



## CITY COUNCIL SPECIAL/WORKSHOP MEETING

Monday, August 18, 2025 at 9:00 AM

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 18<sup>th</sup> day of August, 2025, the City Council of the City of Port Lavaca, Texas, convened in a special and workshop session at 9:00 a.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
Rose Bland-Stewart	Councilwoman, 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:

#### CITY COUNCIL SPECIAL MEETING

#### II. CALL TO ORDER

- Mayor Whitlow called the meeting to order at 9:17 a.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 U.S. Navy Recruiter, Ryan Barber, introduced himself and will contact Tania French on promoting recruitment thru some city events .

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

**1. Consider a proposed tax rate for the 2025-2026 fiscal year and take a record vote. Presenter is Brittney Hogan**

Interim Finance Director Hogan advised Council that in accordance with the State of Texas Property Tax Code, the Comptroller of Texas' Truth-in-Taxation rules, the City must calculate the "No New Revenue" (NNR) and "Voter Approval Rate".

The CCAD Tax Assessor/Collector is required to calculate the NNR and VAR rates and publish a Notice in the newspaper and on the City's website.

We have prepared the proposed budget based upon a tax rate of \$0.8000 per \$100 value of property on the tax roll, however, City Council could propose a tax rate up to \$0.8276 without risking a mandatory vote for approval by the citizens.

Debt service requirements for the City of Port Lavaca are currently \$0.1013 of the current proposed property tax rate of \$0.8000. The City has four outstanding debt issues. For Fiscal Year 2026 the total required debt service payment is \$1,830,414 of which \$798,851 is secured by property taxes.

A comparison of the required calculation is as follows:

**Property Tax Rate Comparison**

	2025-2026	2024-2025
Property Tax Rate:	\$0.8000/100	\$0.8000/100
No-New-Revenue Tax Rate:	\$0.7583/100	\$0.7689/100
No-New-Revenue Maintenance & Operations Tax Rate:	\$0.6401/100	\$0.6897/100
Voter-Approval Tax Rate:	\$0.8277/100	\$0.8564/100
Debt Rate:	\$0.1013/100	\$0.1257/100

The calculation of each of the rates are set by the State Tax Code and must be published in order to provide transparency to the property taxpayers of the City.

The NNR establishes the threshold in which the city can adopt a property tax rate that does not provide additional revenue. If the City chooses to set its tax rate greater then the NNR, it must hold a Public Hearing and advertise that the city is increasing its tax revenue.

The VAR establishes the threshold that, if exceeded, the City must first hold an election and seek the approval of the citizens before it can set the property tax rate at or above the VAR.

The City can increase the tax rate up to \$0. 8276 without holding an election if it so chooses.

Currently, the proposed tax rate will generate \$329,825, or 6.02% more revenue for the proposed FY 2026 budget.

Once City Council votes on the proposed rate, it must publish notices and cannot exceed that rate, however it can lower the rate at any time prior to adoption.

**The vote must be a record vote of each member of the governing body by name.**

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 proposes a tax rate of \$0.800 per \$100 value for the 2025-2026 fiscal year budget and publishing notice thereof.

Seconded by Councilman District 6 Burke

Voting Yea and Record Vote by Name:

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

Voting Nay and Record Vote by Name:

None

**2. Consider setting a public hearing on the proposed 2025-2026 fiscal year Budget for Monday, September 08, 2025. Presenter is Brittney Hogan**

Interim Finance Director Hogan 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 2025-2026 Fiscal Year (FY) Budget.

The City Council must set the date and time for a Public Hearing on the proposed 2025-2026 Fiscal Year budget. According to our budget calendar, we have scheduled the Public Hearing on the Budget to be held at a regular council meeting on September 08, 2025, at which time we may also have the First reading of the ordinance to adopt the 2025-2026 FY budget.

Because the proposed tax rate exceeded the No-New-Revenue rate, legislation considers it a tax increase, and requires special language to accompany the Notice of Public Hearing on the budget as follows:

**For a tax rate of \$0.8000**

"This budget will raise more total property taxes than last year's budget by \$329,825 or 6.02%, and of that amount \$37,504 is tax revenue to be raised from new property added to the tax roll this year."

Only one Public Hearing is required and satisfies the requirements for a later vote on the Ordinance adopting the annual budget.

Staff recommends the Public Hearing be set for Monday, September 08, 2025 at 6:30 p.m.

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 Meetings for setting a Public Hearing on the proposed 2025-2026 Fiscal Year Budget, for Monday, September 08, 2025 at 6:30 p.m.

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, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

**3. Consider setting a public hearing on proposed 2025 tax rate for Monday, September 08, 2025. Presenter is Brittney Hogan**

Interim Finance Director Hogan advised Council that in accordance with the State of Texas Property Tax Code, the Comptroller of Texas' Truth-in-Taxation rules, should the City Council choose to propose a tax rate that exceeds the No-New-Revenue (NNR) rate, it is considered a tax increase and a public hearing on the tax rate is required.

City Council must set a date and time for the public hearing after they vote to propose a tax rate greater than the NNR. A Notice of Public Hearing on Tax Increase must be published in the newspaper and prominently displayed on the city's website.

According to our budget calendar, we have scheduled the Public Hearing on the Tax Rate to be held at a regular council meeting on September 08, 2025, at which time we may also have the First reading of the Tax Rate Ordinance, where a record vote must be taken.

