Upon any street within a public park.
- (4) Sales from vehicles shall be made only from the curbside of such vehicles.
- (5) Amber flashing lights shall be activated each time, and only when a vehicle stops to conduct a sale.
- (6) Sales shall be conducted only during the time between thirty (30) minutes before sunrise and thirty (30) minutes after sunset.
- (7) No vendor or vending unit shall restrict, obstruct or interfere with the access of any person to or from a private driveway or in any way create an obstruction to adequate access to property.
- (8) Vendors shall yield the right-of-way to all other types of traffic and shall not block the reasonable flow of traffic when stopped to conduct sales.
- (e) Upon the first conviction of an operator of a permitted vehicle for a violation of the requirements of (c) or (d) above, the permit of such vehicle shall be suspended for a period of thirty (30) days. Upon the second such conviction, the permit of the vehicle shall be revoked for the duration of its term.
- (f) Each person conducting sales from vehicles upon streets shall comply with applicable permit or registration requirements of this article, and with applicable health department permit requirements and regulations.

COMMUNICATION

SUBJECT: Consider First reading of an Ordinance (G-17-25) of the City of Port Lavaca; amending Code of Ordinances, Chapter 36, Signs, Sec. 36-7 Temporary Signs; 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

COUNCIL MEETING: OCTOBER 13, 2025**AGENDA ITEM:****DATE:** 10.08.2025**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS**FROM:** JODY WEAVER, INTERIM CITY MANAGER**SUBJECT:** CONSIDER AMENDMENTS TO TEMPORARY SIGN ORDINANCE**Background:**

In a recent review of Section 36-7 Temporary signs in the sign ordinance, we found it lacking some definitions and clarity. I did intend to initiate this discussion at a workshop on October 27, but I had a council member request that this be placed on this agenda. We can still include the topic in the workshop on the 27th for further discussion before a second reading, if this 1st reading passes.

The following are listed amendments for consideration to address these concerns, as shown in the attached proposed amended ordinance:

36-1 Definitions:

- A-frame sign - add a maximum size – suggested 12 sf, (3’x4’ sign)
- Banner Sign -add additional description and a maximum size**
- Combine Construction and Realty Sign – add a maximum size – suggested 64 sf (8’x8’ or 6’x10’ or 5’x12’) for nonresidential and 6 sf with a maximum height of 6 ft for residential areas
- Inflatable – the current ordinance has no definition, so we are proposing to add one
- Political Sign - the current ordinance has no definition, so we are proposing to add one
- Special promotion and event sign - the current ordinance has no definition, so we are proposing to add one. This definition is for promotions and events with a specific start and end date.
- Community-oriented Promotional Campaign sign – we are proposing to add this definition and provide rules for this type of sign in the ordinance. This is for promotions that are longer in duration and/or don’t have a specifying start and end date. Examples are the promotional campaigns for the Calhoun County Port and Texas A&M Victoria

36-7 (a)(2): realty signs must follow the same install requirements as construction signs in that if they are greater than 32 sf they must be constructed and tied down to meet the wind loads.

36-7 (c)(4): clarify that political signs must follow the same install requirements as realty and construction signs in that if they are greater than 32 sf they must be constructed and tied down to mee the wind loads.

36-7(d)(5): clarify that the one banner sign/one inflatable rule applies per physical address (not per business) and add that corner lots will be allowed one banner and one inflatable per street.

36-7(d)(6): change wording to say one pennant sign may be installed (instead of permitted) in order to clarify a permit is not required per each pennant, but only per physical address and clarify that corner lots may use the frontage of both streets.

36-7(d)(7): we are proposing language that says the installation of banners, flags, pennants and inflatables must be installed per the manufacturer's recommendation for high wind areas. This is not a requirement to meet the wind load, but typically manufacturer's will provide recommendations for the use/installation of their product in "high wind areas".

36-7(d)(8): Currently the ordinance requires a Temporary sign permit for all banners, flags, pennants and inflatables. There is a \$25 per physical address per year fee that is good for the calendar year. We have experienced challenges getting the permit fee paid even when the installation is in compliance with the ordinance. All of the temporary signs do not require a permit except for banners, flags, pennants and inflatables. An option to consider is to do the same with these as we do with the other temporary signs and not require a permit, but the signs will be required to be removed if they aren't in compliance with the ordinance.

36-7(g): We are proposing to add a category of sign called "Community-oriented Promotional Campaign sign." Examples of these would be the signs promoting the Calhoun County Port and the Texas A&M University - Victoria campus. Because these will be campaigns of unknown duration and unknown content, we would want any such signs greater than 6 sf to go thru a permitting process. As written, this would be a permit that would need to be renewed annually. In this way if the signs are not being taken care of and being allowed to get degraded and faded etc., the permit will not be renewed. In determining whether to issue a permit or not, the proposed content will be reviewed to verify it is community-oriented and not commercial advertising.

**

Rockport: They do not specify a maximum size; allow 2 banner signs for each 200 LF of street frontage.

New Braunfels: Temporary signs of any kind on private property are allowed for no more than 90 days within a calendar year; Only one temporary sign permitted on a lot; maximum banner size is 1.5 sf per one foot length of building length.

Seguin: Maximum banner sign is 4' x 36' (144 sf) and must be mesh. \$30 fee and 14 days max.

Buda: Temporary signs are for a 30-day period. One Temporary sign permit allowed on a lot during any consecutive 4-month period; Max size is 32 sf.

McKinney: Temporary signs are for a 30-day period up to 4 times per year. Maximum size is 50 sf.

ORDINANCE #G-17-25

AN ORDINANCE OF THE CITY OF PORT LAVACA AMENDING THE ORDINANCE CODIFIED AND DESCRIBED IN THE CITY OF PORT LAVACA'S CODE OF ORDINANCES AS CHAPTER 36 SIGNS, SEC. 36-7, TEMPORARY SIGNS; 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 36, Section 36-7, Temporary Signs, 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 13th day of October, 2025

Jack Whitlow, Mayor

SECOND AND FINAL READING this 10th day of November, 2025

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 10th day of November, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Aguirre			
Councilman Dent			
Councilman Tippit			
Councilwoman Padron			
Councilwoman Bland-Stewart			
Councilman Burke			

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

EXHIBIT A

Chapter 36 - SIGNS

Sec. 36-1. - Definitions.

A-frame sign. A temporary sign, consisting of two message panels attached by a hinge or similar device along their edge, which is placed on the ground with the base of each panel separated by a sufficient distance to allow the sign to stand upright without support. For the purposes of this definition, A-frame signs include single message panels that are mounted on a wood or metal base which provides the stability and support necessary for the sign to stand upright without attachment to a structure. The maximum total sign area per side is 12 square feet (sf).

Banner sign means any temporary sign other than a pennant, which is made from lightweight material, which is designed to hang from a rope or wire to advertise a business, service, or special event and not mounted in a permanent rigid frame. The maximum size of a banner shall be [REDACTED] sf.

Construction sign means a sign placed by a company participating in the construction of financing on the property on which the sign is placed. The maximum size of a construction sign shall be 64 sf.

Flag means a type of wind device that is specifically designed for display by attaching it to the lanyard of a flagpole. Flags of the United States of America, any state, any city or foreign nations, historical, weather and other official flags of any institution or business. Business flags are designated as flags normally associated with a specific business such as "bait" or "antiques". Any flag not meeting any one or more of these criteria shall be considered a banner sign and shall be subject to regulation as such.

Inflatable means any temporary advertising device or sign that requires air or gas to be sealed or inflated to maintain shape and is used for the purpose of advertising, promotion, or attracting attention, including balloons, figures, or similar devices.

Pennant sign means a piece or series of similar pieces of lightweight plastic, fabric or other material, whether or not containing a message of any kind attached to a structure, rope, wire, or string, designed to move in the wind and attract attention to a business, product, service, or activity.

Political sign means a temporary sign that advocates for the election or defeat of a candidate or ballot measure in a local, state, or federal election. The maximum size of a political sign shall be 64 sf.

Realty sign means a temporary sign used to advertise a real estate development site or to advertise that real estate is for sale, rent or lease. The maximum size of a realty sign shall be 64 sf.

Special promotion and event sign means a temporary sign that advertises a unique or limited duration event or campaign, such as a grand opening, seasonal sale, product launch, community fair, or similar occasion. These signs are not intended for ongoing advertising of regular business operations.

Community Promotional Goodwill Campaign sign means a temporary sign which promotes a positive community-oriented spirit in conjunction with a community spirit campaign and are not commercial advertising.

Sec. 36-7. - Temporary signs.

(a) Construction and Realty signs shall conform to the following:

~~(1) Such signs shall be located on premises no more than 30 days prior to the start of construction and removed no later than 15 days after construction is completed.~~ Such signs shall be used only temporarily during relevant periods of development or listing. Such signs become abandoned signs upon occupancy of the premises.

(2) Signs that have an area of 32 square feet or more must be constructed and tied down to meet the wind code. Signs that have less square footage may sit on the ground and be held in place by sandbags.

(3) One construction sign may be used on a lot; corner lots are allowed one sign per street.

(4) Within primarily residential areas, such signs shall be no greater than six square feet and a maximum height of 6 feet.

~~(5) Permit not required.~~

~~(b) Realty signs shall conform to the following:~~

~~(1) If on a site being developed it shall be the same as subsection (a)(1) of this section.~~

~~(2) If located on a property for sale or lease, the sign may remain on the premises until the new owner or renter takes possession of the property.~~

~~(3) Permit not required.~~

~~(e b)~~ Political signs shall conform to the following:

(1) Such signs shall not be placed in public rights-of-way except at polling places.

(2) Such signs shall be removed no later than 15 days following the election for which they are posted, except signs at polling places, which shall be removed immediately after the polling place closes.

CITY OF PORT LAVACA
PART II – CODE OF ORDINANCES

(3) Such signs shall be placed a minimum of 25 feet apart.

(4) Signs with an effective area greater than 362 square feet shall not be placed within the city limits any sooner than 60 days prior to the election and must be installed a specified in subsection (a)(2) of this section.

~~(5) Such signs shall not be restricted on private real property except as permitted by V.T.C.A., Local Government Code § 216.903.~~

~~(6 5)~~ Permit not required.

~~(d c)~~ Banners, flags, pennants, and inflatables shall conform to the following:

(1) Such signs shall be allowed for each calendar year.

(2) Such signs shall not be torn, tattered, ripped or faded.

(3) Flags of the United States of America, any state, any city or foreign nations, historical, weather and other official flags of any institution or business. Business flags are designated as flags normally associated with a specific business such as "bait" or "antiques". Such signs hung inside a place of business shall not constitute a sign and will not require a permit. Any flag not meeting any one or more of these criteria shall be considered a banner sign and shall be subject to regulation as such.

(4) Such signs and inflatables shall not encroach any public right-of-way, shall not create a sight obstruction for vehicular or pedestrian traffic and shall not be attached to any public or franchised utility pole, support wire or tree.

(5) One banner sign and one inflatable may be used per ~~place of business~~ physical address; corner lots are allowed one banner sign and one inflatable per street.

(6) One pennant sign may be ~~permitted~~ installed each 25 feet per lot frontage; corner lots may use the frontage of both streets.

Example: A lot front up to 49 feet may place one pennant sign; a 50-foot lot front may place two pennant signs, a 75-foot lot front may place three signs, etc.

(7) Banners, flags, pennants and inflatables must be securely installed per the manufacturer's recommendation for high-wind areas.

~~(7 8)~~ Permit required.

(e) A-frame signs shall conform to the following:

CITY OF PORT LAVACA
PART II – CODE OF ORDINANCES

(1) Placement. An approved A-frame sign shall conform to the following placement standards:

a. Establishments with a main customer entrance directly facing a public street or sidewalk may place an a-frame type sign on the public sidewalk in front of the establishment.

b. The sign shall not obstruct traffic control signs or devices. Signs may not impede or hinder the vision of drivers or bicyclists. Signs may not obstruct pedestrian or ADA traffic.

(2) Time limit. An approved A-frame sign shall only be placed within the working business hours of the business for which the sign is identifying.

(3) Permit not required.

(f) Special promotions and event signs temporarily displayed to advertise special promotions, events, and grand openings shall conform to the following:

(1) Such signs shall be limited to one sign per 25 feet of street frontage;

(2) Such sign shall not be erected more than 30 days prior to the event and removed not more than three days after the event;

(3) Subject to approval by the code official as to the size, location and method of erecting;

(4) Permit not required.

g) Community-oriented Promotional Campaign signs:

(1) Community-oriented promotional campaign signs which are 6 sf or less in size may be installed on private property and kept in good condition without a permit.

(2) Community promotional signs greater than 6 sf in size will require a Temporary sign permit good for one-year.

COMMUNICATION

SUBJECT: Consider awarding one or more contracts for Maintenance Mowing of various areas in the City of Port Lavaca for 2025-2026 Fiscal Year. Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

MEETING: October 13, 2025 **AGENDA ITEM** _____

DATE: 10/08/2025

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Bid award for the MAINTENANCE MOWING OF VARIOUS PUBLIC AREAS for FY 2025-26

We recently advertised for bids in the Port Lavaca Wave for MAINTENANCE MOWING OF VARIOUS AREAS for FY 2025-26. In addition to the Wave advertisement, we sent emails to known mowing contractors in the area. A copy of the Scope of Work is attached. Bids were opened on September 2. We received 4 bids. The Bid Tabulation is attached.

It is the recommendation of Derrick Smith, Director of Development Services, that more than one contract be awarded.

P & W Tree Trimming be awarded State Highway 35 median areas noted on the bid form addendum as "A" in the amount of \$28,500.00; Item H for \$8,600.00 ; Item I for \$3,800.00 and Item M for \$150.00 as needed.

READ Lawn Care be awarded Items C, D, F and J for a total of \$5,100.00.

TRAC Contractors, LLC be awarded Item G at \$12,000.00 and Items L for \$300.00 and Item O for \$100.00.

Marvelous Gardens be awarded Item N for \$125.00 as needed.

P&W Tree Trimming and Marvelous Gardens submitted the same bid for Items B at \$4,000.00, E at \$4,500.00 and K at \$1,800.00 (as highlighted in green)

The contract will be split between the Street Department (\$38,100.00) and Parks Department (\$30,200.00) as shown on the bid tabulation form. The total of the contract is \$68,300.00 and is available using budgeted contracted services in Streets and Parks.

Attachments:

- Bid tabulation
- Scope of Services including aerial photographs

CITY OF PORT LAVACA MAINTENANCE MOWING OF VARIOUS PUBLIC AREAS

BID DATE: SEPTEMBER 2, 2025 2:30 PM

All mowing bids are to include manhours necessary to remove trash prior to and during mowing service and properly dispose of trash to provide a neat clean appearance to the completed job.

