



CITY COUNCIL REGULAR MEETING

Monday, May 11, 2026 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 11th day of May 2026, 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 |
| Vacant Seat | Council Member District 3 |
| Rosie G. Padron | Councilwoman, District 4, Mayor Pro Tem |
| Rose Bland-Stewart | Councilwoman, District 5 |
| Justin Burke | Councilman, District 6 |

Duly Elected Officials starting new terms:

- | | |
|------------------------------|--------------------------|
| Luis De La Garza | Mayor |
| Daniel Aguirre | Councilman, District 1 |
| Mary Elizabeth "Sissy" Rigby | Councilwoman, District 3 |

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 6:35 p.m. and presided.

III. INVOCATION

- Jim Ward, Former Councilmember gave the invocation.

IV. PLEDGE OF ALLEGIANCE

- Mayor Whitlow – Pledge of Allegiance.

V. PRESENTATION(S)

- Employee Service Awards:
 - Carey Justice 5 Years – Public Works Department
 - Roel Rodriguez 5 Years – Public Works Department
- Public Service Award:
 - Allen Tippit Council Member District 3 May 2020 to December 2025
- Proclamations by the Mayor:
 - May is Motorcycle Awareness Month
 - National Police Week is May 10 – 16, 2026
 - National Public Works Week is May 17 – 23, 2026 “Rooted in Service, Powered by Community”

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 the following citizens spoke:
 - Angela L. Phelps, 201 N. Colorado St., Port Lavaca, TX, City Business and New Mayor
 - Jim Ward, Bonham St., Port Lavaca, TX, support for Acting Chief of Police
 - Augustine Riojas, Port Lavaca, TX, support for Acting Chief of Police

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

- A. Minutes of April 13, 2026 Regular Meeting**
- B. Minutes of April 20, 2026 Joint Workshop with Planning Board**
- C. Minutes of April 21, 2026 Joint Workshop with Planning Board**
- D. Review of Credit Card Statement**
- E. Receive Monthly Financial Highlight Report**
- F. Receive Employee Training Review Acknowledgment report ending 04.28.2026**
- G. Receive Office of Court Administrators (OCA) Monthly report ending 04.28.2026**
- H. Review Quarterly Investment Report (12.11.2025 thru 03.31.2026)**
- I. Review Development Services Quarterly Report 07.01.2026 thru 09.30.2025**
- J. Receive Victoria Economic Development Corporation (VEDC) Monthly Report**
- K. Receive Flyer for Spring Cleanup scheduled for May 15 and 16, 2026**

Motion made by Councilman District 6 Burke

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 Councilwoman District 5 Bland-Stewart

Voting Yea:

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

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

1. Canvass returns of the May 02, 2026 City of Port Lavaca General Officers Election. Presenter is Mayor Whitlow

Records and materials regarding the May 02, 2026 General Election were presented by City Secretary Grant, to canvass the votes. The Canvassing Committee was formed of Councilwoman District 4 (Mayor Pro Tem) Padron and Councilwoman District 5 Bland-Stewart. Completed Election Tally Books were distributed to the Committee in order to validate the vote count to the canvassing document as follows:

MAYOR OF THE CITY (*Alcalde de la Ciudad*)

Candidate (Candidato)	Early Voting (Votando Temprano)	Election Day (Dia de Elección)	Total Votes (Votos Total)
Jack Whitlow	155	59	214
Luis De La Garza	316	143	459
Total Votes Cast Mayor	471	202	673

COUNCIL MEMBER DISTRICT NO. 1 (*Miembro del Conséjo, Distrito No. 1*)

Candidate (Candidato)	Early Voting (Votando Temprano)	Election Day (Dia de Elección)	Total Votes (Votos Total)
Daniel Aguirre	44	16	60
Total Votes Cast #1	44	16	60

COUNCIL MEMBER DISTRICT NO. 3 (*Miembro del Conséjo, Distrito No. 3*)

Candidate (Candidato)	Early Voting (Votando Temprano)	Election Day (Dia de Elección)	Total Votes (Votos Total)
Mary E. "Sissy" Rigby	31	18	49
Total Votes Cast #3	31	18	49

Councilwoman Bland-Stewart and Councilwoman Padron both agreed that the elections tally book had the same number of votes for each candidate as established in the canvassing document presented by City Secretary Grant. It was noted that two provisional ballots had been counted previously for Luis De La Garza; however, the Elections Administrator confirmed that both ballots were cast by persons not registered to vote in this election.

No action necessary and none taken.

