



CITY COUNCIL SPECIAL MEETING

Monday, November 18, 2024 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 18th day of November 2024, 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	Mayor
Daniel Aguirre	Councilman, District 1
Tim Dent	Councilman, District 2
Rosie G. Padron	Councilwoman, District 4, Mayor Pro Tem
Jim Ward	Councilman, District 5
Justin Burke	Councilman, District 6

And with the following absent: None

Allen Tippit	Councilman, District 3
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II. CALL TO ORDER

- Mayor Whitlow called the meeting to order at 5:32 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 the following citizen spoke:
 - Loyd Woodward, 7 Las Brisas, Port Lavaca, Texas; had complaint about District 1 Councilmember Aguirre.

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

1. **Discuss proposed project scope and possible commitment of matching funds for an application for Community Development Block Grant - Disaster Recovery Reallocation Program (CDBG-DRRP) funds due on November 21, 2024. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that the Disaster Recovery Reallocation Program (DRRP) is designed to utilize de-obligated and unutilized Community Development Block Grant for Disaster Recovery (CDBG-DR) funds to provide the opportunity for communities with outstanding unmet need to access remaining CDBG-DR funds. The funds are allocated through the U.S. Department of Housing and Urban Development (HUD) and therefore must adhere to federally mandated deadlines and policies.

The call for projects was released October 21 and will close November 21, 2024, at 5:00 p.m. (Central Time). Only projects submitted by this time will be eligible for scoring and potential funding. The project must benefit a Low-to-Moderate Income population and be able to tie back to the Hurricane Harvey disaster.

The project we have identified as being the most probable for eligibility would be a project that is an extension of the recently completed CDBG-DR project Phase 1. The CDBG-DR Phase 1 project provided street and drainage improvements along Lavaca and Juanita Streets between Austin Street and South Street. The project made improvements to the drainage ditch through the cemetery property that ended at South Street. The cemetery subsequently paid to extend the underground drainage through the cemetery to the south side of South Street. From that point the runoff flows a short distance to a culvert under the railroad and then runs approximately 570 LF to drain the Corporation Ditch through private property.

The proposed project would involve purchasing this private property and making improvements such that the drainage ditch provides positive drainage and could be easily maintained. The minimum application is \$500,000. With selection tonight of the engineer and administrator, tomorrow I will be meeting with them to develop a project that is at least \$500,000. A couple options we are looking at is to include installing a new pipe under the railroad, which is probably \$150,000, but also look at whether making street and drainage improvements on the east side of Virginia will qualify as tying back to Hurricane Harvey. I'm not sure that we have first-hand witness accounts of street flooding on that side, but we may be able to show that it is reasonable to expect that it did flood on the east side based upon the witnessed flooding on the west side. The other factor we must consider though is the project must be 100.00% complete 2 years following the signing of the contract. No extensions will be issued.

For this initial application we need only a brief description of the project scope and the dollar amount of the application. If we score well enough, we will be invited to submit a more formal detailed application in the spring. I do not need a resolution for this initial application but would like to see whether Council is interested in committing any match funds. This is not required, but a 10% match will gain us 5 points in scoring. It's not clear if partial points are available for less than 10%. I can tell you that the cost of the property will be approximately \$50,000.

Also, in order to consult with an Administration consultant and an engineer prior to submitting the application on November 21, 2024 we had to go through proper procurement procedures. Last Thursday, we received SOQ's from 4 engineers and Proposals from 3 Administrators and the selection committee, comprised of myself, Wayne Shaffer, Councilman Tim Dent and Councilman Daniel Aguirre, reviewed and scored the submittals over the week-end. This will be discussed under agenda items 2 and 3 of this council meeting.

Motion made by Councilman District 5 Ward

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 commitment of matching funds for an application for Community Development Block Grant - Disaster Recovery Reallocation Program (CDBG-DRRP) funds due on November 21, 2024, in an amount of \$50,000.00, as presented above.

Seconded by Councilman District 1 Aguirre

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

- 2. **Consider Resolution No. R-111824-1 of the City of Port Lavaca, Texas, authorizing the selection of a professional administrative service provider for the Community Development Block Grant- Disaster Recovery Reallocation Program (CDBG-DRRP) project. Presenter is Jody Weaver**

Motion made by Councilman District 2 Dent

WHEREAS, participation in CDBG-DRRP 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 services has been completed in accordance with the GLO requirements; and

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service giving consideration to 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 GrantWorks is selected to provide application and project-related **administration/project delivery services** for CDBG-DRRP Hurricane Harvey programs.

