



CITY COUNCIL REGULAR MEETING

Monday, August 10, 2026 at 6:30 PM

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

MINUTES

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

On this the 10th day of August 2026, the City Council of the City of Port Lavaca, Texas, convened in a regular session at 6:30 p.m. at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas, with the following members in attendance:

I. ROLL CALL AND CALL TO ORDER	at 6:30 p.m.
Luis De La Garza	Mayor
Daniel Aguirre	Councilman, District 1
Tim Dent	Councilman, District 2
Mary E. "Sissy" Rigby	Councilwoman, District 3
Rose Bland-Stewart	Councilwoman, District 5
Justin Burke	Councilman, District 6

And with the following absent:

Rosie G. Padron	Councilwoman, District 4, Mayor Pro Tem
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Constituting a quorum for the transaction of business, at which time the following business was transacted:

II. PLEDGE OF ALLEGIANCE AND INVOCATION

- Pledge of Allegiance: Councilman District 6 Burke
- Invocation: Mayor De La Garza

III. MEETING SAFETY BRIEFING:

- **911** Councilman District 1 Aguirre
- **AED** Councilman District 6 Burke
- **EVAC** Fire Chief Joe Reyes
- **CPR** Police Chief Tobie Bias
- **SAFETY** Councilman Aguirre of District 1 advised residents to exercise caution due to the presence of snakes.

IV. REVIEW OF VISION AND MISSION STATEMENT

- **OUR VISION:**

The Mayor and the City Council envision a friendly town on Lavaca Bay where economic and recreational opportunities abound, providing for a wonderful quality of life for both citizens and tourists, rich in history and looking toward a vibrant future!

- **OUR MISSION:**

Our mission is to make Port Lavaca a desirable place to live through high-quality services, responsible use of public resources, and a progressive approach to community development. With enthusiasm, integrity, and vision, we will maintain a safe environment and continually improve the quality of life for all citizens.

V. PRESENTATION(S)

- Police Chief Tobie Bias presented a Civilian Bravery Award to Daniel Vasquez.
- Police Chief Tobie Bias presented Life Saving Awards to Officer Job Smith and Corporal Trey Lawler.
- Mayor De La Garza and Fire Chief Joe Reyes recognized Juan Luna for 15 years of service to the City of Port Lavaca.
- Planning Board Chairman Justin Weaver presented an overview of the Planning Board, including its role and responsibilities, current activities and priorities, and challenges encountered in carrying out its duties. Weaver also provided an update on the Board's ongoing work related to the City's Comprehensive Plan.

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 De La Garza asked for comments from the public and the following citizen spoke:
 - Councilwoman Bland-Stewart, District 5, requested clarification regarding the process for placing and removing items from the City Council agenda, including who determines which items are included on the agenda.

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

A. Minutes of July 13, 2026 Regular Meeting

B. Minutes of July 15, 2026 Joint Workshop

C. Minutes of July 20, 2026 Special Meeting and Workshop

D. Minutes of July 27, 2026 Joint Workshop Session and Special Meeting

E. Review of Credit Card Statement

F. Receive Monthly Financial Highlight Report

G. Review Quarterly Investment Report 04.01.2026 thru 07.30.2026

H. Receive Employee Training Review Acknowledgment report ending 07.31.2026

I. Receive Office of Court Administrators (OCA) Monthly report ending 07.31.2026

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

K. Consider Certification of Additional Sales and Use Tax

Councilman Dent requested consent agenda item “K” Consider Certification of Additional Sales and Use Tax, be pulled for discussion.

Motion made by Councilman District 2 Dent

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

THAT, in accordance with recommendation of staff, Council hereby approves all consent agenda items, with the exception of “K” *Consider Certification of Additional Sales and Use Tax*, as listed.

Seconded by Councilman District 6 Burke

Voting Yea:

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

Item “K” – Certification of Additional Sales and Use Tax was removed from the Consent Agenda and received separately by City Council, with the agenda wording modified from “Consider” to “Receive.”