BID	DESCRIPTION	EST QTY	UNIT	MARVELOUS GARDENS		P&W TREE TRIMMING		READ Lawn Care		TRAC Contractors, LLC		STREETS TOTAL	PARKS TOTAL	
				UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION			
A - SH 35 Median areas	1	Shred/Finish Mow/trim SH 35 Median within the City Limits , as shown	10	EA	\$ 3,300.00	\$ 33,000.00	\$ 2,000.00	\$ 20,000.00	\$ -	\$ -	\$ 3,500.00	\$ 35,000.00		
	2	Finish mow/trim at SH 35 median crossovers - 26 locations, as shown.	20	EA	\$ 650.00	\$ 13,000.00	\$ 275.00	\$ 5,500.00	\$ -	\$ -	\$ 1,000.00	\$ 20,000.00		
	3	Finish mow/trim SH 35 ROW at SW intersection of SH 35 and US 87 as shown	20	EA	\$ 165.00	\$ 3,300.00	\$ 75.00	\$ 1,500.00	\$ -	\$ -	\$ 200.00	\$ 4,000.00		
	4	Finish mow/trim SH 35 ROW at SE intersection of SH 35 and US 87 at Welcome sign as shown	20	EA	\$ 140.00	\$ 2,800.00	\$ 25.00	\$ 500.00	\$ -	\$ -	\$ 60.00	\$ 1,200.00		
	5	Finish Mow/Trim Triangular area at SW intersection of SH 35 and Half League Road, as shown	20	EA	\$ 140.00	\$ 2,800.00	\$ 25.00	\$ 500.00	\$ -	\$ -	\$ 60.00	\$ 1,200.00		
	6	Finish Mow/Trim island within Travis Street on N. side of SH 35, as shown	20	EA	\$ 105.00	\$ 2,100.00	\$ 25.00	\$ 500.00	\$ -	\$ -	\$ 60.00	\$ 1,200.00		
A	Total for Bid Item A			\$ 4,500.00	\$ 57,000.00	\$ 2,425.00	\$ 28,500.00	\$ -	\$ -	\$ 4,880.00	\$ 62,600.00	\$28,500.00		
B	Shred/Finish mow/trim curb Clement Cove Upland (Area B)	20	EA	\$ 200.00	\$ 4,000.00	\$ 200.00	\$ 4,000.00	\$ 390.00	\$ 7,800.00	\$ 500.00	\$ 10,000.00		\$4,000.00	
C	Finish mow/trim out 0.5 ac lot on Brookhollow Dr. at Holiday Land (Area C)	20	EA	\$ 75.00	\$ 1,500.00	\$ 82.00	\$ 1,640.00	\$ 65.00	\$ 1,300.00	\$ 85.00	\$ 1,700.00		\$1,300.00	
D	Finish mow/trim out 0.8 ac lot at the corner of Newlin St. & Commerce St. (Area D)	20	EA	\$ 85.00	\$ 1,700.00	\$ 92.00	\$ 1,840.00	\$ 65.00	\$ 1,300.00	\$ 85.00	\$ 1,700.00		\$1,300.00	
E	Finish mow/trim out between the railroad tracks and trim the curb on Main St; 2600 LF +/- (Area E)	20	EA	\$ 225.00	\$ 4,500.00	\$ 225.00	\$ 4,500.00	\$ 500.00	\$ 10,000.00	\$ 250.00	\$ 5,000.00	\$4,500.00		
F	Finish mow/trim out 0.5 ac tract at NE intersection of Half League and Main St. (Area #5)	20	EA	\$ 145.00	\$ 2,900.00	\$ 135.00	\$ 2,700.00	\$ 65.00	\$ 1,300.00	\$ 80.00	\$ 1,600.00	\$1,300.00		
G	Finish mow/trim out at City Park (Area #6)	40	EA	\$ 375.00	\$ 15,000.00	\$ 370.00	\$ 14,800.00	\$ 1,100.00	\$ 44,000.00	\$ 300.00	\$ 12,000.00		\$12,000.00	
H	Finish mow/trim out George Adams Park (Area #7)	40	EA	\$ 225.00	\$ 9,000.00	\$ 215.00	\$ 8,600.00	\$ 400.00	\$ 16,000.00	\$ 250.00	\$ 10,000.00		\$8,600.00	
I	Shred/Finish mow Barton ditch between Sandcrab Blvd AND to a point approximately 350 ft northeast of the SH 35 bridge	20	EA	\$ 300.00	\$ 6,000.00	\$ 190.00	\$ 3,800.00	\$ -	\$ -	\$ 300.00	\$ 6,000.00	\$3,800.00		
J	Finish mow/trim out Ranger Cemerery (Area #8)	20	EA	\$ 85.00	\$ 1,700.00	\$ 80.00	\$ 1,600.00	\$ 60.00	\$ 1,200.00	\$ 75.00	\$ 1,500.00		\$1,200.00	

Section VIII. Item #15.

BID	DESCRIPTION	EST QTY	UNIT	MARVELOUS GARDENS		P&W TREE TRIMMING		READ Lawn Care		TRAC Contractors, LLC		STREETS TOTAL	PARKS TOTAL
K	Trim Palm Trees and haul trimmings to City Brush pile 1x within the year	30	EA	\$ 60.00	\$ 1,800.00	\$ 60.00	\$ 1,800.00	\$ -	\$ 350.00	\$ 10,500.00		\$1,800.00	
L	Finish mow/trim out Wilson Park (Area #9)	As Needed	EA	\$ 1,365.00	#VALUE!	\$ 450.00	#VALUE!	\$ 2,200.00	#VALUE!	\$ 300.00	#VALUE!		
M	Finish mow/trim out right-of-ways (Area #10)	As Needed	EA	\$ 325.00	#VALUE!	\$ 150.00	#VALUE!	\$ 600.00	#VALUE!	\$ 450.00	#VALUE!		
N	Finish mow/trim out right-of-ways (Area #11)	As Needed	EA	\$ 125.00	#VALUE!	\$ 150.00	#VALUE!	\$ 220.00	#VALUE!	\$ 400.00	#VALUE!		
O	Finish mow/trim out right-of-ways (Area #12)	As Needed	EA	\$ 150.00	#VALUE!	\$ 150.00	#VALUE!	\$ 220.00	#VALUE!	\$ 100.00	#VALUE!		
TOTAL FOR BID ITEMS B THRU K				\$ 48,100.00		\$ 45,280.00		\$ 82,900.00		\$ 60,000.00		\$38,100.00	\$30,200.00
IF ALL BID ITEMS A - THRU J WERE AWARDED IN SINGLE CONTRACT				\$ 105,100.00		\$ 73,780.00		\$ 82,900.00		\$ 122,600.00			
TOTAL												\$68,300.00	

City of Port Lavaca
MAINTENANCE MOWING OF
VARIOUS PUBLIC AREAS
SECTION 01010

SUMMARY OF WORK

1.0 GENERAL

- 1.1 Work under this contract consists of providing full-service maintenance mowing for the designated areas. Mowing of areas to be serviced 20 times a year shall generally be performed twice in the months of March through October and once in the months of November through February. Mowing of parks shown to be 40 times a year shall generally be performed weekly in the months of March through October and twice a month during November through February. These general schedules are subject to change depending on weather and rate of grass growth. The contractor shall coordinate the schedule with the Director of Development Services.
- 1.2 Contractor shall edge and trim out all curbs, culverts, along railroad tracks, signposts, sidewalks, fire hydrants, etc. associated with the designated area. All trees and shrubs will be mowed and trimmed around and/or controlled with herbicide. 10 days following an herbicide application all dead grass will be mowed and trimmed around and trimmed out.
- 1.3 "Finish mow" is understood to mean the contractor shall use finish mowers to maintain a manicured look.
- 1.4 Contractor shall make every reasonable effort to remove all trash/litter prior to and during the mowing operations in order to provide a neat clean appearance to the completed job. Trash pickup/disposal prior to and during mowing operations shall be included in the cost for mowing services. Trash pickup/disposal shall include removal and bagging of all trash/litter and other debris. Bags of trash are to be delivered to the City Public Works Yard for disposal. Fallen and trimmed limbs and brush in the Parks shall be gathered and piled for removal by City.
- 1.5 Trimmings from Palm Trees are to be taken to the City's brush pile at the Harbor of Refuge.
- 1.5 Contractor's use of premises:
 - A. Contractor shall assume full responsibility for the protection and safekeeping of the materials, equipment, tools, and other products stored on the premises.
 - B. Contractor shall limit his operations to within the designated City right-of-ways and property. Contractor shall obtain and pay for the use of any additional storage or work areas needed for operations.
 - C. Contractor shall take all precautions as necessary to protect the public during the mowing operations.
 - D. Contractor shall be responsible for traffic control and traffic control devices around the work areas as may be applicable. All traffic control measures shall be in accordance with the recommendations and standards of the Texas Highway Department.

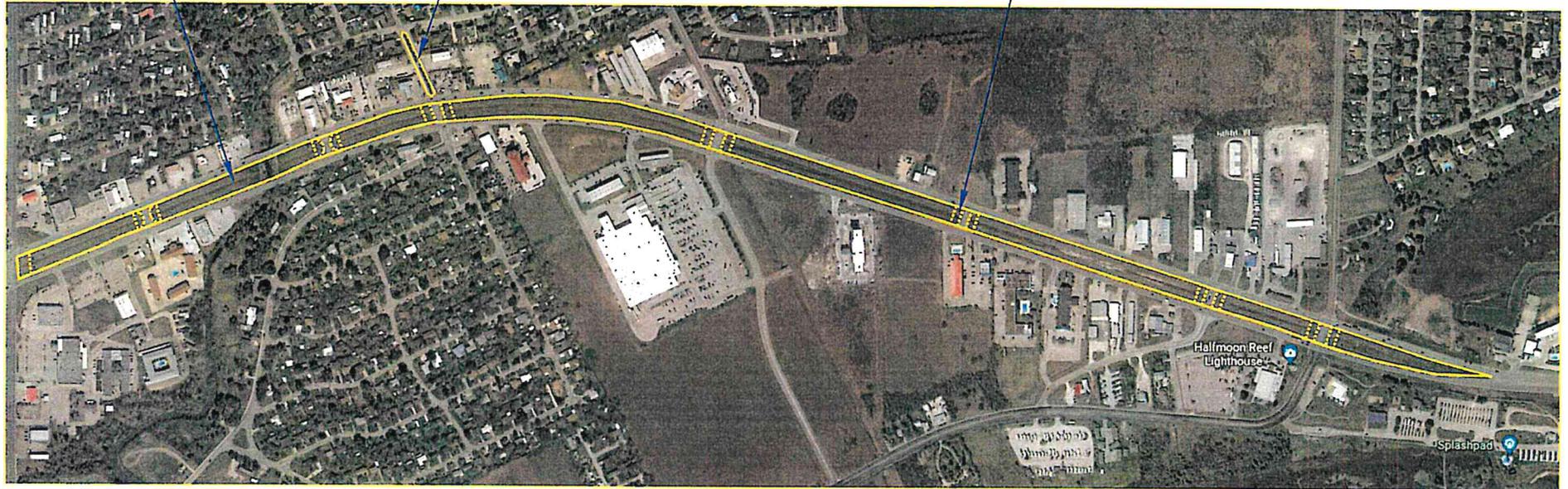
City of Port Lavaca
MAINTENANCE MOWING OF
VARIOUS PUBLIC AREAS
SECTION 01010

- 1.6 It is the Contractor's responsibility to protect the City's right-of-way and all private property against damage by the mowing process. If the site and/or adjacent structures, trees, shrubs, etc. are damaged by the mowing operations, it shall be repaired by the Contractor at no cost to the City to the satisfaction of the Director of Development Services.
- 1.7 Safety: All work shall be performed in strict accordance with all local, state, and federal laws governing occupational safety and health.
- 1.8 Tax Exemptions: The City of Port Lavaca is exempt from State Tax and Local Tax. DO NOT include tax in your bid. Tax exemption certificates will be furnished upon request.