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 Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

3. **Consider Resolution No. R-111824-2 of the City of Port Lavaca, Texas, authorizing the selection of a professional engineering service provider for the Community Development Block Grant - Disaster Recovery Reallocation Program (CDBG-DRRP) project. Presenter is Jody Weaver**

Motion made by Councilman District 2 Dent

WHEREAS, the CDBG-DRRP program requires implementation by professionals experienced in federally-funded projects; and

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Qualifications (RFQ) process for engineering services has been completed in accordance with GLO requirements; and

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service giving consideration to 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 CivilCorp be selected to provide application and project-related professional **engineering services** for the CDBG-DRRP Hurricane Harvey programs.

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

Seconded by Councilman District 6 Burke

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

4. **Consider Resolution No. R-111824-3 of the City of Port Lavaca, Texas, authorizing the purchase of Lot 10, Block S, Port Lavaca Townsite, Calhoun County, Texas and authorizing Mayor to approve and sign all documents to effectuate closing on behalf of the City of Port Lavaca, Texas. Presenter is Jody Weaver**

Motion made by Councilman District 2 Dent

WHEREAS, on November 18, 2024, during a special City Council meeting, the City Council of the City of Port Lavaca, Texas considered and approved a Real Estate Contract for the purchase of property from Mary A. Garcia Estate described as Lot 10, Block S, Randall Subdivision, Calhoun County, Texas for the sum of \$130,000.00; and

WHEREAS, it is the desire of City to authorize closing on said contract and the Mayor to sign all necessary documents in connection with the closing.

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

SECTION 1. The Mayor of the City of Port Lavaca, Texas is hereby authorized to execute all documents necessary to facilitate the closing of the real property described as Lot 10, Block S, Randall Subdivision, Calhoun County, Texas by the City of Port Lavaca from Mary A. Garcia Estate.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

5. **Consider Resolution No. R-111824-4 of the City of Port Lavaca, Texas, authorizing the purchase of Lot 1, 2, 11, 12, Block S, Port Lavaca Townsite, Calhoun County, Texas and authorizing Mayor to approve and sign all documents to effectuate closing on behalf of the City of Port Lavaca, Texas. Presenter is Jody Weaver**

Motion made by Councilman District 6 Burke

WHEREAS, on November 18, 2024, during a special City Council meeting, the City Council of the City of Port Lavaca, Texas considered and approved a Real Estate Contract for the purchase of property from Stanley P. Lester described as Lots 1, 2, 11, 12, Block S, Randall Subdivision, Calhoun County, Texas for the sum of \$225,000.00; and

WHEREAS, it is the desire of City to authorize closing on said contract and the Mayor to sign all necessary documents in connection with the closing.

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

SECTION 1. The Mayor of the City of Port Lavaca, Texas is hereby authorized to execute all documents necessary to facilitate the closing of the real property described as Lots 1, 2, 11, 12, Block S, Randall Subdivision, Calhoun County, Texas by the City of Port Lavaca from Stanley P. Lester.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

6. **Consider Resolution No. R-111824-5 of the City of Port Lavaca, Texas, authorizing the submission of a 2025/2026 Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Community Development Fund. Presenter is Jody Weaver**

Motion made by Councilman District 2 Dent

WHEREAS, the City Council of the City of Port Lavaca desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, it is necessary and in the best interests of the City of Port Lavaca to apply for funding under the Texas Community Development Block Grant Program;

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

1. That a Texas Community Development Block Grant Program application for the Community Development Fund is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture, and to be placed in competition for funding under the Community Development Fund.
2. That the City of Port Lavaca commits to dedicating no less than 51% of grant funds for activities identified by the state planning region as Water and/or Sewer Improvements.
3. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
4. That the City of Port Lavaca is committing to provide \$112,500.00 in matching funds toward the application's activities, with the specific usage and funding source to be determined prior to any award of grant funding.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

V. ADJOURN SPECIAL MEETING

Mayor Whitlow asked for motion to adjourn.

Motion made by Councilman District 5 Ward

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

Special Meeting adjourned at 6:19 p.m.

Jack Whitlow, Mayor

Mandy Grant, City Secretary