No formal action was required or taken on the item.

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

1. **Consider appointment/reappointment of member(s) to the Recreation and Parks Board to fill an expired term and/or begin a new two-year term. Presenter is Wayne Shaffer**

Public Works Director Shaffer presented information regarding current vacancies on the Recreation and Parks Board. Shaffer reported that the City received applications from Ramona Servantes, Vincent Cisneros, Natalie Gonzalez, Rosa Martinez, and Maggie Sepulveda, all of whom reside within the city limits.

Shaffer explained that the Recreation and Parks Board currently consists of five members and, pursuant to City Ordinance, may have up to nine members. Board members serve two-year terms, with no established term limits.

Councilman Burke, District 6, recommended that the item be brought back for consideration at the Special Meeting scheduled for Monday, August 17, 2026.

No action necessary and none taken.

2. **Consider awarding a contract for the Chocolate Bayou Shoreline Stabilization Project. Presenter is Wayne Shaffer**

Public Works Director Shaffer presented information regarding the Chocolate Bayou Waterline Protection Project. Shaffer explained that erosion along Chocolate Bayou has exposed an existing 8-inch water main

that runs along Marshall Road, Chocolate Bayou, and continues to Hahn Road. The exposed waterline presents a potential risk of failure and possible contamination of the City's water system if not properly covered and stabilized.

Shaffer stated that the project was engineered by Urban Engineering and includes placement and compaction of imported clay fill to cover and stabilize the existing water main, followed by geotextile fabric and riprap for erosion protection. Calhoun County agreed to provide broken concrete from its recycling center for use as riprap. Due to the unknown quantity and usability of the donated material, an alternate bid utilizing 18-inch crushed limestone was included.

Three bids were received, ranging from \$436,375.00 to \$592,275.00, including alternates. Shaffer reported that \$150,000.00 was budgeted for the project in the FY 2026 Capital Improvement Plan (CIP), with additional available CIP funds from the 12-inch waterline project connecting the elevated storage tanks available to cover the remaining cost.

Staff and Urban Engineering recommend awarding the contract to Lester Contracting, Inc. in the amount of \$436,375.00 for the Total Base Bid plus Alternate Bid No. 1. Shaffer noted that the project will protect the City's water infrastructure and help prevent further shoreline erosion.

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 and Urban Engineering, the City Council hereby awards the contract for the aforementioned project to Lester Contracting, Inc. in the amount of \$436,375.00 for the Total Base Bid plus Alternate Bid No. 1.

Seconded by Councilwoman District 5 Bland-Stewart

Voting Yea:

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

3. **Consider Final Completion of the Independence Drive Rehabilitation Project and approve release of the Retainage. Presenter is Wayne Shaffer**

Public Works Director Shaffer presented an update on the Independence Drive Reconstruction Project and reported that construction is complete, with the final walk-through inspection conducted on August 4, 2026. The project included roadway reconstruction, drainage and storm sewer improvements, curb and gutter replacement, sidewalks and ADA-compliant curb ramps, asphalt paving, pavement markings, signage, erosion control measures, and water and sanitary sewer utility adjustments.

Shaffer reported that the ADA inspection was approved, confirming compliance with accessibility requirements, and that the contractor submitted the required as-built drawings. Final Payment Request No. 20, representing the 5% retainage in the amount of \$230,659.30, was submitted for project closeout.

The final construction cost was \$4,613,185.62, which was \$43,694.50 below the original contract amount. Shaffer noted that the project was completed under budget and provided significant transportation, drainage, and accessibility improvements along the Independence Drive corridor.

Motion made by Councilman District 6 Burke

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

THAT, subject to the Engineer's final review and approval, the City Council hereby approves the release of project retainage and authorizes final payment to the Contractor in the amount of \$230,659.30.