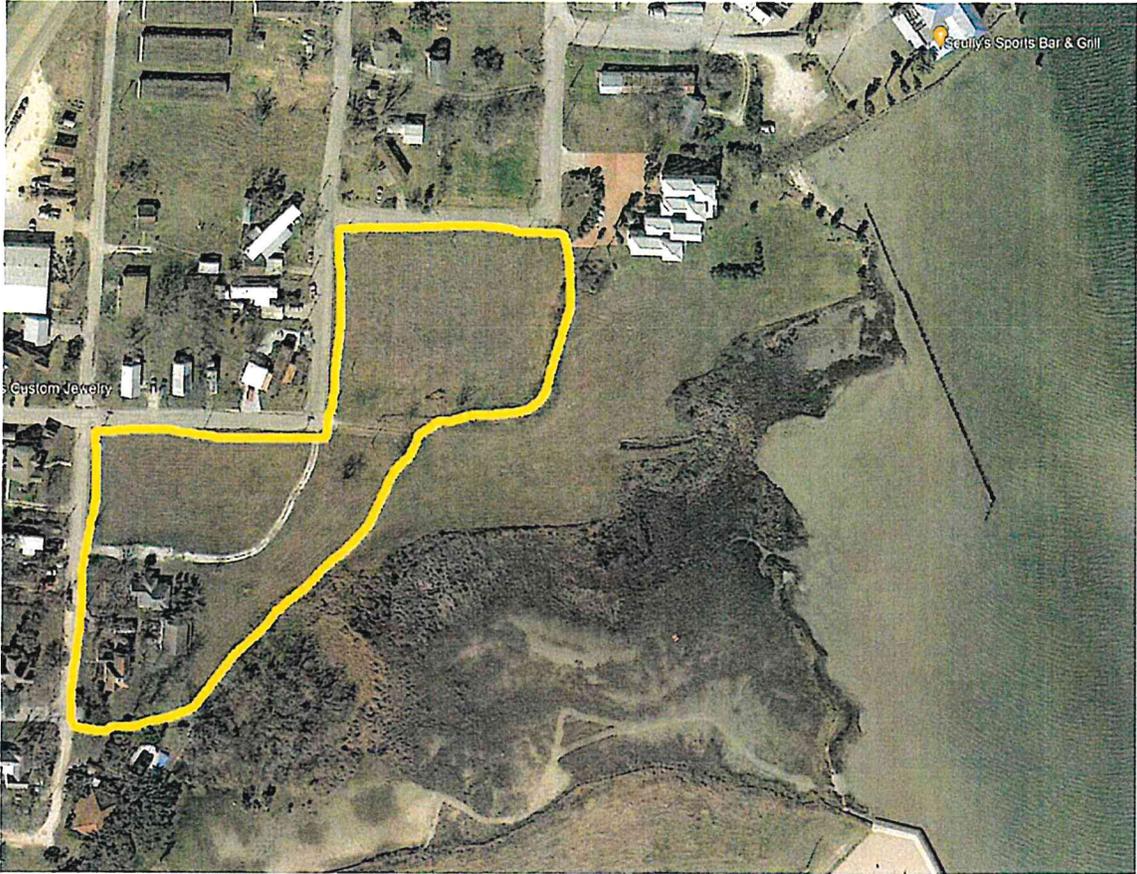
A1 - SH 35 Median

A6 - Travis St. median

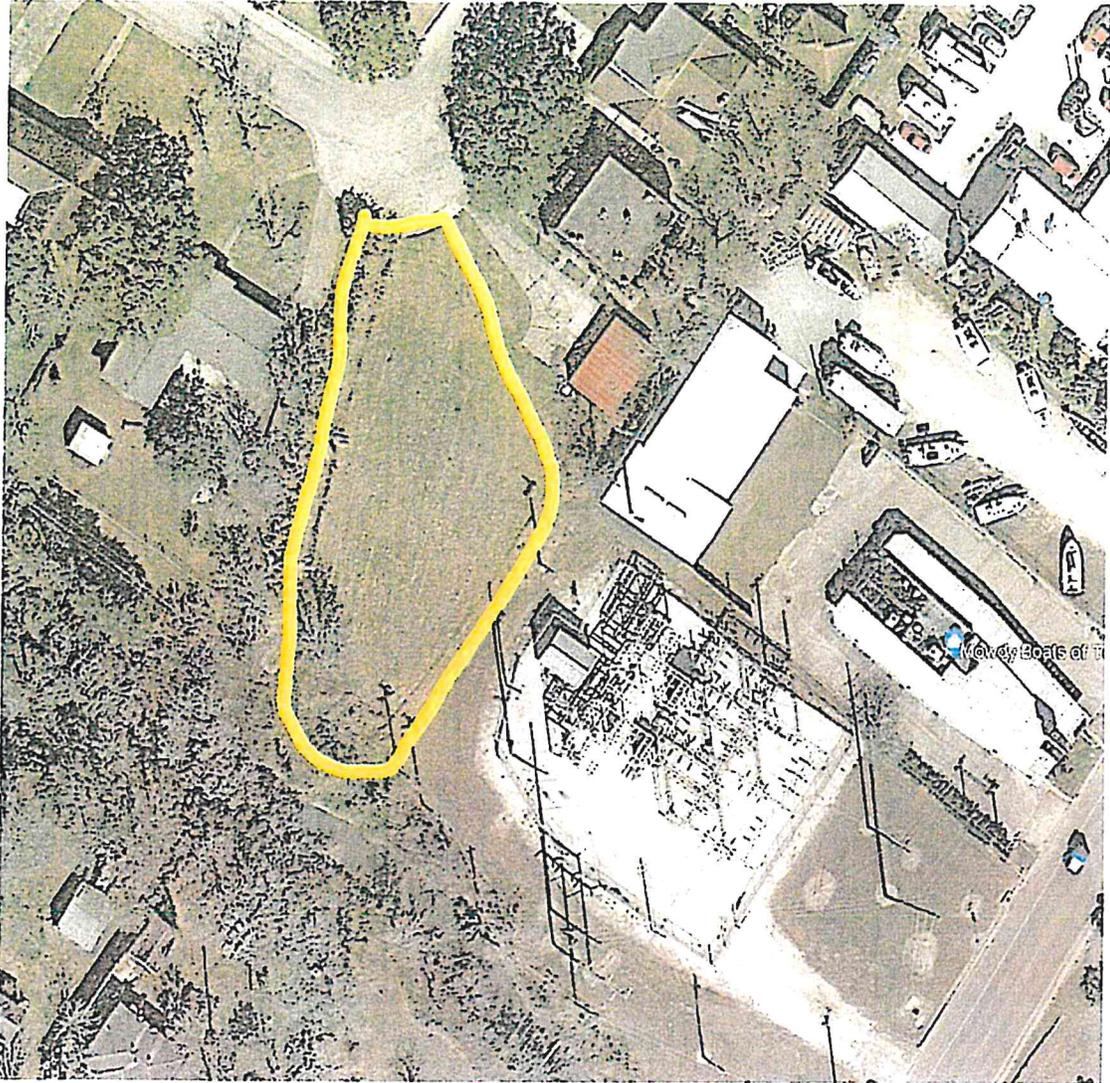
A2 - Median crossovers



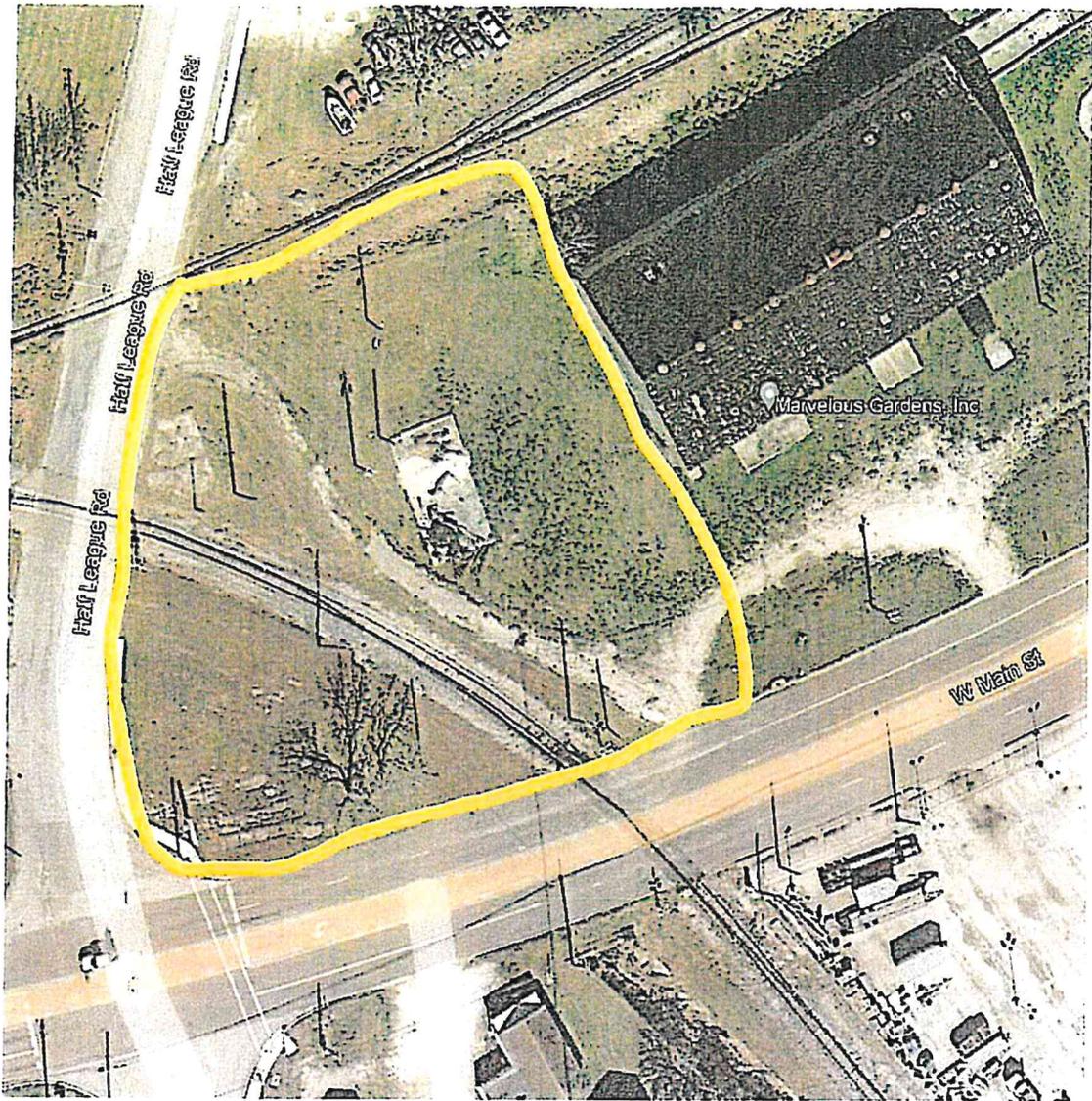
CLEMENT COVE



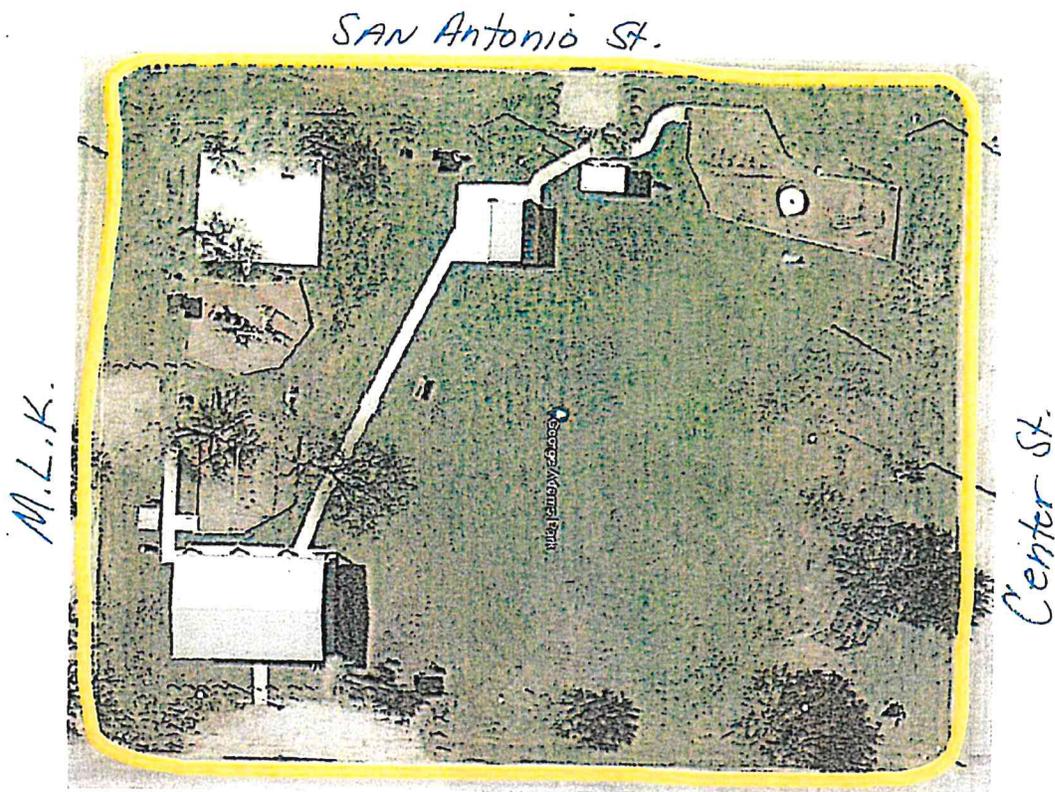
Clement Cove (304-310 Randle/E. Wilson/Bay St./George St.) Area B



Lot at Brookhollow and Holiday Lane Area C



Half League and Main Street Area F



George Adams Park - Area H

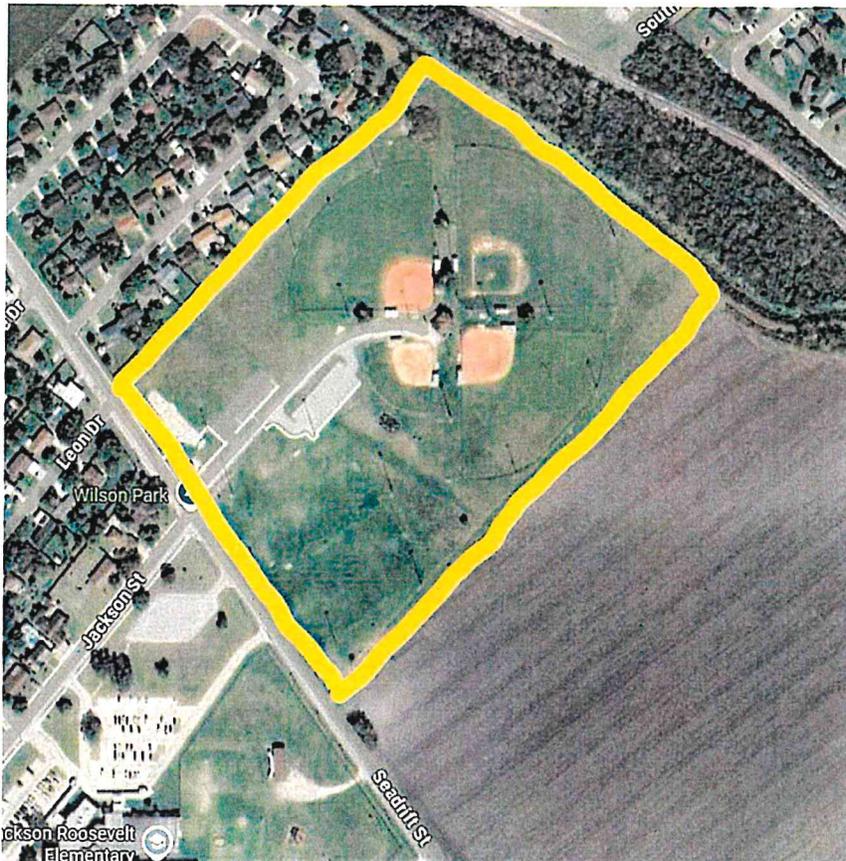
Ranger Cemetery

Area J



Wilson Park

Area L



Area O



COMMUNICATION

SUBJECT: Consider recommendation of the Planning Board for a variance to the Building and Building Regulations Ordinance, CH 12, Article II, Building Trade Codes, Sec. 12-24 Building Setbacks, for property ID #18409, Block 8, Lot 1, Brookhollow Estates Subdivision, 101 La Salle Blvd. Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

MEETING: OCTOBER 13, 2025 AGENDA ITEM _____

DATE: 10.01.2025

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

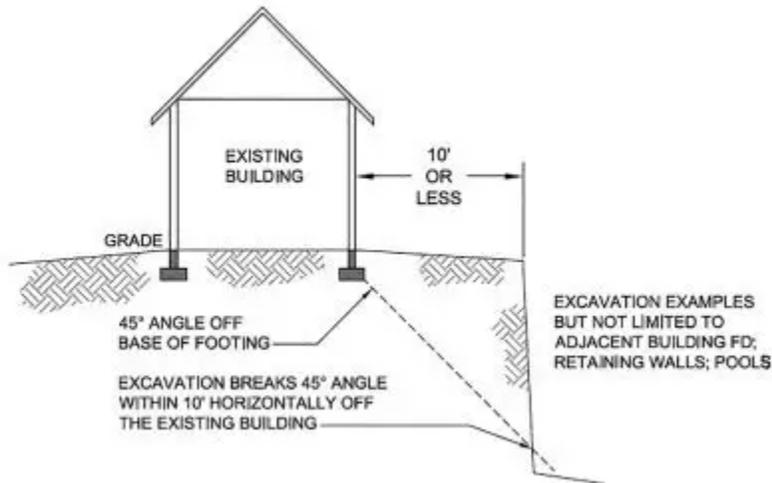
SUBJECT: Consider and discuss approval for a Variance to the ordinance Sec. 12-24. Building Setbacks for described as Lot 1 of Block 8 in the Brookhollow Estates (101 LaSalle Blvd). Property ID# 18409

Sec. 12-24 (d) (10). – Building Setbacks.

In accordance with Sec. 12-24 (d) (10), the rear setbacks line for Brookhollow Estates is 5 ft from the property line. However, in 12-24 (d) (2) it requires that the minimum rear setback lines shall be 5 ft from the edge of a utility easement. The utility easement edge is 7.5 ft from the property line. Mr. Marshall is proposing that the addition be constructed on the utility easement edge.

The property is owned by Alfred L. Sandoval.

The 5 ft setback from a utility easement is a crucial buffer between the foundation of the structure and underground utilities. This helps to prevent the foundation of a structure from failing. Pictured below is typical excavation knowledge.



CITY OF PORT LAVACA



Staff Recommendation: DENIAL. If approved the structural integrity of the structure could be compromised by any future utility improvements. Furthermore, the property does not have a unique or unusual hardship that denies the property owner the same rights as surrounding properties.

Planning Board Recommendation: APPROVAL with four conditions:

1. One foot setback
2. No overhang of the roof assembly
3. Engineered foundation with piers
4. A letter holding the city harmless of any damages that may occur to the foundation while working on utilities in the easement.

***One member voted to deny the request.

Attachments:

- Calhoun County Appraisal District Parcel Summary
- Proposed site plan

CITY OF PORT LAVACA

Property ID: 18409 For Year 2025

Property Details		
Account		
Property ID:	18409	Geographic ID: S0085-00080-0001-00
Type:	R	Zoning:
Property Use:		Condo:
Location		
Situs Address:	101 LASALLE BLVD PORT LAVACA, TX 77979	
Map ID:	S0085-00080-0001-00	Mapsco:
Legal Description:	BROOKHOLLOW ESTATES (PORT LAVACA), BLOCK 8, LOT 1	
Abstract/Subdivision:	S0085	
Neighborhood:	(1125) BROOKHOLLOW EST	
Owner		
Owner ID:	18321	
Name:	SANDOVAL ALFRED L	
Agent:		
Mailing Address:	101 LASALLE BLVD PORT LAVACA, TX 77979	
% Ownership:	100.0%	
Exemptions:	HS - For privacy reasons not all exemptions are shown online.	

