



CITY COUNCIL SPECIAL/WORKSHOP MEETING

Monday, January 31, 2022 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 31st day of January, 2022, the City Council of the City of Port Lavaca, Texas, convened in a special and workshop session 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
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

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 6:07 P.M. and presided with the following announcement:

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

- Mayor 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 Change Order No. 1 for the Bayfront Park Walking Trail and Park Improvement Project. Present is Jody Weaver

Interim City Manager Weaver advised Council that when the contractor, Matagorda Construction and Materials (MCM) began shaping the existing base and roadway to the Veterans Memorial, it was discovered that closer to the Memorial, the existing base was very weak and began pumping under the weight of the trucks. Additionally, the base material particularly in the large area adjacent to the Memorial was very thin and contaminated with soil thereby reducing the effectiveness of the cement stabilization. During preliminary design, Weaver explained that they took a soil bore along the road, but not in the area near the Memorial. Weaver added that to alleviate the problem, Urban Engineering is recommending that in the poor areas, 6" of the existing material be removed and replaced with limestone base. The estimate to do that on the entire road to the Memorial would be \$83,300. Weaver added that after looking closely at the situation on the ground last Friday, Urban Engineering proposed that the road through the curve can still be mixed with cement, but they recommend adding 2" of limestone with it. She further explained that the large parking area near the Memorial should have the 6" of existing material removed and replaced with limestone (so cement stabilization in this area can be deducted). Weaver told Council that the total cost for this proposal was \$56,573.20.

Weaver also advised Council that as requested by them, she looked at the area in front of the small pavilion at the Bayfront. She informed Council that the area has geogrid, so it is not a candidate for scarification. She told Council that the proposal was that the street department do the necessary point repairs, then Matagorda Construction and Material can apply the two course that is being applied by the Memorial when they are doing the other work. Once that is complete then the Street Department can apply hot mix over the sealcoat.

Weaver also told Council, that the area between the road and the small pavilion at the Bayfront holds water after it rains. She informed Council that for their consideration, Urban Engineering proposed the installation of two (2) precast concrete grate inlets and associated piping to drain under this area of road. MCM presented a cost of \$33,680.00 for the drainage, that price would include the grading of the area to drain the inlets and \$2,615.20 for the two-course.

Considering the additional funds needed to properly improve the road to the Memorial and the fact that there has not been a long-term decision made regarding what long term plans are for the small pavilion, Weaver proposed that for now the option to complete the drainage be declined. She explains that until a long-range plan is determined the Street Department can add some base to the area and they can grade the area to minimize the ponding.

In summary, she requested for approval of Change Order No. 1 as follows:

- 1) Modifications to the road and parking lot renovations - \$56,573.20
 - 2) Apply two-course to the road area north of the small pavilion \$2,615.20
- Total=\$59,188.40 (This equates to 11% of the contract price.)

In conclusion, Weaver advised that when the project was awarded, \$41,900 additional funds were allocated above budget. She further explained that there are funds available in the general fund reserves to pay for this proposed Change Order No. 1.

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 Change Order No. 1 from Matagorda Construction and Materials, for modification to the road and parking lot renovations at Bayfront Park, in the total amount of \$59,188.40 paid out of general fund reserves.

Seconded by Councilman District 5 Ward.

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

2. **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 Whitlow announced that Council would retire into closed session at 6:19 p.m.

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

Mayor Whitlow announced that Council was back in open session at 8:03 p.m.

No action necessary and none taken.

V. ADJOURN SPECIAL MEETING

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

Special Meeting adjourned at 8:03 p.m.

CITY COUNCIL WORKSHOP

VI. CALL TO ORDER

- Mayor Whitlow called the meeting to order at 5:39 P.M. and presided with the following announcement:

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

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

1. **Discuss reducing the prima facie speed limit in designated residential neighborhoods within the City of Port Lavaca. Presenter is Jody Weaver**

Council discussed this workshop item.

No action was taken.

The following citizens were in attendance and made comments regarding workshop agenda item:

- Deborah Tomlinson and Stacy Meza both citizens of Brookhollow Estates Subdivision:

IX. ADJOURN WORKSHOP

Mayor asked for motion to adjourn.

Motion made by Councilman District 6 Barr

Seconded by Councilman District 5 Ward

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 6:07 p.m.

These minutes were approved on February 14, 2022.

Jack Whitlow, Mayor

Lorena Perez-Diaz,
Assistant City Secretary