2. **Consider Resolution No. R-051126-1E certifying the May 02, 2026 General Election returns and declaring candidates elected. Presenter is Mandy Grant**

Motion made by Councilman District 2 Dent

WHEREAS, the returns of the May 02, 2026 election were canvassed at the regular city council meeting held on Monday, May 11, 2026, at 6:30 p.m., with the following results:

WHEREAS, there came on to be considered the returns of an election held the 2nd day of May, 2026, for the purpose of electing the hereinafter named officials; and

WHEREAS, it appearing from said returns duly and legally made, that six hundred seventy-three (673) valid ballots were cast; and

WHEREAS, that each of the candidates in said election received the votes set out hereinabove:

MAYOR OF THE CITY *(Alcalde de la Ciudad)*

Candidate <i>(Candidato)</i>	Early Voting <i>(Votando Temprano)</i>	Election Day <i>(Dia de Elección)</i>	Total Votes <i>(Votos Total)</i>
Jack Whitlow	155	59	214
Luis De La Garza	316	143	459
Total Votes Cast Mayor	471	202	673

COUNCIL MEMBER DISTRICT NO. 1 *(Miembro del Conséjo, Distrito No. 1)*

Candidate <i>(Candidato)</i>	Early Voting <i>(Votando Temprano)</i>	Election Day <i>(Dia de Elección)</i>	Total Votes <i>(Votos Total)</i>
Daniel Aguirre	44	16	60
Total Votes Cast #1	44	16	60

COUNCIL MEMBER DISTRICT NO. 3 *(Miembro del Conséjo, Distrito No. 3)*

Candidate <i>(Candidato)</i>	Early Voting <i>(Votando Temprano)</i>	Election Day <i>(Dia de Elección)</i>	Total Votes <i>(Votos Total)</i>
Mary E. “Sissy” Rigby	31	18	49
Total Votes Cast #3	31	18	49

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

THAT, Luis De La Garza was duly elected as Mayor; Daniel Aguirre was duly elected Council Member, District One (1); and Mary Elizabeth “Sissy” Rigby was duly elected Council Member, District Three (3) of the City of Port Lavaca, Texas, at said election, and are hereby declared duly elected to said

office, subject to executing the Statement of Officer and taking the Oath of Office as provided by the laws of the State of Texas.

Seconded by Councilman District 6 Burke

Voting Yea:

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

3. **Administer Oaths of Office and issue Certificates of Election to newly elected officials to the Port Lavaca City Council to-wit: Luis De La Garza as Mayor to serve a new term of two (2) years; Daniel Aguirre representing District 1; and Mary Elizabeth “Sissy” Rigby representing District 3; to each serve a new term of three (3) years. Presenter is Mandy Grant**

City Secretary Grant administered the Statement of Elected Official, Oath of Office and Certificate of Election signed by the Mayor, to the following newly elected officials:

- Luis De La Garza, Mayor, At-large Districts, for a term of 2 years; and
- Daniel Aguirre, Council Member, Single District One (1), for a term of 3 years; and
- Mary Elizabeth “Sissy” Rigby, Council Member, Single District Three (3), for a term of 3 years.

No action necessary and none taken.

4. **Consider election of Mayor Pro Tem by Council Members in accordance with Section 3.04 of the City of Port Lavaca Home Rule Charter. Presenter is Mandy Grant**

Section 3.04 of the City of Port Lavaca Home Rule Charter:

“The Mayor Pro Tem shall be selected by the Council at the first regular meeting after each General Election, or upon a vacancy in the office of Mayor Pro Tem, from among the members of the Council and shall perform all duties of the Mayor in the Mayor’s absence or disability but shall vote as a Council Member.”

Mayor De La Garza opened the floor for nominations.

Councilman District 2 Dent nominated Councilwoman Rosie Padron

Councilman District 1 Aguirre seconded Dent’s nomination.

Mayor De La Garza asked for more nominations and there being none, asked for a vote.

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

THAT, in accordance with Section 3.04 of the City of Port Lavaca Home Rule Charter, Councilwoman Rosie Padron be elected to the office of Mayor Pro Tem and shall perform all duties of the Mayor in the Mayor’s absence or disability, but shall vote as a Council Member, effective immediately.

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 3 Rigby, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

5. **Consider appointment/reappointment of member(s) to the Planning Board to fill a vacancy and/or start a new term of two (2) years. Presenter is Derrick Smith**

Development Services Director Smith advised Council that the terms of four (4) Planning Board members will expire in June 2026: The Board Members are Justin Weaver (Chairman), Cynthia Escalera, Melinda “Lindy” Cain and Steve Butler. Mr. Weaver currently serves as Chairman and is recognized for his leadership and longstanding service to the community.