COMMUNICATION

SUBJECT: Consider recommendation of the Planning Board for a conceptual plan, for a Restaurant, Scully's Grill & Bar, for the property described as A0012 Alejandro Esparza, Tract Pt 1, Wilson, Noble & Boyde Subdivision, 6.567 Acres, 1406 Broadway Street. Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

MEETING: OCTOBER 13, 2025 **AGENDA ITEM** _____

DATE: 10.01.2025

TO: HONORABLE MAYOR AND CITY COUNCIL

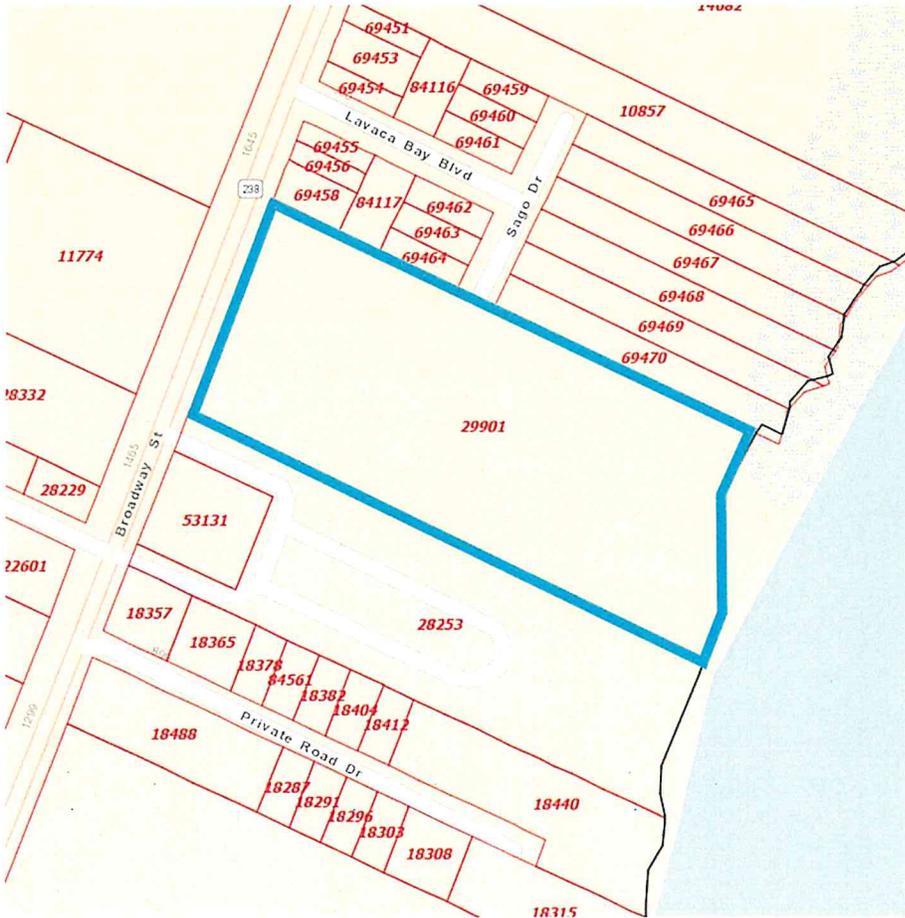
FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval of a conceptual plan for a restaurant to be located on the property described as A0012 Alejandro Esparza, Tract Pt. 1 Wilson, Noble & Boyde. (1406 Broadway St.). Property ID# 29901

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

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

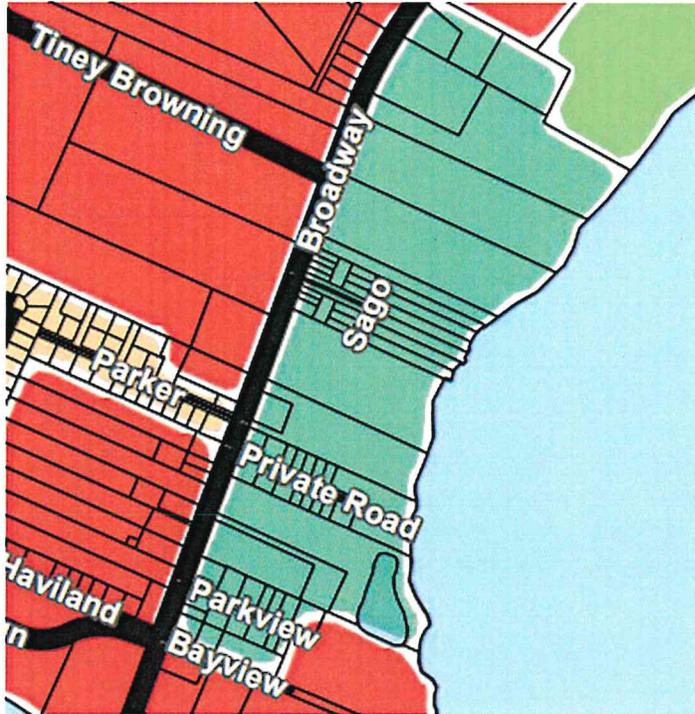
The applicant is proposing a new restaurant to be located at 1406 Broadway St.



Future land Use Map

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

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



Property ID: 29901 For Year 2025

Property Details		
Account		
Property ID:	29901	Geographic ID: A0012-00000-0220-00
Type:	R	Zoning: NULL
Property Use:		Condo:
Location		
Situs Address:	BROADWAY ST PORT LAVACA, TX 77979	
Map ID:	A0012-00040-0044-00	Mapsc0:
Legal Description:	A0012 ALEJANDRO ESPARZA, TRACT PT 1 WILSON, NOBLE & BOYDE, ACRES 6.567	
Abstract/Subdivision:	A0012	
Neighborhood:	(1565) PORT LAVACA EAST	
Owner		
Owner ID:	85215	
Name:	FONTENOT KEVIN	
Agent:		
Mailing Address:	FONTENOT CLINT SILVER EARL PO BOX 2447 CONROE, TX 77305	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

CITY OF PORT LAVACA

Staff Recommendation: APPROVAL. The request for a new restaurant to be located at 1406 Broadway Street complies with the Future Land Use Plan.

Planning Board Recommendation: APPROVAL. All members voted to approve the request.

Attachment:

- Proposal for Development
- Conceptual Plan

Proposal for Development of a Waterfront Restaurant in Port Lavaca, Texas

Submitted by: Adrian Davila

Date: September 18, 2025

1. Introduction

This proposal outlines the plan to develop a new, family-owned, full-service restaurant on the bay in Port Lavaca, Texas. The project is envisioned as a 6,000-square-foot coastal dining destination, offering both indoor and outdoor deck seating with accommodations for approximately 175–180 guests.

The restaurant aims to become a centerpiece of community life, support local jobs, and contribute to the continued revitalization of Port Lavaca's beautiful waterfront.

2. Project Summary

Project Name: Scully's Grill & Bar

Type of Business: Family Owned & Operated

Location: Broadway Street, Port Lavaca. TX

Size of facility: 4,500-6,000 sq feet depending on architectural and engineering design

Seating Capacity: 200 total (Indoor & Outdoor Combined)

Style & Cuisine: Fresh Seafood, Steaks, local Texan fare

Target Opening: Summer 2026

3. Vision & Goals

- Create a welcoming, family-friendly environment for both residents and visitors.
- Enhance Port Lavaca's bayfront experience with high-quality dining and ambiance.
- Support local employment, sourcing, and community engagement.
- Design with the coastal landscape in mind, including open-air dining, natural materials, and water views.
- Contribute to the city's economic development and tourism appeal.

4. Proposed Features

- Indoor Dining Area: Climate-controlled, flexible seating for approx. 150 guests.
- Outdoor Deck: Covered seating with direct bay views for approx. 25-30 guests.
- Bar Area: With access to both indoor dining and outdoor deck.
- Kitchen & Back-of-House: Commercial-grade kitchen with separate prep and storage areas.
- ADA Compliance: Full accessibility throughout the facility.
- Parking: Dedicated customer parking on-site

5. Economic & Community Impact

Job Creation: 40-45 local jobs, including cooks, expos, servers, bartenders, bussers, hostess, and management

Local Sourcing: Partnerships with local fishermen

Tourism Boost: Attracting day trippers and coastal tourists with a new waterfront offering

Revenue Generation: Local and state sales tax, food and beverage tax contributions

Community Events: Hosting live music, holiday events, and family nights

6. Construction & Design

- Design Concept: A modern-coastal architectural style blending indoor-outdoor spaces, wood and metal finishes, large bay-facing windows, and an open floor plan.
- Sustainability: Efficient lighting, HVAC systems, water-saving fixtures, and use of recycled or locally sourced materials.
- Construction Timeline:
 - Design & Permitting: 3–4 months
 - Construction Phase: 8–10 months
 - Opening: Targeting Q2 or Q3 2026

7. Requested Support from the City of Port Lavaca

To bring this project to life, we respectfully request the following from the City of Port Lavaca:

1. Site Selection Assistance – Identifying a city-owned or partner-available parcel suitable for development.
2. Zoning & Permitting Guidance – Fast-tracked review and clarity on zoning, permitting, and environmental compliance.
3. Potential Economic Incentives – Consideration for tax abatements, infrastructure support, or EDC partnerships.
4. Collaborative Promotion – Support in promoting the new business through city tourism and business development channels.

8. Conclusion

Our family is proud to call this area home, and we're excited to invest in Port Lavaca's future. This restaurant will not only provide great food and a vibrant atmosphere — it will serve as a gathering place on the bay, celebrating everything that makes Port Lavaca unique.

We appreciate your time and consideration and look forward to working in partnership with the City to make this vision a reality.

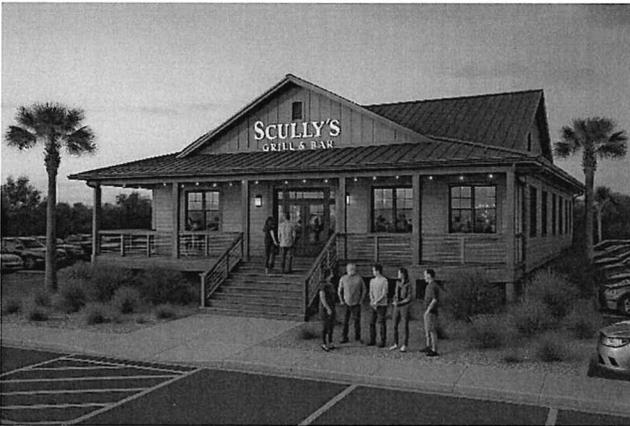
Respectfully submitted,

Adrian Davila, CEO
Scullyboy, LLC
361-218-3304
a.e.davila80@gmail.com
P.O. Box 253
Port Lavaca, TX 77979

Attachments:

- Preliminary site plan / sketches
- Executive summary

Preliminary Site Plan / Sketches



Executive Summary

Scully's Sports Bar & Grill is a family-owned, waterfront restaurant located on the scenic shores of Lavaca Bay in Port Lavaca, Texas. Our mission is to provide an exceptional dining experience that combines fresh, time-honored family recipes, and warm, attentive service in a relaxed coastal atmosphere.

Founded by the Davila family, with deep roots in the local community and a passion for hospitality, Scully's aims to be a culinary destination for locals and tourists alike. Whether guests arrive by car or by boat, they will enjoy breathtaking bay views, seasonal menus, and a welcoming environment that reflects the charm and character of our coastal heritage.

Business Highlights:

- Prime Waterfront Location: Direct bay access with outdoor seating.
- Locally sourced menu and family-style dishes inspired by regional cuisine.
- Family-Oriented Experience: Comfortable, casual setting with a focus on quality, value, and personal service.
- Community-Driven: Actively involved in our local community through partnerships and sponsorships.

Goals and Vision:

Our short-term goal is to establish Scully's Grill & Bar as a beloved local favorite and a top choice for waterfront dining. Long-term, we aim to expand our brand through special event hosting that showcase the best of the bay.

With a strong family foundation, a passion for great food, and a commitment to community, Scully's is positioned to become a cornerstone of the bay area's dining scene.

COMMUNICATION

SUBJECT: Consider professional services agreement with Mott McDonald for Engineering Services of General Land Office (GLO) Community Development Block Grant – Mitigation Program (CDBG-MIT) Regional Mitigation Program Projects Contract No. 24-065-167-F082. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

COUNCIL MEETING: OCTOBER 13, 2025

DATE: 10.13.2025

TO: JODY WEAVER, INTERIM CITY MANAGER

FROM: KATERYNA THOMAS, GRANTS & CIP COORDINATOR

SUBJECT: CONSIDER APPROVAL OF PROFESSIONAL ENGINEERING SERVICE CONTRACT-COMMUNITY DEVELOPMENT BLOCK GRANT REGIONAL MITIGATION PROGRAM (CDBG-MIT), GLO CONTRACT NO. 24-065-167-F082.

The City of Port Lavaca is a sub-recipient of the Community Development Block Grant Mitigation (CDBG-MIT) program and has been awarded funds in the amount of \$9,119,600.00. The City has recently executed the grant contract with the Texas General Land Office (GLO).

As the next step, the City must proceed with the approval of the Professional Engineering Services Contract. In 2020, the City approved a resolution R-072920-2 selecting Mott Macdonald, LLC to provide Professional Engineering Services for the CDBG-MIT program. City staff have already attended the GLO Kick-Off meeting, and to remain on schedule, it is necessary to formally approve the engineering contract with Mott Macdonald, LLC.

Therefore, the staff recommends that the City Council consider approving the Professional Engineering Services Contract with Mott Macdonald, LLC for the CDBG-MIT project under GLO Contract No. 24-065-167-F082.

100721

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT FOR PROFESSIONAL SERVICES (“Agreement”) is made this 1st day of October, 2025 (“Effective Date”), by and between The City of Port Lavaca, (“CLIENT”), a City of the State of Texas, having offices at 202 North Virginia, Port Lavaca, TX 77979 and **MOTT MACDONALD, LLC** (“ENGINEER”), a Delaware limited liability company, having principal offices at 111 Wood Avenue South, Iselin, NJ 08830. CLIENT and ENGINEER are collectively referred to as the “Parties” or individually as a “Party”.

WHEREAS, CLIENT desires to retain ENGINEER for the purposes of proceeding with professional services; and

WHEREAS, CLIENT and the ENGINEER wish to enter into an Agreement to set forth the terms and conditions under which ENGINEER will provide professional services to CLIENT on the Project (as defined herein);

NOW, THEREFORE, in consideration of the covenants herein contained, the Parties hereto agree as follows:

1. DEFINITIONS

For purposes of this Agreement, the following defined terms shall have the meanings set forth in this Article 1.

- (a) “Agreement” means this Agreement together with all other addenda attached hereto from time to time constitute the Agreement. All article and section numbers used herein refer to articles and sections of this Agreement unless otherwise specifically stated.
- (b) "Scope of Work" or “Services” or “Work” means those services described in the Exhibit A.
- (c) "CLIENT" means the entity noted in the opening paragraph to this Agreement.
- (d) “Project” means **CDBG Mitigation Programs – Corporation Ditch**

2. SCOPE OF WORK

- (a) Subject to the terms and conditions of this Agreement, CLIENT engages ENGINEER to perform, and ENGINEER agrees to perform, the Services to be described in Exhibit A, attached to this Agreement, and made a part hereof. Services not expressly provided for in the Scope of Work are excluded from the scope of work and ENGINEER assumes no duty to perform such services. **ENGINEER'S SERVICES SHALL NOT BE SUBJECT TO ANY EXPRESS OR IMPLIED WARRANTIES WHATSOEVER NOR SHALL IT BE SUBJECT TO ANY FITNESS FOR PURPOSE WARRANTIES, PERFORMANCE STANDARDS OR GUARANTEES OF ANY KIND.**
- (b) The Services performed by ENGINEER be in a manner consistent with that level of care and skill ordinarily exercised by other professional consulting firms providing similar services under similar circumstances at the time, and in the general vicinity where, the services are performed (the “Standard of Care”).

