



CITY COUNCIL SPECIAL MEETING

Tuesday, September 05, 2023 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 5th day of September, 2023, the City Council of the City of Port Lavaca, Texas, convened in a special meeting 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
Daniel Aguirre
Tim Dent
Allen Tippit
Jim Ward
Ken Barr

Mayor
Councilman, District 1
Councilman, District 2
Councilman, District 3
Councilman, District 5
Councilman, District 6

And with the following absent:

Rosie G. Padron

Councilwoman, District 4, Mayor Pro Tem

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II. CALL TO ORDER

- Mayor Whitlow called the meeting to order at 5:33 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.*

- Conduct Public Hearing on the 2023-2024 fiscal year Budget. Presenter is Susan Lang**

Mayor Whitlow announced that the public hearing was now open at 5:34 p.m.

Finance Director Lang 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 2023-2024 Fiscal Year Budget.

Mayor Whitlow announced that the first public hearing on the proposed 2023-2024 Fiscal Year Budget was now closed at 5:37 p.m.

Mayor Whitlow announced that only one public hearing is required and satisfies the requirements for a later vote on the first reading of ordinance adopting the annual budget.

No action necessary and none taken.

2. Conduct Public Hearing on proposed 2023 Tax Rate. Presenter is Susan Lang

Mayor Whitlow announced that the public hearing was now open at 5:38 p.m.

Finance Director Lang 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 2023 Tax Rate.

Mayor Whitlow announced that the first public hearing on the proposed 2023 Tax Rate was now closed at 5:41 p.m.

Mayor Whitlow announced that only one public hearing is required and satisfies the requirements for a later vote on the first reading of ordinance adopting the Tax Rate.

Councilman District 5 Ward also announced that Council will consider the second and final reading of the ordinance to adopt the 2023 Tax Rate at the regular meeting scheduled for Monday, September 11, 2023, commencing at 6:30 p.m.

No action necessary and none taken.

3. Consider First reading of an Ordinance (S-1-23) approving the annual Budget for the City of Port Lavaca, Texas and adopting the budget document for the fiscal year October 01, 2023 thru September 30, 2024. Presenter is Jody Weaver

Finance Director Lang 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 Home Rule Charter, we have prepared an Ordinance that, if approved, meets the requirements as established by the governing legislation.

On July 24, 2023 (CIP) and August 21, 2023, the City Council held budget workshops to review recommendations from the City Manager for the FY 2023-2024 budget. The proposed budget was filed with the City Secretary and published on the City's website on August 15, 2023.

On August 21, 2023, the City Council announced a public hearing on the FY 2023-2024 Budget to be held on September 05, 2023. 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 30, 2023 and posted the same notice on the City's website.

The budget, with changes recommended by City Council in the August 21, 2023 workshop, is recommended for the City Council's approval, and contains combined Revenues of \$23,627,553 followed by combined Expenditures of \$22,518,956 leaving combined Fund Balance reserves of \$13,773,239.

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 3 Tippit

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

THAT, Council hereby adopts the 2023-2024 Fiscal Year Annual Budget, as presented by the Interim City Manager; 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 adopts the 2023-2024 Fiscal Year Annual Budget Ordinance (S-1-23), as presented by the Interim City Manager, on this its first reading.

Seconded by Councilman District 6 Barr

Voting Yea and Record Vote:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward, Councilman District 6 Barr

Voting Nay and Record Vote: None

4. Consider First reading of an Ordinance (S-2-23) fixing the Tax Rate and Tax Levy for the City of Port Lavaca, Texas for the year 2023. Presenter is Jody Weaver

Finance Director Lang 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 21, 2023, the City Council took a record vote to propose a lesser tax rate (\$0.7807) 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 05, 2023.

The City published a notice of public hearing on the tax increase in the newspaper of general circulation (Port Lavaca Wave) on August 30, 2023 and posted the same notice on the City's website.

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 \$0.7807, which is effectively a 13.23% 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 2023 Tax Rate and Tax Levy Ordinance (S-3-22) on this its first reading.

Seconded by Councilman District 3 Tippit

Voting Yea and Record Vote:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward, Councilman District 6 Barr

Voting Nay and Record Vote: 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 \$0.6986.

Seconded by Councilman District 6 Barr

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward, Councilman District 6 Barr

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 \$0.0821.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward, Councilman District 6 Barr

V. ADJOURN SPECIAL MEETING

Mayor Whitlow asked for motion to adjourn.

Motion made by Councilman District 6 Barr

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward, Councilman District 6 Barr

Special Meeting adjourned at 5:48 p.m.

Jack Whitlow, Mayor

Mandy Grant, City Secretary