



CITY COUNCIL REGULAR MEETING

Monday, June 09, 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 9th day of June 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
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:

II. CALL TO ORDER

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

III. INVOCATION

- Former Council Member Jim Ward gave the invocation.

IV. PLEDGE OF ALLEGIANCE

- Mayor Whitlow – Pledge of Allegiance.

V. PRESENTATION(S) BY THE MAYOR

- Employee Service Award
 - Boyd Staloch - 40 Years – Fire Department

VI. COMMENTS FROM THE PUBLIC - *Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting 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 December 09, 2024 Regular Meeting

B. Review of Credit Card Statement

C. Receive Monthly Financial Highlight Report

D. Receive Victoria Economic Development Corporation (VEDC) Monthly Report

E. Receive Capital Improvement Projects (CIP) Progress Report 10.01.2024 to 12.31.2024

F. Receive Development Services Department Quarterly Report 10.01.2024 to 12.31.2024

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 all consent agenda items as listed.

Seconded by Councilman District 6 Burke

Voting Yea:

Councilman District 1 Aguirre, Councilman District 3 Tippit, 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)

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

(a) 1216 Tilley

(b) 500 Blk N. SanAntonio (Property ID 21373)

(c) 423 N. Guadalupe

Mayor opened Public Hearing at 6:43 p.m.

Mayor closed Public Hearing at 7:00 p.m.

No action necessary and none taken.

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

(a) 1216 Tilley

(b) 500 Blk N. SanAntonio (Property ID 21373)

(c) 423 N. Guadalupe

(a) 1216 Tilley

Melissa Moreno was in attendance from Lubbock and is one of the heirs to the Jesse Moreno estate. She is going to contact her uncle, owner of Moreno Construction, to assess whether the structure could be refurbished or if it needs to be demolished. Staff is recommending Council declare this property substandard and will allow the property owner sixty (60) days to work with Development Services to arrive at a written renovation plan and if no such plan is executed, then Council authorizes staff to proceed with demolition and if necessary, place a lien on the property.

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 finds that the following property listed, 1216 Tilley, located in the City of Port Lavaca, Texas, is in violation of the City of Port Lavaca Code of Ordinances, Chapter 12 Buildings and Building Regulations, Article IV - Substandard Buildings, following a Public Hearing held on June 09, 2025:

BE IT FURTHER RESOLVED, THAT this property is hereby declared substandard and will allow the property owner sixty (60) days to work with Development Services to arrive at a written renovation plan and if no such plan is executed, then Council authorizes staff to proceed with demolition and if necessary, place a lien on the property.

Seconded by Councilman District 3 Tippit

Voting Yea:

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

(b) 500 Blk N. SanAntonio (Property ID 21373)

Staff is recommending Council declare this property substandard and will allow the property owner sixty (60) days to work with Development Services to arrive at a written renovation plan and if no such plan is executed, then Council authorizes staff to proceed with demolition and if necessary, place a lien on the property.

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 finds that the following property listed, 500 Blk N. SanAntonio (Property ID 21373), located in the City of Port Lavaca, Texas, is in violation of the City of Port Lavaca Code of Ordinances, Chapter 12 Buildings and Building Regulations, Article IV - Substandard Buildings, following a Public Hearing held on June 09, 2025:

BE IT FURTHER RESOLVED, THAT this property is hereby declared substandard and will allow the property owner sixty (60) days to work with Development Services to arrive at a written renovation plan and if no such plan is executed, then Council authorizes staff to proceed with demolition and if necessary, place a lien on the property.

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

(c) 423 N. Guadalupe

Staff is recommending Council declare this property substandard and will allow the property owner thirty (30) days to secure the building, if the property owner does not adhere to this, the Council authorizes staff to proceed with securing and monitoring the building, and to place a lien on the property.

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 finds that the following property listed, 423 N. Guadalupe, located in the City of Port Lavaca, Texas, is in violation of the City of Port Lavaca Code of Ordinances, Chapter 12 Buildings and Building Regulations, Article IV - Substandard Buildings, following a Public Hearing held on June 09, 2025:

BE IT FURTHER RESOLVED, THAT this property is hereby declared substandard and will allow the property owner thirty (30) days to secure the building, if the property owner does not secure the building within thirty (30) days, then Council authorizes staff to proceed with securing and monitoring the building, and to place a lien on the property.