3. COMMENCEMENT OF AND CHANGES IN THE WORK

- (a) ENGINEER will initiate the tasks as set forth in the Exhibit A upon receipt of a fully executed Agreement from the CLIENT. ENGINEER and the CLIENT may at any time, by mutual written agreement, make changes within the general scope of this Agreement by additions, alterations, deviations, or omissions from this Agreement.
- (b) If such changes cause an increase or decrease in ENGINEER's cost of or time required for the performance of this Agreement, or if ENGINEER, in the performance of the services, encounters conditions differing materially from those anticipated under this Agreement or beyond what could reasonably have been anticipated by an experienced professional in work of the nature involved, ENGINEER shall be entitled to an equitable adjustment in the compensation and performance time of this Agreement.
- (c) If, in the performance of its services, ENGINEER encounters hazardous materials, or pollutants that pose unanticipated risks, the Scope of Work and ENGINEER's compensation and time of performance will be reconsidered and this Agreement shall immediately become subject to renegotiation or termination, at ENGINEER's option. In the event that this Agreement is so terminated, ENGINEER shall be paid for its fees and charges incurred to the date of such termination, including, if applicable, any additional fees or charges incurred in demobilizing.
- (d) It is recognized that other contractors may be retained separately by the CLIENT for the Project (including but not limited to geological, drilling and laboratory contractors) who may provide inputs to the Project to be utilized by ENGINEER. ENGINEER shall have the right to rely upon the timely receipt, correctness and completeness of said inputs. ENGINEER shall not be responsible for the acts, errors or omissions of any remediation action contractors or other contractors working for the CLIENT on the Project.
- (e) ENGINEER shall not have the authority to control the work of contractors retained by the CLIENT and ENGINEER shall not have any responsibility for the means, methods, sequences, procedures or techniques used on the Project, for site safety, or for the use of safe construction practices by such contractors, such responsibilities resting solely with CLIENT's other contractors or parties other than ENGINEER.
- (f) ENGINEER shall not be held responsible for damages or delays in performance (and the direct or indirect costs or consequences arising from such delays) caused or arising in whole or in part from force majeure or other events beyond ENGINEER's reasonable control and to the extent ENGINEER is impacted by the same, then ENGINEER shall be entitled to an equitable adjustment of this Agreement. For purposes of this Agreement force majeure shall include, but not be limited to, adverse weather conditions, changes in law, floods, epidemics, war, riot, strikes, lockouts and other industrial disturbances, accidents, sabotage, fire, terroristic acts, loss of permits, breakdown of machinery, failure to obtain permits, court orders, acts of God, acts, orders, laws or regulations of any government agency and unavoidable delays in the receipt of laboratory testing results.

4. PAYMENT OF ENGINEER'S FEES

- (a) ENGINEER shall be compensated for its services on a time and materials or lump sum basis, as more particularly set forth in Exhibit A.
- (b) On or before the 30th day of each month in which the ENGINEER is performing the Services, ENGINEER shall invoice CLIENT for the Services performed through the last day of the preceding month. ENGINEER'S Invoices shall be due and payable within thirty (30) days following CLIENT's receipt of the invoice.

- (c) For Services performed on a time and materials basis, invoices shall be submitted monthly by ENGINEER to the CLIENT and shall indicate the charges due from the Hourly Rate Schedule (including, without limitation, reimbursable expenses), attached hereto as Exhibit B.
- (d) For Services performed on a lump sum basis, invoices shall be submitted monthly by ENGINEER to CLIENT and shall indicate the tasks performed and completed, on a percent completed basis (including, without limitation, reimbursable expenses), and shall include the charges due based on the percentage of completion of the services, or in accordance with a payment schedule as otherwise mutually agreed to in Exhibit A.
- (e) The CLIENT shall promptly review ENGINEER's invoices and if the CLIENT disputes any amounts invoiced the CLIENT shall give prompt written notice thereof, including the item or items disputed and the basis for the dispute. The CLIENT shall in any event pay all amounts invoiced that the CLIENT does not dispute as provided for herein. Invoiced amounts not paid within thirty (30) days of their receipt shall bear interest at the maximum amount permissible by law.
- (f) The compensation for ENGINEER's services has been agreed to in anticipation of the orderly and continuous progress of the Project through completion. If there are material modifications or changes in the extent of the Project or in the time required for ENGINEER's services, its compensation and time of performance shall be equitably adjusted.

5. RESPONSIBILITIES OF THE CLIENT

The CLIENT, at its own expense, will:

- (a) Provide all criteria and full information as to the CLIENT's requirements for the Project and will make available to ENGINEER all information, documents and assistance necessary or reasonably requested by ENGINEER in order to enable it to perform the Services in a timely manner, all of which ENGINEER shall be entitled to rely upon without independent verification.
- (b) Make decisions, provide approvals and obtain all necessary authorizations, licenses and permits required in order to permit the timely performance of the Services, notify ENGINEER if it becomes aware of any matter that may change the scope, timing, order or complexity of the Services, and act reasonably, professionally and in good faith in all respects in connection with the Agreement.
- (c) Upon request by ENGINEER, furnish ENGINEER with copies of all existing data, reports, surveys, plans and other materials and information, within the possession of the CLIENT, required for the Project, all of which ENGINEER may use and rely upon in performing its services under this Agreement.
- (d) Arrange for access to and make all provisions for ENGINEER to enter upon public and private property as required for ENGINEER to perform its services.
- (e) Be responsible for locating existing underground or covered site utilities, pipelines, tanks and other structures prior to the installation of borings, wells or excavations and be responsible for all claims, liabilities and damages resulting from the failure to accurately to locate same. CLIENT shall review all boring, well and excavation locations prior to installation and shall direct that they be relocated if any conflict exists with any underground utilities, tanks or other structures.
- (f) Provide a description of activities which were conducted at the site at any time by the CLIENT or by any person or entity which would relate to the services and identify by name, quantity, location and date any releases of hazardous substances or pollutants.

- (g) Give prompt written notice to ENGINEER whenever the CLIENT observes or otherwise becomes aware of any development that affects the scope or timing of ENGINEER's services or any alleged defect in ENGINEER's services.
- (h) Designate an individual or individuals to act as the CLIENT's representative(s) with respect to the services to be rendered under this Agreement. Said individual(s) shall each have complete authority to transmit instructions, receive information and interpret and define the CLIENT's requirements, decisions, policies, drawings, plans, surveys, data and reports.
- (i) To the extent required by law, promptly report all regulated conditions, including, without limitation, the discovery of releases of hazardous substances at the site to the appropriate authorities in accordance with applicable law.
- (j) Assume responsibility for unavoidable damage or alteration to the site caused by ENGINEER's services.
- (k) Assume responsibility for personal injuries and property damage caused by ENGINEER's interference with subterranean structures such as pipes, tanks and utility lines that are not disclosed to or are not accurately disclosed to ENGINEER by the CLIENT in advance.
- (l) CLIENT shall be solely responsible for the health, safety and welfare of its employees and agents and others with regard to the Work, and shall strictly comply with all health and safety rules, including but not limited to ENGINEER's Injury, Illness and Prevention Program or applicable guidance which may be provided by ENGINEER, and all other applicable rules, regulations and guidance required by ENGINEER, CLIENT or applicable government agencies relating to the Work. CLIENT is solely responsible for establishing and enforcing any additional requirements that CLIENT deems necessary to protect its employees, ENGINEER's employees, and any other persons entering the site for purposes relating to CLIENT's operations

6. INSURANCE

So long as ENGINEER is performing Services under this Agreement, ENGINEER shall maintain insurance coverages in forms and limits as set forth below:

- a. Statutory Worker's Compensation and Employer's Liability Insurance, with limits of \$1,000,000.
- b. Commercial General Liability Insurance in the amount of \$1,000,000 bodily injury and property damage, combined aggregate limit, with "XCU" exclusions removed.
- c. Comprehensive Automobile Liability Insurance for owned, hired and non-owned motor vehicles with limits of \$1,000,000 bodily injury and property damage, combined aggregate limit.
- d. Professional Liability insurance in an amount of \$1,000,000 per claim and annual aggregate.

7. INDEMNIFICATION

- (a) ENGINEER agrees to indemnify, save and hold harmless CLIENT from and against all claims, demands, suits, judgments, liabilities, costs and reasonable attorney fees, to the extent caused by the negligent acts, errors or omissions in the performance of the Services provided hereunder.
- (b) CLIENT agrees to indemnify, save and hold harmless ENGINEER from and against all claims, demands, suits, judgments, liabilities, costs and reasonably attorney fees, to the extent caused by the negligent acts, errors or omissions of the CLIENT, in the performance of their services or obligations under this Agreement.

(c) In addition to (b) above, CLIENT shall indemnify, defend and hold harmless ENGINEER from and against all losses, claims, expenses and damages in whole or in part arising or resulting from or in connection with substances or wastes found or identified at work sites (including, without limitation claims and liabilities arising from statutes such as RCRA, CERCLA, SARA, or any other federal or state statutes) and including but not limited to losses, claims, expenses and damages which arise in whole or in part out of or are related to, or are based upon, the actual, alleged or threatened dispersal, discharge, escape, release or saturation of smoke, vapor, soot, fumes, acids, alkalis, toxic chemicals, wastes, solids, liquids, gases, thermal irritants or contaminants, hazardous, toxic residual or special wastes, materials or substances nuclear material, asbestos material, or any other material, irritant, contaminant or pollutant in or into the atmosphere, or on, onto, upon in or into the surface or subsurface (a) soils, (b) water or watercourses, (c) objects, or (d) any tangible or intangible matter, whether sudden or not.

8. WAIVER OF CONSEQUENTIAL DAMAGES

The Parties waive their rights to any and all claims against each other for incidental, special, indirect or consequential damages of any nature whatsoever, including but not limited to loss of use, lost profits, economic loss, delay, liquated damages or business interruption type damages arising out of or in any way related to the Services or Work, from any cause or causes, including but not limited to joint and several liability or strict liability and whether arising in contract, warranty, tort, negligence (including strict liability) or otherwise and no matter how claimed, computed or characterized.

9. LIMITATION OF LIABILITY

CLIENT and ENGINEER have evaluated the risks and rewards associated with the services to be performed under this Agreement, including ENGINEER's fee relative to the risks assumed, and agree to allocate certain of the risks as set forth herein. Accordingly, to the fullest extent permitted by law, the total aggregate liability of ENGINEER (and its related corporations, subconsultants, and employees) to CLIENT is limited to the professional fees actually paid to ENGINEER for Services provided under this Agreement, for any and all injuries, damages, claims, losses, or expenses (including attorney and expert fees) arising out of ENGINEER's services under this Agreement, regardless of cause(s) or the theory of liability, including negligence, indemnity, or other recovery.

10. DEFAULT/TERMINATION

In the event of a material breach of this Agreement by either Party and provided that the non-breaching Party is not in material breach hereunder and has given written notice to the other Party specifying (i) its material breach and (ii) the non-breaching Party's intent to terminate this Agreement, all at least ten (10) calendar days before the proposed date of termination, and the breaching Party has failed to correct the material breach within said ten (10) calendar days, or prepared a plan reasonably designed to cure the default if said cure is not possible within said ten (10) day period, then this Agreement shall be terminated on the date set forth in such notice. If the breaching Party cures its breach at any time prior to the proposed date of the termination, the termination notice shall be deemed withdrawn and be of no force or effect. Notwithstanding anything herein to the contrary, CLIENT may terminate this Agreement at any time, for any or no reason, upon written notice to ENGINEER; provided however that any such termination by CLIENT shall not relieve CLIENT of its obligation to pay for services or materials provided by ENGINEER in accordance with the terms of the Agreement prior to termination.

11. TIME FOR PERFORMANCE

Subject to the Standard of Care, ENGINEER shall complete its performance of the Services in conformity with the time limitations, if any, set forth in Exhibit A.

12. NOTICES

(a) All Notices, instructions and other communications, other than a formal notice of default, required or permitted to be given hereunder shall be in writing and shall be delivered via facsimile transmission or mailed by first class mail, as follows:

If to ENGINEER:

MOTT MacDONALD, LLC
111 Wood Avenue South
Iselin, New Jersey 08830-4112
Attention: Kevin Morgan
Phone:850.596.1502

If to CLIENT:

City of Port Lavaca
202 North Virginia Street
Port Lavaca, TX 77979
Attention: JoAnna Weaver, PE
Phone:

With a copy to:

MOTT MacDONALD, LLC
111 Wood Avenue South
Iselin, New Jersey 08830-4112
Attention: General Counsel
Phone: 973-379-3400

(b) Either CLIENT or ENGINEER may change the address to which communications to it are to be directed, by giving written notice to the other in the manner provided in this Section 12(a).

13. GENERAL

- (a) Executed Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but the several counterparts shall constitute but one and the same instrument.
- (b) Entire Agreement. This Agreement sets forth the entire agreement and understanding of CLIENT and ENGINEER in respect of the transactions contemplated hereby and supersedes all prior agreements, arrangements and understandings relating thereto. No representation, promise, inducement or statement of intention has been made by either CLIENT or ENGINEER which is not embodied in this Agreement.
- (c) Governing Law. This Agreement will be interpreted and construed in accordance with the internal laws of the State where the Project is located without regard to choice-of-law principles that would require the application of the laws of a jurisdiction other than such State. Unless otherwise prohibited by law CLIENT and ENGINEER waive their right to a trial by jury in any litigation resulting from this Agreement.
- (d) Third Parties. Nothing herein shall be construed to give any rights or benefits hereunder to anyone other than the CLIENT and ENGINEER. ENGINEER's Work Product may not be used or relied upon by any other person without ENGINEER's express written consent. CLIENT agrees and acknowledges that any and all reports, studies, documents or other material prepared by ENGINEER under this Agreement ("Work Product") are prepared for the sole and exclusive benefit of CLIENT, and not for any third party, including but not limited to any potential investor, financing entity, or purchaser of any of CLIENT's projects ("Third Party"). CLIENT acknowledges and agrees that Work Product may not be provided to, assigned to, or relied upon by any Third Party for the purpose of raising finances or making an investment decision, or enhancing or maintaining a credit rating, whether under a primary financing, secondary financing, re-financing, equity investment or similar financing. In the event that CLIENT desires to have a Third

Party rely on Work Product, CLIENT acknowledges and agrees that such circumstances may require the execution of a modification to this Agreement or execution of a separate form of agreement meeting ENGINEER’s required terms and conditions applicable to such circumstances. Any Work Product may also include a disclaimer providing notice of the limitations on the use and distribution of such Work Product.

- (e) Ownership of Documents. All design documents, intellectual property, materials or other work product resulting from the Services, including drawings, specifications, calculations, maps, reports, photographs, samples and other documents (hereinafter “Documents”) are instruments of service, and ENGINEER shall retain an ownership and property interest therein (including the copyright and the right of reuse at the discretion of the ENGINEER) whether or not the Project is completed. CLIENT may make and retain copies of Documents for information and reference in connection with the use of the Documents on the Project. ENGINEER grants CLIENT a limited license to use the Documents only on the Project for which they were prepared, subject to receipt by ENGINEER of full payment due and owing for all services relating to preparation of the Documents, and subject to the following limitations: (1) CLIENT acknowledges that such Documents are not intended or represented to be suitable for use on the Project unless completed by ENGINEER, or for use or reuse by CLIENT or others on extensions of the Project, on any other project, or for any other use or purpose, without written verification or adaptation by ENGINEER; (2) any such use or reuse, or any modification of the Documents, without written verification, completion, or adaptation by ENGINEER, as appropriate for the specific purpose intended, will be at the CLIENT’s sole risk and without liability or legal exposure to ENGINEER or to its officers, directors, members, partners, agents, employees, and ENGINEERS; and (3) such limited license to CLIENT shall not create any rights in third parties.
- (f) Severability. The invalidity of any provision or unenforceability thereof shall not affect the validity or enforceability of any other provisions hereof.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their respective officers thereunto duly authorized on the day and year first above written.

ATTEST:

DocuSigned by:

 F6C140D5734C485...

MOTT MacDONALD, LLC

DocuSigned by:
David Skipper
 By _____
 89D801FA1871426...
 David Skipper Senior Vice President

Dated 01-Oct-2025

ATTEST:

CLIENT

By _____

Type or Print Name and Title

Dated _____

EXHIBIT A
SCOPE OF SERVICES & COMPENSATION

Submitted to

JoAnna P. Weaver, PE
Interim City Manager

Professional Engineering Services Proposal

Mrs. Weaver,

City of Port Lavaca
202 Noth Virginia Street
Port Lavaca, Texas 77979+
jweaver@portlavaca.org

Mott MacDonald is pleased to provide this Task Order proposal for professional engineering services for drainage improvements to Coporation Ditch. The project limits are from George Street to 100 feet south of the City's Railroad and Corpotation Ditch. The proposed improvements include the following:

Project
Corpotation Ditch Design

A. Upsizing the existing drainage pipes from Half League Road and George Street piped to a new stormwater pond (Parcel ID 19679) which will discharge back into the existing drainage system north of the railroad. Existing drainage inlets along Half League Road will be connected to the upsized drain pipe. The upsized drainage system will be designed for a minimum of 5-year storm event. The stormwater pond will be designed up to the 100-year 24 Hour storm event. Rainfall data will be based on NOAA Atlas 14 information. Mott MacDonald will update the stormwater model created for the Corpotation Ditch Drainage Study based on the survey, geotechnical, and other information collected during the design phase.

