



CITY COUNCIL REGULAR MEETING

Monday, January 13, 2025 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 13th day of January 2025, 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

- | | |
|-----------------|---|
| Jack Whitlow | Mayor |
| Daniel Aguirre | 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 |
| Justin Burke | Councilman, District 6 |

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 6:31 p.m. and presided.

III. INVOCATION

- Councilman Ward gave the invocation.

IV. PLEDGE OF ALLEGIANCE

- Mayor Whitlow – Pledge of Allegiance.

V. PRESENTATION(S) BY THE MAYOR

- There were no presentations.

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 asked for comments from the public and there were none.

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

- A. Minutes of December 09, 2024 Regular Meeting**
- B. Review of Credit Card Statement**
- C. Receive Monthly Financial Highlight Report**
- D. Receive Victoria Economic Development Corporation (VEDC) Monthly Report**
- E. Receive Capital Improvement Projects (CIP) Progress Report 10.01.2024 to 12.31.2024**
- F. Receive Development Services Department Quarterly Report 10.01.2024 to 12.31.2024**

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 all consent agenda items as listed.

Seconded by Councilman District 3 Tippit

Voting Yea:

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

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

- Consider agreement for the temporary closure of State Right-of-Way with Texas Department of Transportation (TxDOT) to close Main Street between Virginia and Commerce Streets for the 2025 Port Lavaca Art Walk, from 7:00 a.m. to 7:00 p.m. on Saturday, March 01, 2025. Presenter is Tania French**

Tania French, Events Coordinator, advised Council that last year, the City of Port Lavaca, Port Lavaca Chamber and Port Lavaca Main Street hosted the first Port Lavaca Art Walk. The event, which featured artists and musicians throughout downtown, was a great success. We plan to build on that success this year with the event, which is slated for Saturday, March 01, 2025.

Last year, we did not request closure of Main Street, but given the number of people that attended in 2024, we believe we should close the street this year as a safety precaution for attendees.

We are requesting Council approval, as required, to make an application to Texas Department of Transportation (TxDOT) for temporary closure of Main Street between Virginia and Commerce Streets for the 2025 Port Lavaca Art Walk, from 7:00 a.m. to 7:00 p.m. on Saturday, March 01, 2025.

We also request the option for temporary closure of Colorado and Guadalupe streets between Railroad and Live Oak streets on Saturday, March 01, 2025 as needed for the event and will be discussed on the next agenda item following this one.

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 agreement for the temporary closure of State Right-of-Way with Texas Department of Transportation (TxDOT) to close Main Street between Virginia and Commerce Streets for the 2025 Port Lavaca Art Walk, from 7:00 a.m. to 7:00 p.m. on Saturday, March 01, 2025 and also waives any fees associated with event.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

2. **Consider temporary closure of Colorado and Guadalupe streets between Railroad and Live Oak streets for the 2025 Port Lavaca Art Walk on Saturday, March 01, 2025. Presenter is Tania French**

Tania French, Events Coordinator, advised Council that in addition to the Texas Department of Transportation (TxDOT) for temporary closure of Main Street between Virginia and Commerce Streets for the Port Lavaca Art Walk, in the previous agenda item, we request temporary closure of Colorado and Guadalupe streets between Railroad and Live Oak streets on Saturday, March 01, 2025 as needed for the event.

Motion made by Councilman District 3 Tippit

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 temporary closure of Colorado and Guadalupe streets between Railroad and Live Oak streets for the 2025 Port Lavaca Art Walk on Saturday, March 01, 2025 and also waives any fees associated with event.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

3. **Consider agreement for the temporary closure of State Right-of-Way with Texas Department of Transportation (TxDOT) to close Main Street between Virginia and Commerce Streets for the Iguana Fest, from 6:00 a.m. Saturday, April 06, 2025 to Noon on Sunday, April 07, 2025. Presenter is Tania French**

Author's Note:

The dates specified in the agenda item are in error. The correct dates are Friday, April 04, 2025 to Sunday, April 06, 2025.

Tania French, Events Coordinator, advised Council that as in previous years, council approval is required to make application to Texas Department of Transportation (TxDOT) for temporary closure of Main Street between Virginia and Commerce Streets for the Iguana Fest, from 11:00 p.m. Friday, April 04, 2025 to Noon on Sunday, April 06, 2025.