Seconded by Councilman District 2 Dent

Voting Yea:

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

4. **Consider Final Completion of the Alamo Heights Section II Streets Drainage Project and approve release of the Retainage. Presenter is Wayne Shaffer**

Public Works Director Wayne Shaffer reported that the Alamo Heights Drainage Improvements-Phases 1 & 2 Project has been successfully completed. The project included drainage and roadway infrastructure improvements designed to reduce flooding, improve stormwater conveyance, and enhance public safety and accessibility throughout the Alamo Heights neighborhood.

Shaffer stated that the original construction contract amount was \$8,972,231.00. Following reconciliation of project quantities and an approved change order reducing the contract by \$146,402.00, the final construction contract amount was \$8,825,829.00, resulting in project cost savings of \$146,402.00.

Shaffer further reported that all contract work has been completed, the ADA inspection was approved, and the required as-built plans were received. The contractor submitted Final Payment Request No. 22, including the 5% retainage in the amount of \$441,291.46, for project closeout.

Motion made by Councilman District 2 Dent

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

THAT, Council hereby approves the release of retainage and authorizes final payment in the amount of \$441,291.46 to Lester Contracting, Inc.

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

5. **Submission of No New Revenue (NNR) and Voter Approval Rate (VAR) Tax Rates. Presenter is Brittney Hogan**

Finance Director Hogan reported that the Calhoun County Appraisal District (CCAD) Tax Assessor/Collector is responsible for calculating the City of Port Lavaca's No-New-Revenue (NNR) and Voter-Approval (VAR) tax rates in accordance with State requirements and for publishing the required tax rate information.

Hogan explained that the NNR rate represents the threshold at which the City may adopt a property tax rate without generating additional property tax revenue. A rate exceeding the NNR is subject to applicable public notice and hearing requirements. The VAR establishes the threshold at which additional voter-approval requirements may apply before the City may adopt a tax rate at or above that rate.

	FY2027	FY2026
No-new-revenue tax rate	\$0.7968	\$0.7583
Voter-approval tax rate	\$0.8957	\$0.8277

No action necessary and none taken.

6. **Consider Second and Final reading of an Ordinance (S-4-26) of the City of Port Lavaca for amendment(s) to the Base Ordinance S-4-25 for 2025-2026 fiscal year budget; providing for Budget Amendment(s); providing for severability, providing a repealing clause; and providing an effective date. Presenter is 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 First reading of an Ordinance (S-4-25) of the City of Port Lavaca for amendment(s) to the Base Ordinance S-4-25 for 2025-2026 fiscal year budget; providing for Budget Amendment(s).

Seconded by Councilwoman District 3 Rigby

Voting Yea:

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

7. **Consider First reading of an Ordinance (G-9-26) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Changes, Chapter 32 Parks and Recreation; Chapter 50, Sec. 50-67 Utilities - Water User Rates – GBRA, Residential and Commercial; 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 the Second and Final reading of an Ordinance (G-9-26) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Charges, Chapter 32 Parks and Recreation; Chapter 50, Sec. 50-67 Utilities - Water User Rates – GBRA, Residential and Commercial; and providing an effective date, continent on the following change:

• **From this wording:**

50-52(b)	Inspection fee	\$25.00
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• **To the following:**

50-52(b)	Inspection fee	\$25.00 per meter
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Seconded by Councilwoman District 5 Bland-Stewart

Voting Yea:

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

8. **Consider First Reading of an Ordinance (G-10-26) of the City of Port Lavaca amending the ordinance Codified and Described in the City of Port Lavaca’s Code of Ordinances as Chapter 50 – Article II – Water Division 2- Water Service, Section 50-49 Deposits, and adding Section 50-37 Definitions; Providing for purpose of Ordinance; providing penalties for violations; 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 the First reading of an Ordinance (G-10-26) of the City of Port Lavaca amending the ordinance Codified and Described in the City of Port Lavaca’s Code of Ordinances as Chapter 50 – Article II – Water Division 2- Water Service, Section 50-49 Deposits, and adding Section 50-37 Definitions; Providing for purpose of Ordinance; providing penalties for violations; Providing for severability; Providing a repealing clause; and Providing an effective date, continent on the following change:

• **From this wording:**

- (b) For multifamily and commercial establishments, the city may require, prior to the making of service connections for commercial, multifamily, or industrial use, a deposit equal to the estimated water bill for the establishment for 60 days based upon prior experience with the same or similar establishments. This deposit may be adjusted up or down after a history of consumption is established.