MM Contact

Kevin Morgan, PE
Project Manager

Mott MacDonald
220 W Garden Street
Suite 700
Pensacola, FL 32502
kevin.morgan@mottmac.com
850.596.1502

B. Reconstruction of the existing concrete ditch between West Main Street and West Austin Street. The existing concrete ditch has deteriorated and needs to be removed and replaced. Existing culverts under West Main and Austin Street will not be reconstructed. All construction activities shall be within the same footprint of the existing ditch. Mott MacDonald assumes the ditch is within City right of way and that no permits will be required from the City or Railroad.

- C. Design and expansion of Corpotation Ditch from West Austin Street to the upstream side of the City Railroad Culvert. Mott MacDonald will design the ditch based on the 100-year storm event. However, if right of way impacts or environmental factors affect the proposed ditch configuration, then the ditch will be designed based on the space available.
- D. Design of a new culvert under Virginia Street- The culvert under Virginia Street based on the 100-year critical storm event or the maximum culvert size that will not adversely affect the road, utilities, right of way, permitting, or environment.
- E. Design and prepare separate construction documents for a new culvert under the City railroad. The culvert will be designed based on the 100-year critical storm event or the maximum culvert size that will not adversely affect the road, utilities, right of way, permitting, or environment. Approximately 100 feet of the railroad system which has been removed, will be reinstalled as part of this project. Mott MacDonald will prepare 60% and Final construction documents for this portion of the project.

The scope of services includes data collection, drainage design and construction document preparation, permitting, and bid assistance. This Task Order, when executed, will be incorporated as part of the original MSA Contract for Continuing Professional Engineering Services dated May 23, 2022, between the City of Port Lavaca and Mott MacDonald Florida, LLC.

Scope of Services**Task 1 – Data Collection**

Mott MacDonald will collect data and other information related to this project. The City will provide any studies, reports, calculations, documents, construction plans, and CAD files associated with the project area. Mott MacDonald will review the documentation provided.

Task 1a – Survey

Urban Surveying, Inc. will perform a topographic survey of above ground features located within and around project limits. The survey scope performed by SSMC will include the following tasks:

George Street to Main Street:

- Establish right of way of Half League and Railroad.

- George Street and Half League Road determine finished floor elevation of buildings located on the west side of the intersection and the building on the northeast side of the intersection.
- Locate all above ground structures (buildings, sidewalks, trees, roads, poles, railroads, etc) located within Half League right of way.
- Call in 811 ticket and locate all marked utilities, above ground and underground including sanitary, storm sewer, and water lines (pipe sizes and flowlines to be determined).
- Cross sections at 50-foot intervals and grade breaks from right of way to right of way.
- **Stormwater Pond Site:**
 - Establish property boundary lines.
 - Provide metes and bounds description and exhibit for right of way acquisition.
 - Topography survey of natural ground elevations on a 50x50 grid and drainage structures (top elevations, pipe inverts, and sizes).
- **Corporation Ditch (concrete):**
 - Establish easement/right of way lines. Easement documents to be provided by the City.
 - Locate all above ground structures located within the easement/right of way.
 - Call in 811 ticket and locate all marked utilities.
 - Cross sections at 100-foot intervals from easement-to-easement line.
 - Include culvert/bridge for Main, Live Oak, and Austin Street.
- **Corporation Ditch (vegetative):**
 - Establish easements/right of way lines. Easement documents to be provided by the City.
 - Locate all above ground structures located within the easement/right of way.
 - Call in 811 ticket and locate all marked utilities.
 - Cross sections at 100-foot intervals from easement-to-easement line. The portion of ditch east of Virginia Street holds water and will require the use of some type of watercraft to acquire bottom elevations.
 - Survey of Virginia Street where it is running parallel to Corporation Ditch.
 - Locate railroad tracks at the intersection of Corporation ditch south of Virginia Street.
- **Survey Test hole and Geotechnical Borings:**
 - Survey SUE test holes approximately 20 locations on Half League, 8 test holes on Virginia Street, and 10 miscellaneous test holes
 - Survey geotechnical borings including 3 borings at the stormwater pond, 30 borings along corporation ditch, 2 borings on Virginia Street and 2 along the railroad track. .

Task 1b – SUE

T2 Surveying will perform SUE designations of utilities for the proposed drainage improvements. The SUE scope will include the following tasks:

- Perform records research.
- Perform a geophysical investigation. It will include both sides of Half League Rd from George St to Main St, and 100' in all directions from each of the four (4) box culvert locations.
- Client to provide survey of T2ue utility designating of utility appurtenances and markings placed by our designators.
- Complete dig tickets as required by 811 law.
- Vacuum excavate a maximum of thirty-eight (38) test holes to expose, record measurements, leave lath/flag/pin.

- Provide documentation of the completed utility investigation findings.

Task 1b – Geotechnical Exploration and Reporting

TSI laboratories, Inc. will provide geotechnical services for this project and conduct soil analyses for the proposed stormwater pond, culverts, and ditch. The geotechnical services will include the following:

- 30 geotechnical borings @ 30 foot deep at the proposed stormwater pond site.
- 23 geotechnical borings @ 10 foot deep along corporation ditch.
- 2 geotechnical borings @ 20 foot deep at Virginia Street and the Railroad Culvert.
- Geotechnical borings will generally be performed using dry auger. During boring advancement soil will be sampled continuously at 2-foot intervals to 10-foot depth with an additional sample taken at 5-foot depth intervals. The sampling method is determined based on the soils encountered.
- Granular soils are sampled as part of the Standard Penetration Test (SPT) by driving a 2-inch diameter split-barrel sampler.
- Cohesive soils are sampled by hydraulically pushing a 3-inch diameter, thin-walled steel tube a distance of about 24-inches. Pavement Cores and Condition Survey (4 cores)

TSI findings, conclusions and recommendations will be presented in a report with logs of the explorations and laboratory test results. The report will include a cover letter sealed by a professional engineer, licensed in the state of Texas. We anticipate the report will include, but not be limited to, the following:

- Description of work scope, laboratory, and field procedures
- Logs of the borings
- Results of field testing
- Results of the standard laboratory testing plus organic content & permeabilities
- Recommended foundation type and design parameters
- Foundation alternatives and relevant design parameters
- Site preparation and earthwork recommendations
- Pavement recommendations
- Anticipated excavation conditions
- Subsurface water observation levels

Task 1d – Environmental Analysis and Reporting

The Mott MacDonald team, including Triton Environmental Solutions, LLC., will perform fieldwork, analysis, and permitting associated with environmental impacts within the project limits. The delineation of wetland resources will include a flagged jurisdictional determination of all wetlands regulated under City, State, and Federal rules.

Triton Environmental Solutions, LLC will analyze readily available desktop data including survey boundaries provided by the client, prior Approved Jurisdictional Determinations (AJDs) related to the survey area, U.S. Army Corps of Engineers' (USACE) AJD regulations and guidance documents, National Wetland Inventory (NWI) Maps, Texas Parks and Wildlife Department's published sensitive resource data, historical tide data, Texas General Land Office (GLO) resource management codes, GLO state tract boundaries, available bird rookery data, existing bathymetric and topographic data, current and historical aerial imagery, nautical charts, soils data, floodplain maps, United States Geological Survey (USGS) benchmarks, surveyor benchmarks and other pertinent data. Examination of all available desktop data will assist Triton to refine the scope of field work for the WOUS, and tidal boundary surveying, and determine habitat characterization for the project review area.

(PRA). Triton will also seek direction from the client regarding access approvals for the survey. Information gathered above will allow Triton to create a Waters of the U.S. sampling plan, including establishment of survey area boundaries, GPS data loading, development of wetland delineation survey transects, preliminary wetland delineation observation point locations, onsite access, and pinpoint probable areas of sensitive resources (wetlands, seagrasses, oyster, etc.). The survey plan map will be coordinated with the client for approval prior to conducting surveying activities.

Triton will perform WOUS, aquatic (if applicable, at the ditch terminus at Lavaca Bay), and tidal boundary surveys within the Corporation Ditch PRA boundary (approx. 32-acres) provided by the client. Triton's sensitive resource surveys will be conducted utilizing methodologies that have been both historically and recently approved by the environmental resource and regulatory agencies, including the USACE. It appears the terminus of Corporation Ditch occurs at the Lavaca Bay shoreline. If an aquatic survey is necessary, Triton will sample along transects spaced at 50-ft intervals. To determine the presence/absence of sensitive aquatic resources (i.e., seagrass, oyster), Triton will conduct wading hand detection samples every 10-ft in waters less than 3.0 ft NAVD 88 or utilize a 6-inch diameter core in waters > -3.0 ft NAVD 88, every 30-ft. If hard substrate is encountered by sounding, Triton will collect 6-inch diameter core samples from the bottom to determine if a live reef, shell reef, shell hash, or other shell is present. The boundaries (i.e., acreage extents) of any seagrass beds and/or live oyster reef present will be mapped within the immediate vicinity of the ditch terminus. The terrestrial area will be surveyed, and wetlands and potential waters of the U.S. identified. The survey will include habitat characterization, including USACE jurisdictional areas. Triton will conduct a tidal boundary survey delineating both the high tide line (HTL) and mean high water (MHW). To determine the position of various points/boundaries, Triton will utilize either a sub-centimeter Trimble RTK (i.e., tidal boundary) or Geo 7X GPS (i.e., aquatic surveying, WOUS). The survey effort will be photo documented and photo exhibit provided to the client.

Field data collected from Item 2, will be analyzed and used to prepare maps, supporting exhibits, and GIS files to determine and quantify the location, boundaries, and size of any sensitive resources and preliminary limits of WOUS within the PRA. All GIS files and associated data will be provided to the client.

Triton will prepare a consolidated report (WOUS and Aquatic [if applicable]) to document methods, habitat characterization, and extents of sensitive resources within the PRA survey boundary. The report will include detailed maps with all vegetation communities, seagrass beds, live oyster, HTL/MHW, and other sensitive resource boundaries. The report will be provided to the client for subsequent permitting efforts.

The findings from above will provide helpful information in determining an appropriate USACE permitting strategy. Once a permitting strategy is determined (i.e., Letter of Permission, Nationwide Permit (NWP), or standard permit), Triton will seek confirmation from the USACE prior to advancing the development of an application.

Task 2 – Design and Construction Documentation

Mott MacDonald will design the proposed drainage improvements and stormwater pond. Construction plans will be submitted at 30%, 60%, and Final phases of the project. A City review meeting will be held for each submittal in addition to review coordination with utility owners. An Opinion of Probable Construction Cost (OPCC) will be prepared for each phase. TXDOT standard specifications will be included in the construction documentation. The Final phase submittal will include a construction plans, OPCC, bid tabulation and project narrative for City bid advertisement. The following components will be incorporated in the design and construction documentation for the project:

- Design – stormwater modeling (Drainage piping, Stormwater ponds, Ditches, Culverts).
- Construction Plans – Cover Sheet, General Notes, Summary of Pay Items, Project Layout Sheet, Plan and Profile Sheets, Stormwater Pond Layout Sheet, Traffic Control Plans, Detail Sheet.

Task 3 – Permitting

Task 3a – Permit Documentation and Submittal

The Mott MacDonald team will prepare and submit the following permit documentation as required:

- USACOE
- TXDOT
- Railroad Permit for the new culvert.

Triton will prepare the required permit application package for the appropriate and preliminary coordinated regulatory authorization (i.e., NWP Pre-Construction Notification (PCN) or other potentially applicable authorization). The application package will include a project description, purpose and need, plan and section view drawings (if necessary), natural resources and tidal boundary survey report (if required), desktop threatened and endangered species evaluation, Texas General Land Office (GLO) Coastal Management Consistency Program (CMP) form, affirm 401 water quality certification (WQC), and complete discussion of how the project meets the permits general and regional conditions for compliance. If the project exceeds quantitative limits for a given condition (e.g., 25 CY discharged below the OHWM/HTL under NWP 18), a waiver will be requested. The application and/or PCN will include best management practices (BMPs) and conservation and protection measures that will be implemented during construction activities. Upon client approval, Triton will submit to the USACE's Galveston Regulatory Office for review. Note: for purposes of this proposal, it is assumed the proposed project would be authorized via a LOP or NWP, not a standard permit. Standard Permits are typically lengthy processes with multiple levels of coordination and document development required (i.e., endangered species, compensatory mitigation, alternatives analysis, etc.). If a standard permit is determined to be necessary, an updated scope will be required.

Triton will respond to USACE request for information (RFI) and/or other data requests (i.e., agency concerns/objections) and provide agency coordination, as necessary, to seek construction authorization under NWP 54 or other applicable USACE authorization. If permanent impacts to WOUS exceed specified NWP thresholds (e.g., 1/10-acre), Triton will analyze readily available desktop data (e.g., NWI, LIDAR, floodplain, city parcel) and existing site information (available survey data – including habitat, cultural, topographic, city-owned tracts, etc.) as well as project plans to assist in preliminary mitigation planning and coordination including development of an appropriate mitigation strategy. This would include a determination of mitigation requirements and identification of an appropriate strategy to fulfill required mitigation. Specifically, examination of available desktop and existing site information will preliminarily identify up to three (3) probable locations to perform either on-site or off-site compensatory mitigation, whichever is deemed most appropriate. Results of desktop analysis will be presented to the client for feedback and to collectively discuss preliminary findings, potential constraints (if any), and additional data needs to identify preferred sites to perform mitigation activities. Note: This work step does not include any field surveying or ground truthing of potential mitigation sites.

Mott MacDonald will submit the permit for the TXDOT and railroad culvert replacements, RAI responses, and agency coordination. Mott MacDonald will coordinate with the regulatory agencies during the permit review process. The City will be responsible for paying all permitting fees.

Mott MacDonald will coordinate with the City of Port Lavaca on the floodplain impacts. The City will handle all permitting required by FEMA.

Task 4 – Utility Coordination

Mott MacDonald will review existing utilities within the project limits and identify potential conflicts using a utility conflict matrix. Mott MacDonald will coordinate with utility owners identified and submit each phase of construction plans to the utility owners for review. Where possible, the general goal of this submittal please coordination will be to reach a potential utility adjustment schedule for impacted utilities, which the City may incorporate into bid documentation.

Task 5 – Bidding Assistance

Mott MacDonald will prepare bid documents for City advertisement. The bid documents will include final construction plans, bid tabulation sheet, and scope of work. Mott MacDonald will prepare and attend a pre-bid meeting via TEAMS, address bidders' questions, and prepare addendums. Mott MacDonald will review bids and provide comments to the City prior to awarding contract.

Task 6 –Acquisition Support Services

Mott MacDonald will assist the City in right of way acquisition of the stormwater pond site. Mott MacDonald will coordinate with the City documentation necessary during the acquisition process. Mott MacDonald will provide a legal descriptions or sketches for the stormwater pond site.

Task 7 – Project Management and Coordination

Mott MacDonald will hold a monthly conference call with the City to discuss the design, project schedule, and the completed and remaining tasks. Mott MacDonald will coordinate with the City in review and development of the design and associated deliverables. Project and subconsultant management will be performed in accordance with the Contract requirements. Mott MacDonald will coordinate with and document meetings held with the City, utility owner, and State and Federal permitting agencies to complete the proposed services.