Seconded by Councilman District 6 Burke

Voting Yea:

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

3. **Call annual corporate meeting to order for Port Lavaca Channel & Dock Company and consider and take any action deemed necessary for adoption of unanimous written consent. Presenter is Anne Marie Odefey**

Mayor Whitlow called the annual corporate meeting to order at 710 p.m. for Port Lavaca Channel and Dock Company. City Attorney Odefey advised Council that there was no activity and that the slate of Corporate Officers and Registered Agent of Port Lavaca Channel and Dock Company, owned by the City of Port Lavaca, resolves that Jim Ward in no longer serving as City Council Member and as such, has resigned his position; and Rose Bland-Stewart is now the Council Member serving for that District; and slate of members stand as follows:

President	Jack Whitlow,	Mayor
Secretary	Mandy Grant,	City Secretary
Director	Daniel Aguirre,	Council Member District 1
Director	Tim Dent,	Council Member District 2
Director	Allen Tippit,	Council Member District 3
Director	Rosie Padron,	Council Member District 4
Director	Rose Bland-Stewart,	Council Member District 5
Director	Justin Burke,	Council Member District 6
Registered Agent	Anne Marie Odefey	City Attorney

Mayor Whitlow called the annual corporate meeting closed at 714 p.m.

No action needed and none taken.

4. **Call annual corporate meeting to order for Clement Cove Harbor Company and consider and take any action deemed necessary for adoption of unanimous written consent. Presenter is Anne Marie Odefey**

Mayor Whitlow called the annual corporate meeting to order at 7:14 p.m. for Clement Cove Harbor Company. City Attorney Odefey advised Council that there was no activity and that the slate of Corporate Officers and Registered Agent of Clement Cove Harbor Company, owned by the City of Port Lavaca, resolves that Jim Ward in no longer serving as City Council Member and as such, has resigned his position; and Rose Bland-Stewart is now the Council Member serving for that District; and slate of members stand as follows:

President	Jack Whitlow,	Mayor
Secretary	Mandy Grant,	City Secretary
Director	Daniel Aguirre,	Council Member District 1
Director	Tim Dent,	Council Member District 2
Director	Allen Tippit,	Council Member District 3
Director	Rosie Padron,	Council Member District 4
Director	Rose Bland-Stewart,	Council Member District 5
Director	Justin Burke,	Council Member District 6
Registered Agent	Anne Marie Odefey	City Attorney

Mayor Whitlow called the annual corporate meeting closed at 717 p.m.

No action needed and none taken.

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

Paul Spaeth, CCAD Chief Appraiser, presented Council the 2026 proposed Budget from the Calhoun County Appraisal District (CCAD) as required by Sec. 6.06 (A) of the Texas Property Tax Code to the Governing bodies of the Taxing Units within. A copy is in the office of the City Secretary, in its entirety.

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 accepts the 2026 proposed Budget from the Calhoun County Appraisal District (CCAD).

Seconded by Councilman District 6 Burke

Voting Yea:

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

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

Interim City Manager Weaver advised Council, via Zoom, that the term of Port Commissioner Robert Knox is up in July and he has indicated that he is unable to serve another term.

In the May 28 issue of the Port Lavaca Wave, I published an advertisement saying that the City of Port Lavaca is looking for individuals to join our Boards and Commissions and indicated the openings currently available. The only response was from Jim Ward sending a letter of interest to be appointed to the Port Commission.

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

- ***Sec. 3.12. - Ineligibility to appointment or election to office.***
 - *No member of the Council shall be eligible to be elected or appointed to any office created by, or the compensation of which was increased or fixed by the Council while he/she was a member thereof. until after the expiration of at least one year after he/she has ceased to be a member of the Council.*

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 appoints Jim Ward to the Port Commission as a Board Member to serve a new two-year term.