The proposed tax rate provided in the budget is \$0.8000, which is more than last year but exceeds the NNR rate of \$0.7583 and will generate \$329,825 or 6.02% more revenue.

Staff recommends the Public Hearing be set for September 08, 2025, at 6:30 p.m. and authorize the publication of the Notice of Public Hearing on Tax Increase to describe the date, time and place for the hearing along with the required language as set forth by Property Tax Code.

Motion made by Councilman District

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 meeting for setting a Public Hearing on the proposed 2025 tax rate, for Monday, September 08, 2025 at 6:30 p.m. and

authorize the publication of the Notice of Public Hearing on Tax Increase to describe the date, time and place for the hearing along with the required language as set forth by Property Tax Code.

Seconded by Councilman District

Voting Yea:

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

**4. Consider the recommendation of the Port Commission to award a construction contract for the Downtown Waterfront Public Access Improvements Project One (1). Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that Bids were publicly opened and read on August 07, 2025 for the Downtown Waterfront Public Access Improvement Project 1 and they are as follows:

Bidder	Total Base Bid	Total Base Bid + Alternate Bid No. 1	Calendar Days
Shirley & Sons Construction Co., Inc.	\$262,800.00	\$277,800.00	60
Derrick Construction Co., Inc.	\$341,176.00	\$374,624.00	60
SR Trident, Inc.	\$679,780.00	\$704,040.00	60

NOTE: This Phase 1 project is the bulkheading and dock work in and along Smith Harbor. The bid package for the parking lot and green infrastructure drainage should be ready soon.

Urban Engineering indicated in their Recommendation for Award letter, that Shirley & Sons Construction is the low bidder. Shirley & Sons has an opening in their schedule and are able to start as soon as a Notice to Proceed can be issued. The Port Commission will meet in a Special meeting on Friday, August 15 at 3:30 pm to review the bids and consider a recommendation to Council for a contract award.

Note the Alternate Bid No. 1 is to use ThruFlow Decking <https://thruflow.com/> With the fact that this deck will be submerged in high tide and storm surge situations, the use of ThruFlow panels will better withstand the wave action in these situations than wood decking would. The panels are heat-resistant with a non-slip surface that comes with a life-time warranty. The ecological impact taking place underneath a dock is rarely considered, but sunlight is an integral part of any ecosystem and ThruFlow panels allow light to pass through and protect the aquatic life below.

Recall that we have a total of \$700,000 budgeted for this entire Project. \$400,000 from the Matagorda Bay Mitigation Trust, \$150,000 from the General Fund and \$150,000 for Ports and Harbors. This award, of \$277,800 will leave \$342,200 left of budgeted funds for Phase 2 (\$75,000 is allocated for engineering and permitting).

Staff is recommending to the Port Commission to recommend to Council to award a construction contract to Shirley & Sons Construction Co., in the amount of \$277,800.00, being the Base Bid + Alternate Bid No. 1.

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 the recommendation of the Port Commission and staff, Council hereby approves award of a construction contract for the Downtown Waterfront Public Access Improvements Project One (1), to Shirely & Sons Construction Co., in the amount of \$277,800.00, being the Base Bid + Alternate Bid No. 1.

BE IT FURTHER RESOLVED, THAT the Mayor is authorized to sign once the language has been approved by the City Attorney.

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, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

## **V. ADJOURN SPECIAL MEETING**

Mayor Whitlow asked for motion to adjourn Special Meeting.

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, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

Special Meeting adjourned at 9:43 a.m.

## **RECESS**

- Mayor Whitlow announced Council would take a brief recess at 9:43 a.m.
- Mayor Whitlow announced Council was back from recess at 9:56 a.m.

## **WORKSHOP SESSION**

## **VI. CALL TO ORDER**

- Mayor Whitlow called the workshop meeting to order at 9:56 a.m. and presided with the following announcement:

## **VII. 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:
  - Sasha Pena Nevarez, 212 S. Commerce Street, owner of Nevarez Seafood Co. and Restaurant, wants to park shrimp boat behind her place of business

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

### **1. Discuss proposed City Budget for 2025-2026 fiscal year. Presenter is Jody Weaver**

Council discussed this agenda item.

No action necessary and none taken.

#### **RECESS**

- Mayor Whitlow announced Council would take a brief recess at 11:05 a.m.
- Mayor Whitlow announced Council was back from recess at 11:15 a.m.

#### **LUNCH**

- Mayor Whitlow announced Council would break for Lunch at 12:05 p.m.
- Mayor Whitlow announced Council was back from Lunch at 12:49 p.m.

#### **RECESS**

- Mayor Whitlow announced Council would take a brief recess at 2:34 p.m.
- Mayor Whitlow announced Council was back from recess at 2:49 p.m.

### **2. Conduct Cyber Security Training for Council. Presenter is Jody Weaver**

City Council Members who were in attendance completed this Cyber Security Training.

No action necessary and none taken.

## **IX. ADJOURN WORKSHOP**

Mayor Whitlow asked for motion to adjourn Workshop.

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, Councilman District 3 Tippet, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilwoman District 5 Bland-Stewart, Councilman District 6 Burke

Workshop adjourned at 3:54 p.m.

ATTEST:

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Jack Whitlow, Mayor

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Mandy Grant, City Secretary