- **To the following:**

- (b) For multifamily and commercial establishments, prior to the making of service connections for commercial, multifamily, or industrial use, a deposit equal to the estimated water bill for the establishment for 60 days based upon prior experience with the same or similar establishments. This deposit may be adjusted up or down after a history of consumption is established.

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

9. **Consider approval of the budget report submitted by Undine for the treatment of raw water within the City of Port Lavaca's jurisdiction for Fiscal Year 2026–2027. Presenter is Jody Weaver**

City Manager Jody Weaver presented the FY 2026-2027 budget submitted by Undine, effective October 1, 2026, along with a comparison of annual budgets since the City began its agreement with Undine in 2022.

Weaver reported that the proposed budget reflects a 3.2% increase over the previous year. She explained that the City's share remains at 73.34% of Undine's overall Water Treatment Plant budget, as negotiated the previous year. The percentage had originally been proposed at 80% following Port O'Connor's decision to discontinue contracting with Undine for water supply; however, after negotiations, Undine agreed to reduce the City's share to 73.34%.

Weaver further reported that Undine's overall Water Treatment Plant budget has increased by approximately 33.5% since FY 2023-2024

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 hereby approves Budget Report from Undine, LLC for the Port Lavaca Water Treatment Plant for the 2026-2027 Fiscal Year.

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

10. **Consider the recommendation of the Planning Board regarding a variance request to reduce the required side-yard setback for a proposed four-unit tiny home development on Property ID #18061, legally described as Groomes (Port Lavaca), Block 4, Lot 3, and part of Lot 2 (523 Broadway Street). Presenter is Derrick Smith**

Development Services Director Smith presented a request for a variance from the side-yard setback requirements pursuant to Section 12-24 of the City of Port Lavaca Code of Ordinances. Smith explained that the required side-yard setback is ten feet when the property abuts a street.

The property owners requested a variance to allow two of four proposed tiny homes to be placed five feet from the property line along Randle Street. The proposed development would be used for short-term rentals and would also include five off-street parking spaces, a small utility room, and a pet play area.

Smith reported that staff recommended approval of the requested variance, finding that it was consistent with the intent of the City's zoning regulations and was not anticipated to adversely affect adjacent properties. The Planning Board also recommended approval of the five-foot side-yard setback, subject to the proposed placement providing adequate clearance for the driveway and parking areas.

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 the Planning Board and staff, Council hereby approves the requested side-yard setback variance, allowing a five-foot setback in lieu of the required ten-foot setback, subject to the condition that the proposed placement provides adequate clearance for the driveway and parking areas.

Seconded by Councilman District 6 Burke

Voting Yea:

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

11. **Closed Session: As authorized by and subject to the applicable provisions of law, including but not limited to the Texas Government Code, Chapter 551, Open Meetings Act, the following topic(s) may be considered in Closed Session:**

- Section 551.071 Consultation with City Attorney
- Section 551.072 Real Property Transactions
- Section 551.074 Personnel Matters
- Section 551.087 Economic Development Negotiations

Mayor De La Garza announced that there would be no closed session.

12. **Return to Open Session and take any action deemed necessary with regard to matters in closed session**

There was no closed session.

IX. COMMENTS FROM THE MAYOR, COUNCIL MEMBERS AND CITY MANAGER

X. ADJOURNMENT

Mayor De La Garza asked for motion to adjourn.

Motion made by Councilman District 1 Aguirre

Seconded by Councilman District 2 Dent

Voting Yea:

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

Meeting adjourned at 8:08 p.m.

These minutes were approved on September 14, 2026.

ATTEST:

Luis De La Garza, Mayor

Lorena Perez-Diaz, City Secretary