Project Deliverables**Task 1 – Data Collection**

- Task 1a: Survey and SUE
 - Topographic survey in cadd format
 - Boundary survey and legal sketches/descriptions of stormwater pond site.
 - SUE and geotechnical boring locations d
- Task 1b: SUE
 - SUE type, size, and vertical depth.
- Task 1c: Geotechnical exploration and report of findings from roadway soil survey, pavement cores and condition survey, stormwater pond, and mast arm investigation
- Task 1d: Environmental analysis and reporting
 - Wetland delineation

Task 2 – Design and Construction Documentation

- Task 2a: 60% plans, OPCC, and specifications outline; City review meetings
- Task 2b: 100% plans, OPCC, and specifications package; City review meetings
- Task 2c: Final plans, OPCC, specifications package, bid tabulation, and project narrative for City bid advertisement

Task 3 – Permitting

- Task 3a: Permit Documentation and Submittal (as required)
 - Submittal of USACOE, TXDOT, Railroad Permits
- Task 3b: Utility coordination and review documentation
 - Utility Conflict Matrix
- Task 3c: Project management and coordination
 - Monthly meetings for City coordination
 - Stakeholder/review meeting documentation and progress reporting

Task 6 – Acquisition Support Services

- Provide a legal description and sketch for the proposed pond site.

Anticipated Schedule

It is anticipated that Project Tasks will be completed in accordance with the schedule milestones outlined as follows. Inclement weather, site accessibility, duration of submittal/permit review and property acquisition activities, and other factors outside of Mott MacDonald team control may affect the anticipated schedule.

Tasks	Schedule
1a Survey	12 months following Notice to Proceed (NTP)
1b SUE	12 months during design
1c Geotech	12 months following NTP
1d Wetland Delineation	11 month following NTP
2a 60% Submittal	9 months following NTP
2b 100% Submittal	8 months following 60% Review
2c Final Submittal	² 2 months following 100% Review
3a Permitting	² 2 month to develop permit package following 60% Submittal; estimate 6 months of agency review

¹ Task 1 Data Collection schedules assume that the City can provide access to all sites within the timeframes listed, and that the areas of data collection are accessible by necessary equipment and authorized for minimal clearing.

²Tasks 2 and 3 Design and Permit submittal schedules contingent upon timely Permit package submittal and continuation to 100% and Final submittals will not occur without initial property acquisition commitments for the proposed stormwater pond site and other easement(s).

Compensation

We propose a lump sum fee of \$1,048,299.00 for the professional services and deliverables described herein. Please refer to the attached fee schedule for basis.

Proposal Conditions and Assumptions

Additional services other than those specifically listed herein are excluded from the project scope of services; these exclusions may not be limited to the following:

- Public involvement and meetings
- Permitting fees
- Landscaping, Lighting, or Structural Design
- Construction phase services, to include construction engineering inspection (CEI) services
- Real estate services including appraisal
- Preparing to serve or serving as an expert witness in connection with any public hearing or legal proceeding

Certificate Of Completion

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Subject: CPL-MM - CDBG Mitigation Programs Corporation Ditch - Client Agreement.pdf
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Certificate Pages: 5
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Adam Reynolds
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8-10 Sydenham Road
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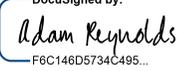
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David Skipper
David.Skipper@mottmac.com
Senior Vice Pres
Mott MacDonald, LLC
Security Level: Email, Account Authentication (None)

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Kevin Morgan
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Completed	Security Checked	10/1/2025 9:49:08 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

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Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Mott MacDonald - Non SAP:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: chris.bew@mottmac.com

To advise Mott MacDonald - Non SAP of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at chris.bew@mottmac.com and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

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To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to chris.bew@mottmac.com and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Mott MacDonald - Non SAP

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to chris.bew@mottmac.com and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Mott MacDonald - Non SAP as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Mott MacDonald - Non SAP during the course of your relationship with Mott MacDonald - Non SAP.

COMMUNICATION

SUBJECT: Consider approval for the City of Port Lavaca Lynn's Bayou Wastewater Improvement Project, Certificate of Construction Completion and authorize release of Retainage and Final Payment. Presenter is Wayne Shaffer

INFORMATION:

CITY OF PORT LAVACA

COUNCIL MEETING: OCTOBER 13, 2025**DATE:** 10.08.2025**TO:** JODY WEAVER, INTERIM CITY MANAGER**FROM:** KATERYNA THOMAS, GRANTS & CIP COORDINATOR**SUBJECT:** CITY OF PORT LAVACA LYNN'S BAYOU WASTEWATER IMPROVEMENT PROJECT;
CONSIDER CERTIFICATE OF CONSTRUCTION COMPLETION AND AUTHORIZE
RELEASE OF RETAINAGE AND FINAL PAYMENT.**Background:**

This project has been substantially complete and in full operation since November 15, 2024. It was discovered however that the Motor Control Center (MCC) installed was not provided with the proper enclosure to meet the specified safety requirements. A new MCC with the correct specifications was ordered but had a long lead time. There was another inspection performed on August 28, 2025 following the installation of the proper MCC enclosure.

Please find attached:

- Final Pay Request No. 10 in the amount of \$188,470.60 due
- Affidavit of Bills Paid
- Waiver and Lien Release upon Final Payment
- Certificate of Construction Completion
- Letter of Substantial Completion for the City of Port Lavaca Lynn's Bayou Wastewater Plant Improvement Project following installation of the proper MCC enclosure
- Substantial Completion Inspection Report dated August 28, 2024 following installation of the proper MCC enclosure

JTR has completed the punch list items of the August 28, 2025 inspection.

Recommendation:

Authorize the mayor to sign the Certificate of Construction Completion (COCC) and approve the release of retainage and payment of the final invoice of the amount of **\$188,470.60**.

CITY OF PORT LAVACA
 LYNN'S BAYOU WWTP IMPROVEMENTS
 AECOM PROJECT NO. 60659778
 AMERICAN RESCUE PLAN ACT PROJECT NO. 2202

MONTHLY PAY ESTIMATE No. 10
 PERIOD: FINAL
 TO: CITY OF PORT LAVACA
 FROM: JTR CONSTRUCTORS, INC.
 PROJECT # 22307

ORIGINAL CONTRACT AMOUNT	\$1,252,125.00
APPROVED CHANGE ORDERS	27,331.00
CURRENT CONTRACT AMOUNT	1,279,456.00

BID #	DESCRIPTION	LAST MONTH		THIS MONTH		TOTAL TO DATE		
		AMOUNT	PERCENT	AMOUNT	PERCENT	AMOUNT	PERCENT	
1	BONDS & INSURANCE	40,000	100.0%	40,000.00	0.0%	0.00	100.0%	40,000.00
2	MOBILIZATION	26,000	100.0%	26,000.00	0.0%	0.00	100.0%	26,000.00
3	TRENCH EXCAVATION & SHOR SAFE	100	100.0%	100.00	0.0%	0.00	100.0%	100.00
4	TRENCH SAFETY SYSTEM	750	100.0%	750.00	0.0%	0.00	100.0%	750.00
5	STARTUP & TRAINING	1,500	50.0%	750.00	50.0%	750.00	100.0%	1,500.00
6	DEMO SLUDGE TRANSFER PUMP	5,000	100.0%	5,000.00	0.0%	0.00	100.0%	5,000.00
7	DEMO GRIT CLASSIFIER & ACCESS	15,000	100.0%	15,000.00	0.0%	0.00	100.0%	15,000.00
8	BLOWER BUILDING	140,000	100.0%	140,000.00	0.0%	0.00	100.0%	140,000.00
9	CENTRIFUGAL BLOWERS	168,000	100.0%	168,000.00	0.0%	0.00	100.0%	168,000.00
10	YARD PIPING	98,000	100.0%	98,000.00	0.0%	0.00	100.0%	98,000.00
11	SLUDGE TRANSFER PUMP	85,000	100.0%	85,000.00	0.0%	0.00	100.0%	85,000.00
12	GRIT CLASSIFIER	381,450	100.0%	381,450.00	0.0%	0.00	100.0%	381,450.00
13	HVAC	30,000	100.0%	30,000.00	0.0%	0.00	100.0%	30,000.00
14	BLOWER ELECTRICAL	193,000	68.1%	131,500.00	31.9%	61,500.00	100.0%	193,000.00
15	SLUDGE PUMP ELECTRICAL	2,500	100.0%	2,500.00	0.0%	0.00	100.0%	2,500.00
16	GRIT CLASSIFIER ELECTRICAL	8,000	100.0%	8,000.00	0.0%	0.00	100.0%	8,000.00
17	ACCESS ROAD AND RAMP	20,000	100.0%	20,000.00	0.0%	0.00	100.0%	20,000.00
18	SIDEWALK	20,000	100.0%	20,000.00	0.0%	0.00	100.0%	20,000.00
19	SITE WORK	5,000	100.0%	5,000.00	0.0%	0.00	100.0%	5,000.00
20	DEMOBILIZATION	5,000	0.0%	0.00	100.0%	5,000.00	100.0%	5,000.00
S	SUPPLEMENTAL BID ITEMS REMOVED IN CO3	0	0.0%	0.00	0.0%	0.00	0.0%	0.00
CA	CASH ALLOWANCE	1,800	100.0%	1,800.00	0.0%	0.00	100.0%	1,800.00
TOTAL		\$1,246,100	94.6%	1,178,850.00	5.4%	67,250.00	100.0%	1,246,100.00
CO00 CHANGE ORDERS		33,356	100.0%	33,356.00	0.0%	0.00	100.0%	33,356.00
TOTAL EARNED TO DATE		\$1,279,456	94.7%	1,212,206.00	5.3%	67,250.00	100.0%	1,279,456.00
LESS 10% RETAINAGE				-121,220.60		121,220.60		0.00
SUBTOTAL				1,090,985.40		188,470.60		1,279,456.00
LESS PREVIOUS PAYMTS				<u>1,082,811.60</u>		<u>0.00</u>		<u>1,090,985.40</u>
MATERIALS ON HAND 90%				0.00		0.00		0.00
TOTAL AMOUNT DUE				\$8,173.80		188,470.60		\$188,470.60

We certify that payment on this invoice will be used towards payment of labor, materials & subcontracts for work in accordance with JTR's contract terms and conditions for this project.

VIA

DATE: 09/16/2025

[Signature]
 DATE: 9/15/25

AECOM

Tony Gonzalez, PROJ MGR JTR CONSTRUCTORS, INC.

BID #	DESCRIPTION	QTY.	UNIT	UNIT PRICE	AMOUNT	LAST MONTH		THIS MONTH		TOTAL TO DATE	
						PERCENT	AMOUNT	PERCENT	AMOUNT	PERCENT	AMOUNT
1	BONDS & INSURANCE				40,000	100.0%	40,000.00	0.0%	0.00	100.0%	40,000.00
1.1	BONDS & INSURANCE	1	LS	40,000	40,000	100.0%	40,000.00	0.0%	0.00	100.0%	40,000.00
2	MOBILIZATION				26,000	100.0%	26,000.00	0.0%	0.00	100.0%	26,000.00
2.1	MOBILIZATION	1	LS	26,000	26,000	100.0%	26,000.00	0.0%	0.00	100.0%	26,000.00
3	TRENCH EXCAVATION & SHOR SAFE				100	100.0%	100.00	0.0%	0.00	100.0%	100.00
3.1	TRENCH EX. & SHORING SAFETY	1	LS	100	100	100.0%	100.00	0.0%	0.00	100.0%	100.00
4	TRENCH SAFETY SYSTEM				750	100.0%	750.00	0.0%	0.00	100.0%	750.00
4.1	TRENCH SAFETY SYSTEM	1,500	SF	0.5	750	100.0%	750.00	0.0%	0.00	100.0%	750.00
5	STARTUP & TRAINING				1,500	50.0%	750.00	50.0%	750.00	100.0%	1,500.00
5.1	STARTUP & TRAINING	1	LS	1,500	1,500	50.0%	750.00	50.0%	750.00	100.0%	1,500.00
6	DEMO SLUDGE TRANSFER PUMP				5,000	100.0%	5,000.00	0.0%	0.00	100.0%	5,000.00
6.1	DEMOLISH SLUDGE TRANSFER PUMF	1	LS	5,000	5,000	100.0%	5,000.00	0.0%	0.00	100.0%	5,000.00
7	DEMO GRIT CLASSIFIER & ACCESS.				15,000.00	100.0%	15,000.00	0.0%	0.00	100.0%	15,000.00
7.1	DEMO GRIT CLASSIFIER & ACCESS.	1	LS	15,000	15,000	100.0%	15,000.00	0.0%	0.00	100.0%	15,000.00
8	BLOWER BUILDING				140,000	100.0%	140,000.00	0.0%	0.00	100.0%	140,000.00
8.1	EXCAVATE	1	LS	15,000	15,000	100.0%	15,000.00	0.0%	0.00	100.0%	15,000.00
8.2	SLAB	1	LS	60,000	60,000	100.0%	60,000.00	0.0%	0.00	100.0%	60,000.00
8.3	METAL BUILDING	1	LS	65,000	65,000	100.0%	65,000.00	0.0%	0.00	100.0%	65,000.00
9	CENTRIFUGAL BLOWERS				168,000	100.0%	168,000.00	0.0%	0.00	100.0%	168,000.00
9.1	BLOWERS	1	LS	168,000	168,000	100.0%	168,000.00	0.0%	0.00	100.0%	168,000.00
10	YARD PIPING				98,000	100.0%	98,000.00	0.0%	0.00	100.0%	98,000.00
10.1	YARD PIPING	1	LS	98,000	98,000	100.0%	98,000.00	0.0%	0.00	100.0%	98,000.00
11	SLUDGE TRANSFER PUMP				85,000	100.0%	85,000.00	0.0%	0.00	100.0%	85,000.00
11.1	SLUDGE TRANSFER PUMP	1	LS	85,000	85,000	100.0%	85,000.00	0.0%	0.00	100.0%	85,000.00
12	GRIT CLASSIFIER				381,450	100.0%	381,450.00	0.0%	0.00	100.0%	381,450.00
12.1	GRIT CLASSIFIER	1	LS	381,450	381,450	100.0%	381,450.00	0.0%	0.00	100.0%	381,450.00
13	HVAC				30,000	100.0%	30,000.00	0.0%	0.00	100.0%	30,000.00
13.1	DOORS & LOUVERS	1	LS	30,000	30,000	100.0%	30,000.00	0.0%	0.00	100.0%	30,000.00
14	BLOWER ELECTRICAL				193,000	68.1%	131,500.00	31.9%	61,500.00	100.0%	193,000.00
14.1	ELECTRICAL MOBILIZATION	1	LS	20,000	20,000	100.0%	20,000.00	0.0%	0.00	100.0%	20,000.00
14.1	UNDERGROUND	1	LS	50,000	50,000	100.0%	50,000.00	0.0%	0.00	100.0%	50,000.00
14.1	ABOVE GROUND	1	LS	123,000	123,000	50.0%	61,500.00	50.0%	61,500.00	100.0%	123,000.00