All four (4) members have expressed interest in being considered for reappointment to another full term. Each member continues to provide valuable insight and contributes meaningfully to the function and effectiveness of the Planning Board. There are no established term limits for Planning Board members, and each full term is for a period of two (2) years.

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 reappoints Justin Weaver, Steve Butler, Melinda Cain and Cynthia Escalera to a new two-year term.

Seconded by Councilman District 2 Dent

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 3 Rigby, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

6. **Consider approval of Professional Services Contract with Azavar for Franchise Fee Compliance and Utility Payables. Presenter is Brittney Hogan**

Finance Director Hogan advised Council that the City’s last Franchise Fee compliance audit and comprehensive review of utility payables was completed in 2016. Given the length of time since that review, there is a significant opportunity to identify uncollected or underreported revenues and ensure all agreements remain current and aligned with today’s regulatory and economic environment.

Azavar, a Texas Municipal League (TML)-recommended firm and the City’s current provider for Sales Tax Analytics, specializes in uncovering revenue discrepancies and strengthening municipal revenue

streams. Conducting this compliance review will help ensure the City is capturing all eligible revenue while also improving the accuracy of revenue projections for future budget cycles.

Azavar will be paid on a contingency basis only for the compliance review. The firm will conduct the compliance review at no cost unless discrepancies are identified. If no payment errors are found, the City incurs no fee. For any verified findings that the City elects to implement, Azavar will be compensated at a rate of thirty-nine (39) percent of the resulting new revenues, cost savings, or recovered funds.

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 a Professional Services Contract with Azavar for Franchise Fee Compliance and Utility Payables, with Tiered Pricing added.

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

Seconded by Councilwoman District 5 Bland-Stewart

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 3 Rigby, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

7. **Consider Memorandum of Understanding between Texas Emergency Management Assistance Teams Program Administrator (TEMAT) and Texas Emergency Management Assistance Teams Employee Member and Participating Jurisdiction/Employer (City of Port Lavaca). Presenter is Jody Weaver**

Interim City Manager Weaver reminded Council that in June of 2025, Council executed a Memorandum of Understanding (MOU) with the Texas Emergency Management Assistance Teams (TEMAT) Program Administrator and Public Works Director Wayne Shaffer and Grants and CIP Coordinator Kateryna Thomas to participate in Texas Division of Emergency Management (TDEM)'s Incident Support Task Force.

Last year individual MOU's were executed for each participating employee. TDEM has changed their system now such that a single MOU is executed between TDEM and TEMAT and the participating City. TDEM reports that this new MOU helps them streamline the process of adding approved members to teams.

To review the information about the program, which was shared with Council last June, the Disaster Recovery Task Force (DRTF) was developed through House Bill 6 from the 86th Legislative Session. The DRTF was established by TDEM in accordance with Texas Government Code Section 418.0553, "to operate throughout the long-term recovery period following natural and man-made disasters by providing

specialized assistance for communities and individuals to address financial issues, available federal assistance programs, and recovery and resiliency planning to speed recovery efforts at the local level.”

Today, the Disaster Recovery Task Force is one of many components of TDEM's Incident Support Task Force, consisting of local government employees who deploy to assist other local jurisdictions through the disaster recovery process.

Last year, Johnathan Esquivel, the ISTF Regional Coordinator with TDEM, recruited Wayne and Kateryna, who both showed interest in the IST. They each received the required training and were accepted as members. As stated above, two MOU's were executed at the June 2025 meeting – one for Wayne and one for Kateryna.

With the execution of these MOU's they are available for deployment to other areas when needed and if their schedule allows. How it works:

- When a natural disaster occurs, if the effected Emergency Operations Center (EOC) could benefit from the short-term assistance (typically 2 weeks +/-) of Wayne and/or Kateryna, the TDEM will let us know of this potential deployment.
- If the City of Port Lavaca is dealing with our own disaster or there are other things/projects going on that would suffer if Wayne or Kateryna were gone for a couple weeks, then the deployment would not occur. If however, their absence for this couple of weeks would be acceptable by both the City and the employee then the deployment will be initiated. Bottom line, the City does not have to agree to send the employee to any potential deployment, however if such a deployment would not be an undue hardship on City operations, then the City of Port Lavaca, through this program, would be in a position to help other communities in their time of need. In addition, this program will be there to assist us in our time of need when that occurs.
- All costs associated with the deployment, including travel, pay, benefits, food, lodging are reimbursed by Federal Emergency Management Agency (FEMA), in accordance with the City's Disaster Deployment compensation policy and travel policy.
- Our adopted policy for Disaster Deployment Compensation states that compensation will be at a rate of 1.5 x their base rate for all hours worked during a deployment.

Motion made by Councilman District 6 Burke

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 a Memorandum of Understanding (MOU) between Texas Emergency Management Assistance Teams (TEMAT) Program Administrator and Texas Emergency Management Assistance Teams (TEMAT) Employee Member and Participating Jurisdiction/Employer (City of Port Lavaca).

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

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 3 Rigby, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

8. **Consider and take action to withdraw the City of Port Lavaca's (City) request to issue combination tax and surplus revenue certificates of obligation for the expansion renovation and updating of the Port Lavaca Wastewater Treatment Plant (WWTP) due to bringing current facilities within the Texas Commission on Environmental Quality (TCEQ) 75/90 rule and receiving approval of same from TCEQ after the City was able to demonstrate shelf ready plans to update in the future when it becomes necessary due to growth. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that on March 9, 2026, City Council adopted Resolution No. R-030926-1 authorizing the publication of a Notice of Intention to issue Combination Tax and Surplus Revenue Certificates of obligation in a principal amount not to exceed \$39.15M. The purpose of the proposed financing was to fund the expansion, renovation and updating of the Lynn's Bayou Wastewater Treatment Plant (WWTP).

The purpose of this proposed project was to increase the plant's treatment capacity from 2.0 MGD to 4.0 MGD. This expansion was prompted by requirements of TCEQ after the City's wastewater discharge rates exceeded the 75/90 rule. Under this rule, when a treatment plant exceeds 75% of its capacity for 3 consecutive months, engineering of an expansion must begin and once it exceeds 90% of its capacity for 3 consecutive months, construction of the expansion must begin. The Lynn's Bayou WWTP exceeded these thresholds for 18 consecutive months in 2020-2022, due primarily to increased wastewater flows during COVID and the increased workforce in town due to the Formosa plant expansion.

To comply with TCEQ's requirements, the City engaged AECOM to prepare design and bid documents for the expansion project. These documents are now 90% complete and considered "shelf-ready".

Since 2022, wastewater flows have declined and remained below the thresholds that would trigger the 75/90 rule. In 2025, City staff submitted a formal request to TCEQ seeking a waiver from the requirement to construct the expansion at this time and asking permission to defer construction until the plant again exceeds 90% capacity for 3 consecutive months. Staff provided several years of historical flow data and population projections to support this request. On March 24, TCEQ issued written approval granting the City's waiver request.

As discussed on March 09, 2026, apart from the proposed project increasing capacity, it also addressed several other renovations and upgrades that need to be made to maintain compliance with our discharge quality parameters. We did appeal to TWDB to amend the loan offer to a reduced amount covering only the renovations and compliance-related components. TWDB determined that the revised scope differed substantially from the original project submitted for funding. As a result, the reduced-scope project would need to be rescored and ranked in the State's Intended Use Plan. There simply is no time to do this with the current funding offer; therefore, our options are to move forward with the \$39.15M loan offer and undertake the complete expansion at this time OR decline the current offer and resubmit a reduced scope for consideration in the State's 2027 Intended Use Plan.

In discussions with our Financial Advisor, they concurred with recommendation to DECLINE this current \$39.15M loan offer and work to secure a funding source for a smaller scoped project to address the needed improvements and upgrades, which are apart from the increased capacity.

- 1) The City is no longer under a mandate from TCEQ to construct now; and
- 2) Borrowing \$39.15M at this time would cause a significant increase in the sewer base rates to generate adequate revenue to pay the debt service for this loan; and
- 3) The fact that all currently published population projections (US Census, TWDB and TEA) indicate a steady downward trend in population through 2080*.

*We all recognize that at the point when a significant development comes to Port Lavaca or Calhoun County, these projections could and probably would change. We must therefore continue to carefully monitor potential development and be prepared to again secure funding for this expansion at the time any commitment(s) for significant development occur.

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 the recommendation of staff, Council hereby approves declining this Texas Water Development Board (TWDB) loan offer for \$39.15M and withdraw the request to issue Combination Tax and Surplus Revenue Certificates of Obligation for the expansion, renovation and updating of the Port Lavaca Wastewater Treatment Plant at this time.

Seconded by Councilman District 6 Burke

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 3 Rigby, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

9. **Consider Resolution No. R-051126-2 of the City of Port Lavaca authorizing intervention in AEP Texas Inc.'s application to amend its rider mobile temporary emergency electric energy facilities before the commission; approving cooperation with the cities served by AEP Texas; hiring Lloyd Gosselink Attorneys and Consulting Services to negotiate with the Company and direct any necessary litigation and appeals; requiring reimbursement of cities' rate case expenses; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and Legal Counsel. Presenter is Anne Marie Odefey**

Motion made by Councilman District 2 Dent

WHEREAS, on or about April 15, 2026, AEP Texas Inc. ("AEP Texas" or "Company"), pursuant to Public Utility Regulatory Act ("PURA") §§ 36.001 and 39.918 filed with the Public Utility Commission of Texas an Application to Amend its Rider Mobile Temporary Emergency Electric Energy Facilities to change the revenue requirement related to its Rider Mobile TEEE Facilities, effective September 1, 2026; and

WHEREAS, the City is a member of the Cities Served by AEP Texas (“Cities”), a membership of similarly situated cities served by AEP that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in AEP Texas’ service area; and

WHEREAS, PURA § 33.023 provides that costs incurred by Cities in ratemaking activities are to be reimbursed by the regulated utility.

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

Section 1. That the City joins other Cities Served by AEP Texas (“Cities”) in this proceeding and, subject to the right to terminate employment at any time, hereby authorizes the hiring of Jamie Mauldin of Lloyd Gosselink Rochelle and Townsend, P.C, and consultants to review the Company’s filing, negotiate with the Company, make recommendations regarding a reasonable revenue requirement and to direct any necessary administrative proceedings or court litigation associated with an appeal of city action.

Section 2. That the City shall work with Cities Served by AEP Texas in the review and evaluation of whether the proposed revenue requirement is appropriate, fair, just, and reasonable; and intervene as a necessary party in the Public Utility Commission of Texas’ consideration of AEP Texas’ Application in Docket No. 59652 as it affects the customers in AEP Texas’ service territory.

Section 3. That the City’s reasonable rate case expenses shall be reimbursed by AEP Texas..

Section 4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law, and that the public notice was given of the time, place, and purpose of said meeting, as required.

Section 5. That a copy of this Resolution shall be sent to Jamie Mauldin, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701 (jmauldin@lglawfirm.com).

Seconded by Councilman District 6 Burke

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 3 Rigby, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

- 10. **Consider Second and Final reading of an Ordinance (G-4-26) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca’s Code of Ordinances as Part II, Chapter 12 Buildings and Building Regulations by adding new Article VII, Congregate Living Facility; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith**

Motion made by Councilman District 6 Burke

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

THAT, this Ordinance (G-4-26) be withdrawn from consideration.

Seconded by Councilman District 2 Dent

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 3 Rigby, Councilman District 6 Burke

Voting Nay:

Councilwoman District 4 (Mayor Pro Tem) Padron, Councilwoman District 5 Bland-Stewart

11. **Consider Second and Final reading of an Ordinance (G-5-26) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Changes; Chapter 12 Buildings and Building Regulations, Article VII, Congregate Living Facility; and providing an effective date. Presenter is Derrick Smith**

Mayor De La Garza announced this agenda item would be passed. No action necessary and none taken.

12. **Consider Second and Final reading of an Ordinance (G-6-26) of the City of Port Lavaca amending the Code of Ordinances codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Chapter 12 Buildings and Building Regulations, Article IV Substandard Buildings, Sec. 12-291 thru 12-297; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith**

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 the Second and Final reading of an Ordinance (G-6-26) of the City of Port Lavaca amending the Code of Ordinances codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Chapter 12 Buildings and Building Regulations, Article IV Substandard Buildings, Sec. 12-291 thru 12-297, as presented.

Seconded by Councilwoman District 5 Bland-Stewart

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 3 Rigby, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

13. **Consider First reading of an Ordinance (S-3-26) of the City of Port Lavaca for amendment(s) to the Base Ordinance S-4-25 for 2025-2026 fiscal year budget; providing for Budget Amendment(s); providing for severability, providing a repealing clause; and providing an effective date. Presenter is Brittney Hogan**

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 the First reading of an Ordinance (S-3-26) of the City of Port Lavaca for amendment(s) to the Base Ordinance S-4-25 for 2025-2026 fiscal year budget; providing for Budget Amendment(s), as presented.

Seconded by Councilwoman District 5 Bland-Stewart

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 3 Rigby, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

14. **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 De La Garza announced that Council would retire into closed session at 7:59 p.m.

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

Mayor De La Garza announced that Council was back in open session at 8:12 p.m.

No action necessary and none taken.

IX. ADJOURNMENT

Mayor De La Garza asked for motion to adjourn.

Motion made by Councilman District 2 Dent

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 3 Rigby, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

Meeting adjourned at 8:22 p.m.

ATTEST:

Luis De La Garza, Mayor

Mandy Grant, City Secretary