While the event is from 4:00 p.m. to 11:00 p.m. on the first the additional time requested allows for us to safely bring in the stage and set up and also break down the event before reopening the street.

We also request the option for temporary closure of Colorado and Guadalupe streets between Railroad and Live Oak streets on Saturday, April 05, 2025 as needed for the event and will be discussed on the next agenda item following this one.

Motion made by Councilwoman District 4 (Mayor Pro Tem) Padron

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

THAT, Council hereby approves agreement for the temporary closure of State Right-of-Way with Texas Department of Transportation (TxDOT) to close Main Street between Virginia and Commerce Streets for the Iguana Fest, from 11:00 p.m. Friday, April 04, 2025 to Noon on Sunday, April 06, 2025 and also waives any fees associated with event.

Seconded by Councilman District 6 Burke

Voting Yea:

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

4. **Consider temporary closure of Colorado and Guadalupe streets between Railroad and Live Oak streets on Saturday, April 06, 2025 for Iguana Fest. Presenter is Tania French**

Author's Note:

The date specified in the agenda item is in error. The correct date is Saturday, April 05, 2025.

Tania French, Events Coordinator, advised Council that in addition to the Texas Department of Transportation (TxDOT) for temporary closure of Main Street between Virginia and Commerce Streets

for the Iguana Fest, in the previous agenda item, we request temporary closure of Colorado and Guadalupe streets between Railroad and Live Oak streets on Saturday, April 05, 2025 as needed for the event.

Motion made by Councilwoman District 4 (Mayor Pro Tem) Padron

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 temporary closure of Colorado and Guadalupe streets between Railroad and Live Oak streets on Saturday, April 05, 2025 for Iguana Fest and also waives any fees associated with event.

Seconded by Councilman District 5 Ward

Voting Yea:

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

5. **Consider appointment of member(s) to the Port Commission to fill a vacancy and/or start a new term of two (2) years. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that Port Commission Board Member Raymond Butler’s term will expire soon and he has expressed a desire to be reappointed to serve a new two-year term. There are no term limits in place for any Port Commission Board Member. Port Commission recommends reappointment of Butler.

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 reappointment of Raymond Butler to the Port Commission to fill a vacancy and start a new term of two (2) years.

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

6. **Consider Resolution No. R-011325-1E for establishing provisions for conduct for the City of Port Lavaca General Officers Election held on the uniform date of May 03, 2025 and authorize Mayor to issue Order of Election. Presenter is Mandy Grant**

Motion made by Councilman District 2 Dent

WHEREAS, in accordance with the City Charter of the City of Port Lavaca, the Texas Election Code and other applicable state and federal laws, the City Council of the City of Port Lavaca, Texas hereby finds that a general officers election should be held on Saturday, May 03, 2025.

WHEREAS, in addition to calling and ordering the general officers election, City Council finds it necessary and expedient to establish provisions for the conduct of such election:

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

SECTION 1. THAT, an election shall be held on Saturday, May 03, 2025, which is a uniform election date, in the City of Port Lavaca, Texas, which date is not less than forty-five (45) days from the date of the adoption of this resolution for the purpose of electing the following officers:

- One Council Member, Single District Four (4), for a term of 3 years; and
- One Council Member, Single District Five (5), for a term of 3 years; and

SECTION 2. THAT. the Qualifications for Office, per City Charter Article 4.02, are as follows:

- a) In addition to the requirements of state law, at the time of election to office, the Mayor and each member of Council shall be at least twenty one (21) years of age, shall be a United States citizen and qualified voter of the State of Texas, shall have resided in the City for not less than one (1) year immediately preceding the election filing deadline and, if elected from a district, shall have resided in the district from which elected for not less than six (6) months immediately preceding the election filing deadline.
- b) Candidates for office shall make a sworn application for a place on the ballot within the times prescribed by the Texas Election Code, and pay any filing fee established by ordinance. Applications shall designate the position sought and applications for council member shall include the district number, if applicable. It shall be the duty of the Office of the City Secretary of the City of Port Lavaca to place the name of all qualified candidates making timely application on the official ballot. Legal proof of length of residency in the City and/or district must be presented to the Office of the City Secretary upon filing for office.