Seconded by Councilwoman District 5 Bland-Stewart

Voting Yea:

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

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

Interim City Manager Weaver advised Council, via Zoom, that the City's current representation on the Golden Crescent Regional Planning Commission is as follows:

- General Assembly (GA) - meets 1 x per year; Board of Directors (BOD) meets approximately monthly;
- General Assembly Seat #1: Allen Tippit (serves also as Cities of Calhoun County Board of Directors representative); and
- General Assembly Seat #2: Rosie Padron.

Options for Action:

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

The Board of Director position is a 1 year term beginning 09/01/2025; and the General Assembly positions are 2 -years terms beginning 09/01/2025.

Motion made by Councilman District 1 Aguirre

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

THAT, Council hereby nominates Councilwoman Rosie Padron and Councilwoman Rose Bland-Stewart to the General Assembly of the Golden Crescent Regional Planning Committee (GCRPC) representing the City of Port Lavaca, for a one-year term, beginning September 01, 2025 through August 31, 2026.

BE IT FURTHER RESOLVED THAT, Council hereby nominates Councilman Allen Tippit to the Board of Directors of the Golden Crescent Regional Planning Committee (GCRPC) for a two-year term, beginning September 01, 2025 through August 31, 2027.

Seconded by Councilman District 6 Burke

Voting Yea:

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

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

Development Services Director Smith advised Council that Manuela Olachia has requested a Snow Cone stand to be located at 1111 W. Austin Street, the corner of Seadrift Street and West Austin Street. This request complies with the Future Land Use Plan.

He said that the Planning Board did not meet to discuss this item due to a lack of quorum.

Staff recommends Council approve this request.

Motion made by Councilwoman District 5 Bland-Stewart

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

THAT, in accordance with the recommendation of staff, Council hereby approves the request of Manuela Olachia of a conceptual plan for a Snow Cone stand to be located on the corner of Seadrift Street and West Austin (1111 W. Austin Street).

Seconded by Councilman District 6 Burke

Voting Yea:

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

Voting Nay:

Councilman District 1 Aguirre

9. **Consider award for the Micro Surfacing Pavement Treatment for Mariemont and Hillside Terrace Subdivisions. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council, via Zoom, that in continuation of the planned street remediation staff recently advertised for the proposed 2025 Micro Surfacing Pavement Treatment of Mariemont and Hillside Terrace Subdivisions. Staff received two bids on June 03, 2025 and they are as follows:

Bidder	Base Bid	Alternate Bid	Total Bid	Calendar Days
Intermountain Slurry Seal, Inc	\$163,800.00	\$62,480.00	\$226,280.00	30
Viking Construction, LLC	\$168,861.00	\$63,929.25	\$232,790.25	160

The apparent Low Bidder is Intermountain Slurry Seal with a total base bid of \$163,800.00 and add alternate of \$62,480.00, for a grand total of \$226,280.00.

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

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 authorizes award for the Micro Surfacing Pavement Treatment for Mariemont and Hillside Terrace Subdivisions to Intermountain Slurry Seal, Inc. in the amount of \$226,280.00 and 30 days to complete from date of receipt of Order to Proceed.

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

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

10. **Consider awarding a contract with NewGen Strategies and Solutions to conduct a Water and Wastewater Rate Study, for a fee not to exceed \$45,000. Presenter is Jody Weaver**

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

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

Because we were just then embarking on the meter swap-out project and it was anticipated that customers would see an increase in their bill simply due to more accurate metering, it was decided at the time to not implement these recommendations to redesign our entire rate structure until the new meters had been in the ground at least a couple of years. (The current in-city residential base rates at that time for water and sewer were \$17.00 and \$16.00 respectively. The recommended new base rates for a ¾" meter were \$25.94 for water and \$28.45 for sewer. This was not adopted at that time).

Then, effective January 2023, the utility base rates were increased to account for the Public Utility Funds share of debt service for the Water and Wastewater Improvement projects being funded in part by ARPA as well as to pay the general fund back for the cost of the preliminary WWTP Expansion engineering. Residential Water base rate went from \$17.00/mo to \$24.84/mo and the Residential Sewer Base rate from \$16.00 to \$25.27. Effective May 2024, the water rates were increased to reflect the additional amount of bond funds needed for the Water System improvement project, which increased the Residential Water Base Rate to what it still is now at \$26.65.

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

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

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

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

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

The Fiscal Year-end 2025 budget includes \$30,000 for a Water/Sewer Rate Study. This proposal is an hourly contract with a Not-to-exceed dollar amount of \$45,000 based upon the anticipated scope. We would not anticipate spending more than the budgeted \$30,000 before October, so the balance will be included in the Fiscal Year End 2026 budget. The proposed completion date is November 2025. Procurement of NewGen Strategies is with the Cooperative Purchasing Program HGAC-Buy, which the City of Port Lavaca is a member.

Staff recommends Council accept the proposal of NewGen Strategies and Solutions, LLC dated May 27, 2025, not to exceed \$45,000.00 and authorize the mayor to sign the proposal as submitted.

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 proposal of NewGen Strategies and Solutions, LLC dated May 27, 2025, not to exceed \$45,000.00.

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

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

Voting Nay:

Councilman District 6 Burke

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

Finance Director Hogan advised Council, via Zoom, that staff has received and reviewed the medical insurance plan options available to the City for the fiscal year beginning October 01, 2025, as offered by Blue Cross Blue Shield (BCBS) through TX Health Benefits Pool. There are no changes in the vision or dental policies offered.

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

This year staff has great news that we can maintain the exact same benefits package without any change in premiums at all! Texas Municipal League (TML) is able to maintain our coverage at the same rate primarily for two (2) reasons:

- 1) our continued high participation in our annual wellness program; and
- 2) getting utilization ratio back down below 85%.

There are two options offered which would reduce the deductible, but at an increased cost. Recall also last year, because of the 9.34% increase in premiums, we did make adjustments to the % of the premiums that the employees pay.

Staff's recommendation this year is to stay with our current plan at no change in cost and no change in the % participation from the employees.

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 new plan options for the 2025-2026 Fiscal Year with Texas Municipal League (TML) Intergovernmental Employee Benefits Pool related to the City's Group Health Insurance Coverage.

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, Councilman District 6 Burke

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

Motion made by Councilman District 1 Aguirre

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

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

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

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

Seconded by Councilman District 6 Burke

Voting Yea:

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

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

Motion made by Councilman District 1 Aguirre

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

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

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

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

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

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

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

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

Seconded by Councilman District 3 Tippit

Voting Yea:

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

14. **Consider Resolution No. R-060925-3 of the City of Port Lavaca for Award of Administrator for the HOME Program. Presenter is Kateryna Thomas**

Motion made by Councilman District 6 Burke

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

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

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

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

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

Section 2. That any and all project-related services contracts or commitments made with the above-named service provider(s) are dependent on the successful negotiation of a contract with the service provider(s).
department by resolution or ordinance, should the project be selected for funding.

Seconded by Councilwoman District 5 Bland-Stewart

Voting Yea:

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

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

Motion made by Councilman District 3 Tippit

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

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

WHEREAS, the proposals received by due date have been reviewed to determine the most qualified and responsive providers for each professional service giving consideration to the ability to perform successfully under the terms and conditions of the proposed procurement, integrity, compliance with public policy, record of past performance, and financial and technical resources.

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

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

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

Seconded by Councilman District 6 Burke

Voting Yea:

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

16. **Consider Resolution No. R-060925-5 of the City of Port Lavaca to adopt the Budgetary and Financial Management Policies for FY 2025-2026. Presenter is Brittney Hogan**

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

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

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 Resolution No. R-060925-5 of the City of Port Lavaca to adopt the Budgetary and Financial Management Policies for FY 2025-2026, a copy which is in the office of the City Secretary and city website, in its entirety.

Seconded by Councilman District 3 Tippit

Voting Yea:

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

17. **Consider Resolution No. R-060925-6 of the City of Port Lavaca to approve the annual review of the Investment Policy and Strategy. Presenter is Brittney Hogan**

Finance Director Hogan advised Council, via Zoom, that as a requirement of the Texas Public Funds Investment Act and as per the City's Investment Policy and Strategy, the City shall perform an annual review of the investment policy. On Thursday, April 24, 2025, the City's Finance & Investment Committee convened to review the current investment policy and found the proposed policy with changes to be adequate for the City's needs.

Accepting the changes will provide guidance for future investments which will safeguard the City's assets. Staff recommends approval of the City's Investment Policy and Strategy.

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 Resolution No. R-060925-6 of the City of Port Lavaca to approve the annual review of the Investment Policy and Strategy, a copy which is in the office of the City Secretary and city website, in its entirety.

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

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

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

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

19. **Consider First reading of an Ordinance (G-3-25) of the City of Port Lavaca amending the basic Traffic Control Devices Ordinance G-6-86, Section 3, by adding new street locations in Brookhollow Estates and Jade Bay Subdivisions; Repeal Clause and establishing an effective date. Presenter is Colin Rangnow**

Police Chief Rangnow and Council discussed amending the basic Traffic Control Devices Ordinance G-6-86, Section 3, by adding new street locations in Brookhollow Estates and Jade Bay Subdivisions.

This agenda item died due to lack of a motion.

20. **Consider First reading of an Ordinance (G-4-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Chapter 34 Peddlers, Solicitors, Itinerant Vendors, Garage Sales and Mobile Food Units; Chapter 36 Signs; and adding Chapter 35 Garage Sales; providing for purpose of ordinance, providing for severability; providing a repealing clause; and establishing an effective date. Presenter is Derrick Smith**

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 the First reading of an Ordinance (G-4-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Chapter 34 Peddlers, Solicitors, Itinerant Vendors, Garage Sales and Mobile Food Units; Chapter 36 Signs; and adding Chapter 35 Garage Sales, Option 3, and establishing an effective date.

BE IT FURTHER ORDAINED, THAT Option 3 will be presented as Exhibit A for the second and final reading of this ordinance at the council meeting scheduled for July 14, 2025.

Seconded by Councilman District 6 Burke

Voting Yea:

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

21. **Consider First reading of an Ordinance (G-5-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Chapter 12 Buildings and Building Regulations, Addition of New Article V Building and Standards Commission; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith**

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 the First reading of an Ordinance (G-5-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Chapter 12 Buildings and Building Regulations, Addition of New Article V Building and Standards Commission, Option 2; and establishing an effective date.

BE IT FURTHER ORDAINED, THAT Option 2 will be presented as Exhibit A for the second and final reading of this ordinance at the council meeting scheduled for July 14, 2025.

Seconded by Councilwoman District 5 Bland-Stewart

Voting Yea:

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

22. **Consider First reading of an Ordinance (G-6-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Addition of New Chapter 56 Zoning; providing for purpose of ordinance, providing for severability; providing a repealing clause; and establishing an effective date. Presenter is Derrick Smith**

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 the First reading of an Ordinance (G-6-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Addition of New Chapter 56 Zoning; providing for purpose of ordinance; and establishing an effective date.

Seconded by Councilman District 6 Burke

No Vote was taken on this motion.

After further discussion, it was decided that the following section (42.159) is to be deleted from the Code of Ordinances:

Chapter 42 - Subdivisions and Plats, Article VII. - Group Housing and Commercial Development

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, however, the building inspections department shall have the authority to approve the construction of multifamily dwellings of four units or less; provided such construction is proposed on platted property approved by the planning commission and filed in the county clerk's office.

(Ord. No. G-3-89, § XII(A), 4-24-1989)

Amended 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 the First reading of an Ordinance (G-6-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Addition of New Chapter 56 Zoning; and from Chapter 42 - Subdivisions and Plats, Article VII. - Group Housing and Commercial Development, deleting Section 42-159, Approval of Planning Commission Required, in its entirety.

Seconded by Councilwoman District 5 Bland-Stewart

Voting Yea:

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

23. **Consider request of the Public Works, Code Enforcement, Police and Fire Departments to declare vehicles and other miscellaneous items as surplus and authorize the disposal of said equipment. Presenter is Colin Rangnow**

The Public Works Department and Police Department would like to declare the following fleet vehicles as surplus. These vehicles have been replaced with new vehicles per the Enterprise Agreement authorized in 2021. Notably, CCISD is interested in the acquisition of three of the vehicles that are designated below; the fair market value for those vehicles is listed as well. I will be sending the list of the other vehicles to Enterprise for the market values this week. Additionally, there are items listed below from the fire department.

Public Works And Code Enforcement

- 1) 2016 Ford utility police interceptor
Vin #: 1FM5K8ARXGGD31838
- 2) 2014 Chevy Silverado
Vin #: 1GCRCPEC8EZ171804

- 3) 2017 Chevy Silverado 1500
Vin #: 3GCPCNEC9HG217740 (Chamber of Commerce)
- 4) 2016 Chevy Silverado 2500HD
Vin #: 1GB2CUEG9GZ124646 (CCISD)
- 5) 2018 Chevy Silverado 1500
Vin #: 3GCPCNFC4JG226559
- 6) 2022 Chevy Silverado 2500HD
Vin #: 1GB4WLE76NF301355 (CCISD)
- 7) 2021 Chevy Silverado 1500
Vin #: 1GCPWAEH5MZ241362 (CCISD)

Police Department

The Port Lavaca Police Department requests approval from the Port Lavaca City Council to declare two Port Lavaca Police Department Administrative fleet vehicles as surplus and release to Enterprise Fleet for auction.

- 1) Unit 3611 2018 Chevrolet Malibu
Vin #1G1ZC5ST3JF222350
- 2) Unit 3769 2020 Ford Fusion
Vin #3FA6P0G77LR194593

Above mentioned are decommissioned and no longer used in day-to-day operations.

Port Lavaca Fire Department Surplus Items 2025

Items From Assets

- 1) Manitowoc Ice Machine #2990
- 2) 2011 18" Honda Fan/Blower #2496
- 3) Power Plant, Manifold & Hoses #1829

Items Not on Asset List

- 1) Murray 21" lawn mower
- 2) Murray 21" lawn mower
- 3) Johnson radio repeater
- 4) Radio duplexer
- 5) NorthStar 6500 diesel generator
- 6) Schumacher battery charger
- 7) Beseler Vu-Graph
- 8) Negative pressure electric fan
- 9) Amana washing machine
- 10) Amanda range
- 11) Whirlpool dishwasher
- 12) Campbell Hausfeld 13-gallon air compressor
- 13) Jobsmart 10-gallon air compressor

- 14) XRC winch
- 15) Mile Marker winch
- 16) Hale pump with Honda motor
- 17) Davey pump with Honda Motor
- 18) Vanguard pump
- 19) 1 1/2" single jacker 50' hose (37)
- 20) 1" single jacket 50' hose (9)

Motion made by Councilwoman District 5 Bland-Stewart

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

THAT, in accordance with the recommendation of staff, Council hereby approves request of the Public Works, Code Enforcement, Police and Fire Departments, as presented, to declare vehicles and other miscellaneous items as surplus and authorize the Interim City Manager to dispose of in a reasonable manner.

Seconded by Councilman District 3 Tippit

Voting Yea:

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

24. **Consider Memorandum of Understanding (MOU) between Texas Emergency Management Assistance Teams (TEMAT) Program Administrator and TEMAT Employee Member (Kateryna Thomas) and City of Port Lavaca/Employer, regarding participation in TEMAT Programs and authorize City Manager to execute MOU. Presenter is Kateryna Thomas**

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 Memorandum of Understanding (MOU) between Texas Emergency Management Assistance Teams (TEMAT) Program Administrator and TEMAT Employee Members (Kateryna Thomas and Wayne Shaffer) and City of Port Lavaca/Employer, regarding participation in TEMAT Programs and authorizes City Manager to execute MOU.

Seconded by Councilman District 6 Burke

Voting Yea:

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

25. **Consider Memorandum of Understanding (MOU) between Texas Emergency Management Assistance Teams (TEMAT) Program Administrator and TEMAT Employee Member (Kateryna Thomas) and City of Port Lavaca/Employer, regarding participation in TEMAT Programs and authorize City Manager to execute MOU. Presenter is Kateryna Thomas**

This agenda item was taken care of in agenda item #24 for both city employees Kateryna Thomas and Wayne Shaffer.

IX. ADJOURNMENT

Mayor asked for motion to adjourn.

Motion made by Councilwoman District 5 Bland-Stewart

Seconded by Councilman District 3 Tippit

Voting Yea:

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

Meeting adjourned at 9:49 p.m.

ATTEST:

Jack Whitlow, Mayor

Mandy Grant, City Secretary