



CITY COUNCIL SPECIAL MEETING

Monday, September 26, 2022 at 6:00 PM

Council Chambers at City Hall, 202 N. Virginia Street, Port Lavaca, Texas

MINUTES

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

On this the 26th day of September, 2022, the City Council of the City of Port Lavaca, Texas, convened in a special meeting at 6:00 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
Jerry Smith	Councilman, District 1
Tim Dent	Councilman, District 2
Allen Tippet	Councilman, District 3
Rosie G. Padron	Councilwoman, District 4, Mayor Pro Tem
Jim Ward	Councilman, District 5
Ken Barr	Councilman, District 6

And with the following absent: None

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II. CALL TO ORDER

- Mayor Whitlow called the meeting to order at 6:02 p.m. and presided.

III. COMMENTS FROM THE PUBLIC – *Comments will be limited to three (3) Minutes per individual unless permission to speak longer is received in advance.*

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

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

Mayor Whitlow announced that Council would retire into closed session at 6:03 p.m.

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

Mayor Whitlow announced that Council was back in open session at 7:11 p.m.

A. **Discuss and take any action deemed necessary to authorize Guadalupe-Blanco River Authority (GBRA) to sell the Port Lavaca Water Treatment Plant to Undine, Inc. or its assigns.**

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 authorizes Guadalupe-Blanco River Authority (GBRA) to sell the Port Lavaca Water Treatment Plant to Undine, Inc. or its assigns.

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

Seconded by Councilman District 6 Barr

Voting Yea:

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

B. **Discuss and take any action deemed necessary to approve replacement of the Raw Water Contract between the City of Port Lavaca and Guadalupe-Blanco River Authority (GBRA).**

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, by City Resolution No. R-092622-1, replacement of the Raw Water Contract between the City of Port Lavaca and Guadalupe-Blanco River Authority (GBRA).

BE IT FURTHER RESOLVED, that the Interim City Manager and the Mayor is hereby authorized to execute all instruments necessary to effect such agreement.

Seconded by Councilman District 5 Ward

Voting Yea:

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

- C. **Discuss and take any action deemed necessary to approve a Contract between the City of Port Lavaca and Undine, Inc. for the treatment of water purchased from Guadalupe-Blanco River Authority (GBRA), subject to the sale of the Port Lavaca Water Treatment Plant to Undine, Inc. or its assigns.**

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, by City Resolution No. R-092622-2, a Contract between the City of Port Lavaca and Undine, Inc. for the treatment of water purchased from Guadalupe-Blanco River Authority (GBRA), subject to the sale of the Port Lavaca Water Treatment Plant to Undine, Inc. or its assigns.

BE IT FURTHER RESOLVED, that the Interim City Manager and the Mayor is hereby authorized to execute all instruments necessary to effect such agreement.

Seconded by Councilman District 6 Barr

Voting Yea:

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

V. ADJOURN SPECIAL MEETING

Motion made by Councilman District 2 Dent

Seconded by Councilman District 6 Barr

Voting Yea:

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

Special Meeting adjourned at 7:21 p.m.

These minutes were approved on October 10, 2022.

Jack Whitlow, Mayor

Mandy Grant, City Secretary