CODE	DESCRIPTION	QTY.	UNIT	UNIT PRICE	AMOUNT	LAST MONTH PERCENT	LAST MONTH AMOUNT	THIS MONTH PERCENT	THIS MONTH AMOUNT	TOTAL TO DATE PERCENT	TOTAL TO DATE AMOUNT
15 SLUDGE PUMP ELECTRICAL					2,500	100.0%	2,500.00	0.0%	0.00	100.0%	2,500.00
15.1	SLUDGE PUMP ELECTRICAL	1	LS	2,500	2,500	100.0%	2,500.00	0.0%	0.00	100.0%	2,500.00
16 GRIT CLASSIFIER ELECTRICAL					8,000	100.0%	8,000.00	0.0%	0.00	100.0%	8,000.00
16.01	GRIT CLASSIFIER ELECTRICAL	1	LS	8,000	8,000	100.0%	8,000.00	0.0%	0.00	100.0%	8,000.00
17 ACCESS ROAD AND RAMP					20,000	100.0%	20,000.00	0.0%	0.00	100.0%	20,000.00
17.1	ACCESS ROAD & RAMP	1	LS	20,000	20,000	100.0%	20,000.00	0.0%	0.00	100.0%	20,000.00
18 SIDEWALK					20,000	100.0%	20,000.00	0.0%	0.00	100.0%	20,000.00
18.1	SIDEWALK	1	LS	20,000	20,000	100.0%	20,000.00	0.0%	0.00	100.0%	20,000.00
19 SITE WORK					5,000	100.0%	5,000.00	0.0%	0.00	100.0%	5,000.00
19.1	SITE WORK	1	LS	5,000	5,000	100.0%	5,000.00	0.0%	0.00	100.0%	5,000.00
20 DEMOBILIZATION					5,000	0.0%	0.00	100.0%	5,000.00	100.0%	5,000.00
20.1	DEMOBILIZATION	1	LS	5,000	5,000	0.0%	0.00	100.0%	5,000.00	100.0%	5,000.00
S	SUPPLEMENTAL BID ITEMS REMOVED IN CO3				0	0.0%	0.00	0.0%	0.00	0.0%	0.00
S-1	EXTRA SAND ENCASMENT	0	CY	0	0	0.0%	0.00	0.0%	0.00	0.0%	0.00
S-2	EXTRA STRUCTURAL EXCAVATION	0	CY	0	0	0.0%	0.00	0.0%	0.00	0.0%	0.00
S-3	EXTRA COMPACTED SAND FILL	0	CY	0	0	0.0%	0.00	0.0%	0.00	0.0%	0.00
S-4	EXTRA BANK SAND BACKFILL	0	CY	0	0	0.0%	0.00	0.0%	0.00	0.0%	0.00
S-5	EXTRA CEMENT-STABILIZED BACKFIL	0	CY	0	0	0.0%	0.00	0.0%	0.00	0.0%	0.00
S-6	EXTRA CLASS A CONCRETE	0	CY	0	0	0.0%	0.00	0.0%	0.00	0.0%	0.00
S-7	EXTRA CLASS B CONCRETE	0	CY	0	0	0.0%	0.00	0.0%	0.00	0.0%	0.00
S-8	EXTRA ASPHALTIC CONC. PAVEMENT	0	SF	0	0	0.0%	0.00	0.0%	0.00	0.0%	0.00
S-9	EXTRA REINFORCING STEEL	0	LB	0	0	0.0%	0.00	0.0%	0.00	0.0%	0.00
CA CASH ALLOWANCE					1,800	100.0%	1,800.00	0.0%	0.00	100.0%	1,800.00
CA-1	CONSTRUCTION STAKING & SURVEY	1	LS	1,800	1,800	100.0%	1,800.00	0.0%	0.00	100.0%	1,800.00
CO00 CHANGE ORDERS					33,356	100.0%	33,356.00	0.0%	0.00	100.0%	33,356.00
CO01	ADDITIONAL DISCONNECT	1	LS	24,274	24,274	100.0%	24,274.00	0.0%	0.00	100.0%	24,274.00
CO03	ASPHALT DISPOSAL	1	LS	9,082	9,082	100.0%	9,082.00	0.0%	0.00	100.0%	9,082.00
CO00	CHANGE ORDER	1	LS	0	0	0.0%	0.00	0.0%	0.00	0.0%	0.00

IX - PART B

AFFIDAVIT OF BILLS PAID

STATE OF TEXAS §

COUNTY OF Harris §

BEFORE ME, the undersigned authority, on this day personally appeared _____
Tony F. Gonzalez the President of
JTR Constructors, Inc. ("CONTRACTOR"), party to that certain
Contract entered into on the 8th day of February, 2023, between City of
Port Lavaca and CONTRACTOR for the erection, construction, and completion of certain
improvements and/or additions upon the following described premises, to wit:

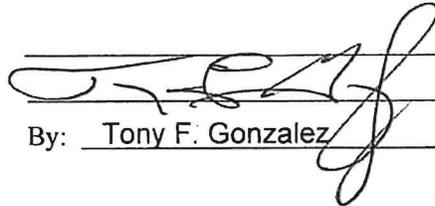
"City of Port Lavaca Lynn's Bayou Wastewater Treatment Plant Improvements, City of Port Lavaca,
Calhoun County, Texas, AECOM Project No. 60659778."

Said party being by me duly sworn states upon oath that the said improvements have been
erected and completed in full compliance with the above referred to Contract and the agreed plans
and specifications therefor.

Deponent further states that he has paid all bills and claims for materials furnished and labor
performed on said Contract and that there are no outstanding unpaid bills or legal claims for labor
performed or materials furnished upon said job.

**THIS AFFIDAVIT IS BEING MADE BY THE UNDERSIGNED REALIZING THAT
IT IS IN RELIANCE UPON THE TRUTHFULNESS OF THE STATEMENTS CONTAINED
HEREIN THAT FINAL AND FULL SETTLEMENT OF THE BALANCE DUE ON SAID
CONTRACT IS BEING MADE, AND IN CONSIDERATION OF THE DISBURSEMENT OF
FUNDS BY HARRIS COUNTY UTILITY DISTRICT NO. 6, DEPONENT EXPRESSLY
WAIVES AND RELEASES LIENS, CLAIMS, AND RIGHTS TO ASSERT A LIEN ON SAID
PREMISES AND AGREES TO INDEMNIFY AND HOLD OWNER SAFE AND
HARMLESS FROM AND AGAINST ALL LOSSES, DAMAGES, COSTS, AND EXPENSES
OF ANY CHARACTER WHATSOEVER SPECIFICALLY INCLUDING COURT COSTS,
BONDING FEES, AND ATTORNEY FEES, ARISING OUT OF OR IN ANY WAY
RELATING TO CLAIMS FOR UNPAID LABOR OR**

MATERIAL USED OR ASSOCIATED WITH CONSTRUCTION OF IMPROVEMENTS ON THE ABOVE-DESCRIBED PREMISES.


By: Tony F. Gonzalez

Subscribed and sworn to before me, the undersigned authority, on this the 16th
day of September, 2025.


Notary Public in and for Harris County, Texas

WAIVER AND LIEN RELEASE UPON FINAL PAYMENT

THE STATE OF TEXAS
COUNTY OF Harris

The undersigned contracted with JTR Constructors, Inc. furnish Labor, Materials, and Incidental Items in connection with certain improvements to real property located in Calhoun County, Texas, and owned by City of Port Lavaca which improvements are described as follows:

Job Name: City of Port Lavaca Lynn's Bayou Wastewater Treatment Plant Improvements

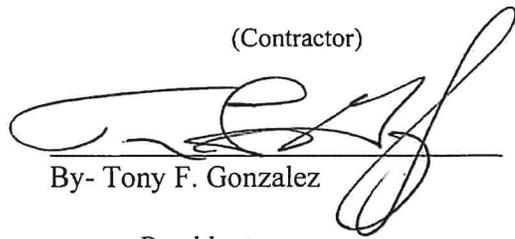
Job Number: AECOM Project No. 60659778

In consideration of Pay Estimate No. 10 & Final in the amount of One Hundred Eighty Eight Thousand Four Hundred Seventy Dollars and Sixty Cents (\$188,470.60) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed, the undersigned does hereby waive and release any mechanic's lien or materialmen's lien or claims of lien that the undersigned has or hereafter has on the above mentioned real property on account of any labor performed or materials furnished or to be furnished or labor performed and materials furnished by the undersigned pursuant to the above mentioned contract or any constitutional lien that the undersigned may have.

Undersigned hereby guarantees that all bills for labor performed and/or materials furnished in the erection and construction of such improvements on the Property have been fully paid (with the exception of the attached invoice) and satisfied and Undersigned does further guarantee that if for any reason a lien or liens are filed for material or labor against said Property arising out of any bills for material or labor in connection with the erection or construction of said improvements therein, Undersigned will obtain a settlement of such lien or liens and a proper release thereof shall be obtained.

Executed this 16th day of September 20 25

(Contractor)



By- Tony F. Gonzalez

President

Title

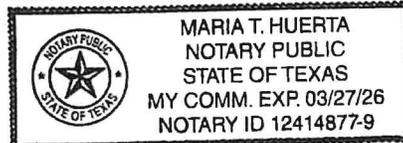
THE STATE OF TEXAS
COUNTY OF Harris

BEFORE ME, the undersigned authority, on this day personally appeared Tony F. Gonzalez of JTR Constructors, Inc., known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the executed the same as the act and deed of such corporation, for the purpose of consideration therein expressed and, in the capacity, therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16th day of September 2025.

MY COMMISSION EXPIRES: 03-27-26

Maria T. Huerta
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



CONSENT OF SURETY TO FINAL PAYMENT

Conforms with the American Institute of
Architects, AIA Document G707

Bond #4901035

- OWNER
- ARCHITECT
- CONTRACTOR
- SURETY
- OTHER

TO OWNER:
(Name and address)

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

ARCHITECT'S PROJECT NO.:

CONTRACT FOR:

CONTRACT DATED:

PROJECT:
(Name and address)

Lynn's Bayou Wastewater Treatment Plan Improvements,
Calhoun County Texas AECOM Project

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Great American Insurance Company
301 E. 5th Street
Cincinnati, OH 45202

, SURETY,

on bond of
(Insert name and address of Contractor)

JTR Constructors, Inc.
16015 Cairway Dr. #842089
Houston, TX 77284

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of any
of its obligations to
(Insert name and address of Owner)

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

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: December 3, 2024
(Insert in writing the month followed by the numeric date and year.)

Great American Insurance Company

(Surety)

Kenneth L Meyer
(Signature of authorized representative)

Kenneth L. Meyer, Attorney in Fact

(Printed name and title)

GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than **THREE**

No. 0 21664

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
CHARLES ALBERT McCLURE	ALL OF	ALL
KENNETH L. MEYER	CYPRESS,	\$100,000,000
KELLY J. BROOKS	TEXAS	

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this **6TH** day of **JULY**, 2021

Attest

GREAT AMERICAN INSURANCE COMPANY



Atty L C. B.

Assistant Secretary

Mark V Vicario

Divisional Senior Vice President

STATE OF OHIO, COUNTY OF HAMILTON - ss:

MARK VICARIO (877-377-2405)

On this **6TH** day of **JULY**, 2021, before me personally appeared **MARK VICARIO**, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



SUSAN A KOHORST
Notary Public
State of Ohio
My Comm. Expires
May 18, 2025

Susan A Kohorst

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, **STEPHEN C. BERAHA**, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this

3rd

day of

December

2014



Atty L C. B.

Assistant Secretary



**Great American Insurance Company of New York
Great American Alliance Insurance Company
Great American Insurance Company**

IMPORTANT NOTICE:

To obtain information or make a complaint:

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at:

1-800-252-3439

You may write the Texas Department of Insurance at:

P.O. Box 149104
Austin, TX 78714-9091
FAX: 1-512-490-1007

Your notice of claim against the attached bond may be given to the surety company that issued the bond by sending it by certified or registered mail to the following address:

Mailing Address: Great American Insurance Company
P.O. Box 2119
Cincinnati, Ohio 45202

Physical Address: Great American Insurance Company
301 E. Fourth Street
Cincinnati, Ohio 45202

You may also contact the Great American Insurance Company Claim office by:

Fax: 1-888-290-3706
Telephone: 1-513-369-5091
Email: BondClaims@GAIG.COM

PREMIUM OR CLAIM DISPUTES:

If you have a dispute concerning a premium, you should contact the agent first. If you have a dispute concerning a claim, you should contact the company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR BOND:

This notice is for information only and does not become a part or condition of the attached document.

Certification of Construction Completion (COCC)

(Submit one for each Prime Construction Contract)

Grant Recipient: City of Port Lavaca ARPA Contract No. : 2202

This is to certify that a final inspection of the project described below was conducted on the 28th day of August, 2025. Contract was entered into on the 8th day of February, 2023, between the City/County of Port Lavaca and JTR Constructors, Inc. for the construction of Lynns Bayou Wastewater Treatment Plant Improvements.

This is to further certify that:

1. The work has been completed in accordance with the plans and specifications and all amendments, change orders and supplemental agreements thereto.
2. The sum of \$ 0.00 has been deducted from the final payment to the Contractor in accordance with any contract liquidated damages requirements, separate from any liquidated damages resulting from Davis-Bacon compliance.
3. All programmatic requirements have been met, all claims and disputes have been settled, all warranties have been received, and all liens have been released.
4. The Contractor has presented on behalf of itself and its sureties, satisfactory evidence that he or she will repair, replace and rectify any faulty workmanship and/or materials discovered in the work with a period of thirty-one (31) months from this date, as provided in the Contract.
5. All bills for materials, apparatus, fixtures, machinery, labor, and equipment used in connection with the construction of this project have been fully paid.

6.	Amount of Original Contract	\$	<u>1,252,125.00</u>
	Cumulative Change Orders	\$	<u>27,331.00</u>
	Final Amount of Contract	\$	<u>1,279,456.00</u>
	Less Previous Payments	\$	<u>1,090,985.40</u>
	Less Deductions (from #2 above)	\$	<u>0.00</u>
	FINAL PAYMENT (Balance)	\$	<u>188,470.60</u>

7. The Final Payment above is now due and payable.

Certified by the following Engineer, Contractor, and Chief Elected Official/Designee:

V. A

 Engineer
 Senior Project Manager

Chief Elected Official/Designee

Title
AECOM

Title
City of Port Lavaca

Firm

City/County



 Contractor
 President

Title
JTR Constructors, Inc.

Firm



AECOM
800 Gessner Road, Suite 1200
Houston, TX 77094
aecom.com

September 18, 2025

Wayne Shaffer
Public Works Director
City of Port Lavaca
PWS ID No. 0290002
628 W George
Port Lavaca, TX 77979

Re: City of Port Lavaca Lynns Bayou Wastewater Treatment Plant Improvements
Contractor: JTR Constructors, Inc.
ARPA Project No. 2202

Dear Mr. Shaffer,

I, Vinoth Manoharan, PE, observed construction of the above referenced project for the City of Port Lavaca under the Contract. I, or my representative, have made a visual inspection of the work at intervals during construction and observed that the improvements, to the best of my knowledge, are substantially complete and were constructed in conformance with the approved plans and specifications, and that record drawings will be furnished to the District.

Should you have any questions or comments, please contact me either by email or phone, as noted below.

Yours sincerely,

Vinoth Manoharan, PE
Project Manager
AECOM
T: 281.675.7668
E: vinoth.manoharan@aecom.com



cc: Jody Weaver – City Manager, City of Port Lavaca
Kateryna Thomas - Grants & CIP Coordinator, City of Port Lavaca



Meeting name
Substantial Completion
Inspection

Meeting Date
8/28/2024

Location
800 N Commerce St., Port
Lavaca, TX 77979

Prepared by
Chris Rolen

Subject
Construction Punch List

Time
2:00 PM – 3:00 PM

Project name
Lynns Bayou Wastewater Treatment Plant
Improvements

AECOM project number
60659778

Attendees
Wayne Shaffer – City of Port Lavaca
Tony Gonzalez – JTR Constructors
Jackie Gonzalez – JTR Constructors
Chris Rolen – AECOM

Construction Punch List

The following list was generated at the substantial completion site walk-through conducted on August 28, 2025 at 2 PM. The list contains items that need to be addressed by JTR Constructors. Pictures of the completed project are attached.

A. Punch List Items

1. The second timer was not installed in each of the blower cabinets.
2. As-Builts including the MCC changes need to be submitted.



COMMUNICATION

SUBJECT: Announcement by Mayor that City Council will retire into closed session:

INFORMATION:

- To deliberate commercial or financial information that was received from a business prospect that seeks to locate, stay, or expand in or near the territory of the Governmental Body, and with which the Governmental Body is conducting Economic Development Negotiations, in accordance with Title 5, Chapter 551, Section 551.087 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:

- o Rebecca Holland VS City of Port Lavaca

Cause Number 2025-CV-5350-DC

Calhoun County, Texas, 267th District Court

COMMUNICATION

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

INFORMATION:

