



CITY COUNCIL SPECIAL/WORKSHOP MEETING

Monday, July 26, 2021 at 3:30 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 26th day of July, 2021, the City Council of the City of Port Lavaca, Texas, convened in a special and workshop session at 3:30 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 |
| Jerry Smith | Councilman, District 1 |
| Tim Dent* | Councilman, District 2 |
| Allen Tippit | Councilman, District 3 |
| Rosie G. Padron | Councilwoman, District 4, Mayor Pro Tem |
| Jim Ward | Councilman, District 5 |
| Ken Barr | Councilman, District 6 |

*Dent arrived 3:47 p.m. during agenda item #3 (GBRA).

And with the following absent: None

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 3:40 P.M. and presided.

III. COMMENTS FROM THE PUBLIC

- 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)*

1. **Consider request of James Maikoetter for the use of the Bayfront Peninsula Park for the Annual Hard Head Derby on Friday, August 6 and Saturday, August 07, 2021. Presenter is Wayne Shaffer**

Public Works Director Shaffer advised Council he had received a request from Mr. James Maikoetter for use of the Bayfront Peninsula Park for the Annual Hard Head Derby on Friday, August 06, 2021 and Saturday, August 07, 2021 and also requests waiver of all applicable fees associated with the event.

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 the recommendation of staff, Council hereby approves the request of Mr. James Maikoetter to use the Bayfront Peninsula Park for the Annual Hard Head Derby on Friday, August 06, 2021 and Saturday, August 07, 2021 and hereby waives all applicable fees associated with the event.

Seconded by Councilman District 6 Barr

Voting Yea:

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

Note: Councilman Dent District 2 arrived during Agenda Item #3

2. **Consider request of Texas Made Fades Barber Shop for closure of Colorado Street between Main and Live Oak Streets for their back-to-school hair cut nonprofit event on Sunday, August 08, 2021 from 1:00 pm to 5:00 pm. Presenters are AJ Piña and Hiram Peña**

Mr. A. J. Piña and Mr. Hiram Peña, owners of Texas Made Fades Barber Shop, located inside Adore Me Salon at 202 E. Main Street, Port Lavaca, Texas, advised Council they were requesting closure of Colorado Street between Main and Live Oak Streets, on Sunday, August 08, 2021 from 12:00 p.m. to 5:00 p.m. for a non-profit Back-to-School Free Haircut Event put on by them for the community. They said they have done an event like this in Victoria with great success and this was their way to give back to the community in Port Lavaca.

Motion made by Councilman District 6 Barr

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 the request of Mr. A. J. Piña and Mr. Hiram Peña, owners of Texas Made Fades Barber Shop at 202 E. Main Street, for closure of Colorado Street between Main and Live Oak Streets, on Sunday, August 08, 2021 from 12:00 p.m. to 5:00 p.m. for a non-profit Back-to-School Free Haircut Event and also waives all fees associated with this event.

Seconded by Councilman District 5 Ward

Voting Yea:

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

Note: Councilman Dent District 2 arrived during Agenda Item #3

3. Consider amendment to the current professional services agreement between the City of Port Lavaca and the Law Offices of James Lee Murphy, Esq. to provide legal services regarding negotiations with the Guadalupe-Blanco River Authority (GBRA). Presenter is Jody Weaver

Interim City Manager Weaver advised Council that this was a proposed amendment to the current agreement the city has with James Lee Murphy as Special Council. She said Mr. Murphy has agreed to a change to what he initially proposed as follows:

Section 2. Term of Engagement. My representation will terminate upon the first to occur of (i) the close of business on December 31, 2022, unless the parties have entered into a written agreement, signed by each party, extending the Term for an additional period or periods; (ii) CLIENT elects to terminate the Agreement by paying the total legal services fee in full at an earlier date. In the event that we terminate the engagement, I will take such steps as are reasonably practicable to protect the Client's interests in the above matter.

Section 3. Fees and Expenses. Client will pay, during the term of this engagement a fee of \$3,000.00 per month for the term of the agreement, due in full upon execution of this Agreement but payable in equal monthly payments, subject to an inflation factor as reflected in the Municipal Cost Index to be applied annually after the effective date of the amendment.

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 the proposed amendments to the current Agreement the City has with James Lee Murphy as Special Council as follows:

Section 2. Term of Engagement. My representation will terminate upon the first to occur of (i) the close of business on December 31, 2022, unless the parties have entered into a written agreement, signed by each party, extending the Term for an additional period or periods; (ii) CLIENT elects to terminate the Agreement by paying the total legal services fee in full at an earlier date. In the event that we terminate the engagement, I will take

such steps as are reasonably practicable to protect the Client's interests in the above matter.

Section 3. Fees and Expenses. Client will pay, during the term of this engagement a fee of \$3,000.00 per month for the term of the agreement, due in full upon execution of this Agreement but payable in equal monthly payments, subject to an inflation factor as reflected in the Municipal Cost Index to be applied annually after the effective date of the amendment.

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

Seconded by Councilman District 3 Tippit

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

Mayor asked for motion to adjourn.

Motion made by Councilman District 6 Barr, Seconded by Councilman District 2 Dent

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 3:50 p.m.

WORKSHOP AGENDA:

VI. CALL TO ORDER

- Mayor Whitlow called the meeting to order at 3:51 P.M. and presided.

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

- Mayor Whitlow asked for comments from the public and there were none.

VIII. ITEMS FOR DISCUSSION - *Council will discuss the following items*

1. Receive presentation by Enterprise on proposed Fleet Management Program. Presenter is Jody Weaver

Council discussed this workshop item.

No action was taken.

2. Discuss 2021-22 Capital Improvement Plan (CIP). Presenter is Jody Weaver

Council discussed this workshop item.

No action was taken.

IX. ADJOURN WORKSHOP

Mayor asked for motion to adjourn.

Motion made by Councilman District 5 Ward, Seconded by Councilman District 3 Tippit.

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

Workshop adjourned at 7:24 p.m.

These minutes were approved on _____, 2021.

Jack Whitlow, Mayor

Mandy Grant, City Secretary