SECTION 3. THAT, per City Charter, Article 4.03, the candidate receiving a majority of the votes cast for the office sought shall be elected to that office. In the event no candidate receives a majority of the votes cast at the regular election, then and in that event, a run-off election shall be held in accordance with Texas Election Law following procedures therein.

SECTION 4. THAT, the Office of the City Secretary of the City of Port Lavaca shall consist of the City Secretary and/or the Assistant City Secretary and shall perform all duties necessary to conduct the general officer's election.

SECTION 5. THAT, the Office of the City Secretary, is expressly authorized to obtain election supplies and equipment required by law and necessary to conduct such election.

SECTION 6. THAT, such election shall be conducted by the City of Port Lavaca, with Early Voting Days and the Election Day voting to be at the following polling place designated for each City election district:

<u>DISTRICT NUMBER</u>	<u>POLLING PLACE</u>
District One	City of Port Lavaca City Hall – Main Lobby 202 N. Virginia Street
District Two	City of Port Lavaca City Hall – Main Lobby 202 N. Virginia Street
District Three	City of Port Lavaca City Hall - Main Lobby 202 N. Virginia Street
District Four	City of Port Lavaca City Hall - Main Lobby 202 N. Virginia Street
District Five	City of Port Lavaca City Hall - Main Lobby 202 N. Virginia Street
District Six	City of Port Lavaca City Hall -Main Lobby 202 N. Virginia Street

SECTION 7. THAT, Early Voting Days and extended hours to vote on a Saturday shall be conducted during the following schedule:

Monday	April	21,	2025	from	8:00	a.m.	to	5:00	p.m.
Tuesday	April	22,	2025	from	7:00	a.m.	to	7:00	p.m.
Wednesday	April	23,	2025	from	8:00	a.m.	to	5:00	p.m.
Thursday	April	24,	2025	from	7:00	a.m.	to	7:00	p.m.
Friday	April	25,	2025	from	8:00	a.m.	to	5:00	p.m.
Saturday	April	26,	2025	from	9:00	a.m.	to	2:00	p.m.
Monday	April	28,	2025	from	8:00	a.m.	to	5:00	p.m.
Tuesday	April	29,	2025	from	8:00	a.m.	to	5:00	p.m.

Early voting by personal appearance shall be conducted during the regular business hours of the Office of the City Secretary each week day from 8:00 a.m. until 5:00 p.m., except for the second and fourth days of the early voting period by personal appearance.

On the second and fourth days of early voting by personal appearance, the Office of the City Secretary’s regular business hours are hereby designated as 7:00 a.m. until 7:00 p.m. In addition, there will be extended hours of the early voting period by personal appearance held on a Saturday from 9:00 a.m. until 2:00 p.m.

SECTION 8. THAT, Election Day Voting shall be conducted during the following date and time:

Saturday	May	03,	2025	from	7:00	a.m.	to	7:00	p.m.
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SECTION 9. THAT, Notice of the election, including a Spanish translation thereof, shall be posted at City Hall and published in a local newspaper as provided by the Home Rule Charter of the City of Port Lavaca, the Texas Election Code and/or other state and federal law, and the Mayor, or his designee, is hereby authorized and directed to execute such Notice together with an Order calling such election.

SECTION 10. THAT, should any part, section, subsection, paragraph, sentence, clause or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this resolution, but in all respects said remaining portion shall be and remain in full force and effect.

SECTION 11. THAT, this resolution shall be effective immediately upon adoption.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

7. **Consider Lease Agreement with Calhoun County for use of Electronic Voting Equipment for the City of Port Lavaca General Officers Election held on the uniform date of May 03, 2025. Presenter is Mandy Grant**

City Secretary Grant advised Council that Election Laws require that electronic voting devices be made available to voters. Costs related to these services include expenses related to eight (8) days of early voting and also for voting on Election Day for a total of nine (9) days. The lease proposal for the use of Calhoun County’s Electronic Voting Equipment in connection with the May 03, 2025 City of Port Lavaca General Elections would be approximately \$897.75 and this amount has been budgeted for this fiscal year. Staff recommends Council approve this agreement.

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 Lease Agreement with Calhoun County for use of Electronic Voting Equipment for the City of Port Lavaca General Officers Election held on the uniform date of May 03, 2025, in the amount of \$897.75.

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

Seconded by Councilman District 2 Dent

Voting Yea:

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

8. **Consider Resolution No. R-011325-2 for designating certain officials as being responsible for, acting for, and on behalf of the Applicant in dealing with the Texas Parks & Wildlife Department, for the purpose of participating in the Recreational Trails Grant Program; and certifying that the Applicant is eligible to receive program assistance. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that there has been discussion for several years about the idea to construct a trail from Bayfront Park around the Clement Cove Wetlands and then up to near Scully's restaurant. We have been looking at possible funding sources for such a project.

The Texas Parks and Wildlife Department accepts applications for funding in their Trails Grant Program this time each year with the deadline being February 1. This grant would provide \$300,000 of funds with a \$75,000 match. This is the same grant program that we used a few years ago to help build the shared use path (SUP) in Bay front Park.

Please refer to the attached concept plan with the following features:

- A lighted 10 ft wide shared use path (SUP) situated on the upland size of the wetlands delineation by at least 10 ft from Randle Street to near the Scully's bulkhead
- A 10 ft wide SUP sloped to meet ADA alongside the city owned overflow parking area of Scully's with a patch to lead to the existing ADA ramp to the City Harbor Upper Docks.
- A possible 10 ft wide SUP in the right-of-way of Randle leading ultimately to the SUP in Bayfront Park.
- Future reconstruction of the 1900's concrete steps leading down the hill next to the old hotel on Railroad St with a patch to the existing SUP
- Future sidewalk and/or SUP on Railroad and Mahan Streets
- Future easement for an ADA path from the upper dock to SH 238
- Note: I am in conversation with TxDOT about the prospect of providing Bike lanes on SH 238 in the future.
- Note: I am working with the Historical Society in making a grant application to construct ornamental fencing around Ranger Cemetery and provide a VAN accessible ADA parking space next to the ADA ramp to the City Harbor Upper Dock.

Urban engineering is working up some cost estimates for a few options for materials and widths of the proposed SUP shown in red for a possible 2025 TPWL Trails grant application. In order to score well, we need to show an ADA accessible starting and ending point to the trail. I have little doubt that to do the entire Trail shown in red, the cost will far exceed the \$375,000 for this particular grant project, but if we're successful, we can continue to look for other funding sources to make up the difference. Understand that if successful, we would not have authorization to construct until probably 2027 – enough time to budget additional funds.

In order to be able to submit an application by the February 1st deadline, I must have the attached resolution approved by Council, which among other things, acknowledges the understanding that \$75,000 (20%) is the required match for the maximum grant amount of \$300,000.

Financial impact:

By Monday night I should have a better idea of the potential cost to complete the entire path that is shown in red for consideration of applying for \$300,000 of funding from TPWL. Again, there would be no actual expenditure required until at the earliest 2027 based upon our recent experiences.

We will discuss Monday night if Council wants to limit the application to a maximum \$375,000 or consent to a larger project with the understanding that we would need to provide, through budgeted funds or grants, all costs in excess of \$300,000. With authorization to submit a grant application, I will solicit public support letters. Jan. 13, 2025 Update: Urban Engineering has prepared some preliminary cost estimates for this potential project.

To construct the 10 ft wide shared use path out of concrete from Randle Street to Fulton Street, with solar lights (same manufacturer as at Little Chocolate Bayou Park) every 100 ft, it is estimated to cost \$443,800. The construction would likely require the concrete trucks to stay on the upper elevations and pump the concrete to the path on the lower elevation, thus the per sf price is estimated at \$20/SF.

Continuing the 10 ft wide SUP behind a new curb on Mahan from Randle to SH 238 is estimated to cost an additional \$50,000 +/-.

So nominally, we'll say \$500,000 for the project. The grant, if we get it would provide \$300,000 (the maximum grant award) in funding. So, to complete the entire project, we'd need to budget around \$200,000 of CIP dollars. (This is \$125,000 greater than the minimum required match of \$75,000). As you recall from the last Trails grant, once awarded, TPWL takes about a year to perform the environmental reviews so in reality, the CIP funds will not be needed until FY 2026-2027.

If Council is in agreement that this is a worthwhile project that the citizens of Port Lavaca will benefit from as well as a promote tourism, staff recommends applying for \$500,000 project to connect SH238 at Mahan to Fulton Street with a 10 ft wide Shared Use Path and planning to budget \$200,000 matching funds in next year's CIP.

Motion made by Councilman District 3 Tippit

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is aware that the grant program reimburses eligible expenses up to grant award amount and requires 20% match; and

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program.

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

- Section 1: That the Applicant hereby certifies that they are eligible to receive assistance under the Program.
- Section 2: That the Applicant acknowledges that they have the financial resources to complete the grant project.
- Section 3: That the Applicant acknowledges that, if funded, the project must be maintained and open to the public for a period of at least 20 years after project completion.
- Section 4: That the Applicant hereby authorizes and directs the Mayor to act for the Applicant in dealing with the Department for the purposes of the Program, and that Mayor Jack Whitlow is hereby officially designated as the signatory and representative in this regard.
- Section 5: That the City Council of The City of Port Lavaca hereby authorizes the official to make application to the Department for funding for a Trail project around the wetlands of the Clement Cove waterfront area.

Seconded by Councilman District 5 Ward

Voting Yea:

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

9. Consider agreement between the City of Port Lavaca and Rawley McCoy Architects (RMA) for City Hall Master Plan (Phase 4), Security Upgrades and Interior Renovations. Presenter is Jody Weaver

Interim City Manager Weaver advised Council that the proposed Letter of Agreement from Rawley McCoy Architects (RMA) was for the Phase 4 City Hall Master Plan Security Improvements. This is an hourly fee contract with a Not-to-exceed amount of \$25,000 plus \$5,280 for a Mechanical, Electric, Plumbing (MEP) Consultant, totaling \$30,280.00.

Financial impact:

Council has budgeted \$350,000.00 in the 2024-2025 Fiscal Year (FY) budget for City Hall security upgrades. Council recently awarded the Phase 3 Utility Billin Upgrade project at \$151,416.00. With this \$30,280.00 agreement with Rawley McCoy Architects, that leaves \$168,304.00 of this budgeted amount. The estimated cost for Phase 4, based upon the conceptual drawings is \$240,000.00. The proposed scope includes the Controlled-Access bullet resistant store front at the north end of the hallway with renovations to relocate Municipal Court to the north end with a bullet resistant enclosure and other renovations needed to walls, flooring and ceiling panels, etc. We will work with the Architect to keep costs as low as possible, but it is likely additional funds will needed for the construction of Phase 4, although it's unlikely the additional funds would be needed before FY 2025-2026.

It is the recommendation of staff to accept the Letter of Agreement from Rawley McCoy Architects in the amount not to exceed \$30,280.00 without additional authorization, for the Architectural work for the Phase 4 City Hall Security upgrade.

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 agreement between the City of Port Lavaca and Rawley McCoy Architects (RMA) for City Hall Master Plan (Phase 4), Security Upgrades and Interior Renovations in the amount not to exceed \$30,280.00 without additional authorization, for the Architectural work.

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

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

- 10. **Consider recommendation of the Planning Board to approve a request from Paulette Clay for a conceptual “Grab & Go” food establishment to be located on the corner of S. San Antonio Street and W. Martin Luther King Drive; legal description is Lot 1, Block 52, Original Townsite subdivision (523 S. San Antonio Street). Presenter is Derrick Smith**

Development Services Smith advised Council that the applicant and property owner, Paulette Clay, is proposing a new "Grab & Go" food establishment to be located 523 S. San Antonio Street.

The applicant has spoken with the Victoria County Health Department and confirmed this type establishment is not considered a restaurant. The Future Land Use Map designates this area as Residential.

Department Comments on Engineering: Off-street parking shall be so arranged that in order to depart the premises, it shall not be necessary that any automotive vehicle be backed into a street. Fire: A suppression hood will not be required as there will be no frying of food on premises.

Development Services:

- The proposed "Grab & Go" will be required to have four off-street parking spaces. One space dedicated for ADA.
- A sidewalk will need to be installed for access from the parking lot to the entrance.
- A grease trap of proper sizing will need to be installed.
- A landscaping and signage plan shall be provided prior to construction.

Ms. Aleatha Curtis, provided a PowerPoint presentation for proposed “The Food Hive” establishment.

The Planning Board and staff has approved this proposal.

Motion made by Councilman District 1 Aguirre

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 a request from Paulette Clay for a conceptual “Grab & Go” food establishment to be located on the corner of S. San Antonio Street and W. Martin Luther King Drive; legal description is Lot 1, Block 52, Original Townsite subdivision (523 S. San Antonio Street).

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

- 11. **Consider request Second and Final reading of an Ordinance (F-1-24) of the City of Port Lavaca, Texas granting to CenterPoint Energy Resources Corp., DBA CenterPoint Energy Texas Gas Operations, the right, privilege and franchise to construct, install, extend, remove, replace, abandon, operate and maintain its facilities within the public rights-of-way of the City of Port Lavaca, Texas for the transportation, delivery, sale and distribution of natural gas; containing other provisions relating to the foregoing subject; providing for severability and providing an effective date. Presenter is Anne Marie Odefey**

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 City Attorney and staff, Council hereby approves and adopts the Second and Final reading of an Ordinance (F-1-24) of the City of Port Lavaca, Texas granting to CenterPoint Energy Resources Corp., DBA CenterPoint Energy Texas Gas Operations, the right, privilege and franchise to construct, install, extend, remove, replace, abandon, operate and maintain its facilities within the public rights-of-way of the City of Port Lavaca, Texas for the transportation, delivery, sale and distribution of natural gas; containing other provisions relating to the foregoing subject; providing for severability and providing an effective date.

Seconded by Councilman District 6 Burke

Voting Yea:

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

- 12. **Consider Second and Final reading of an Ordinance (S-5-24) of the City of Port Lavaca for amendment(s) to the Base Ordinance S-2-24 for 2024-2025 fiscal year budget; providing for Budget Amendment(s); providing for severability, repealing all ordinances in conflict and establishing an effective date. Presenter is Jody Weaver**

Motion made by Councilman District 5 Ward

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 and adopts Second and Final reading of an Ordinance (S-5-24) of the City of Port Lavaca for amendment(s) to the Base Ordinance S-2-24 for 2024-2025 fiscal year budget; providing for Budget Amendment(s); providing for severability, repealing all ordinances in conflict and establishing an effective date.

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

- 13. **Consider Second and Final reading of an Ordinance (G-10-24) of the City of Port Lavaca amending the ordinance codified and described in the City of Port Lavaca’s Code of Ordinances as Chapter 2, Administration, Article V, Finance, Division 1. - Generally, adding Section 2-126 for Credit Card Convenience Fee; providing for purpose of ordinance; 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 and adopts Second and Final reading of an Ordinance (G-10-24) of the City of Port Lavaca amending the ordinance codified and described in the City of Port Lavaca’s Code of Ordinances as Chapter 2, Administration, Article V, Finance, Division 1. - Generally, adding Section 2-126 for Credit Card Convenience Fee; providing for purpose of ordinance; providing for severability; providing a repealing clause; and providing an effective date.

Seconded by Councilman District 5 Ward

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

Voting Nay:

Councilman District 3 Tippit

- 14. **Consider Second and Final reading of an Ordinance (G-11-24) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Changes, CH 38 Solid Waste, Sec. 38-29 Residential Garbage/brush/bulk collection; CH 2 Administration, Sec. 2-126 Credit Card Use Fee; 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 and adopts Second and Final reading of an Ordinance (G-11-24) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Changes, CH 38 Solid Waste, Sec. 38-29 Residential Garbage/brush/bulk collection; CH 2 Administration, Sec. 2-126 Credit Card Use Fee; and providing an effective date

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

Voting Nay:

Councilman District 3 Tippit

IX. ADJOURNMENT

Mayor asked for motion to adjourn.

Motion made by Councilman District 5 Ward

Seconded by Councilman District 2 Dent

Voting Yea:

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

Meeting adjourned at 7:18 p.m.

These minutes were approved on February 10, 2025.

ATTEST:

Jack Whitlow, Mayor

Mandy Grant, City Secretary