



CITY COUNCIL REGULAR MEETING

Monday, October 10, 2022 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 10th day of October, 2022, 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
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:

II. CALL TO ORDER

- Mayor Whitlow called the meeting to order at 6:33 p.m. and presided.

III. INVOCATION

- Councilman Ward gave the invocation.

IV. PLEDGE OF ALLEGIANCE

- Mayor Whitlow – Pledge of Allegiance.

V. PRESENTATION(S)

- Presentations by the Mayor
 1. Recognize the City of Port Lavaca Fire Department for the Perfect Score awarded by the Texas Commission on Fire Protection for the required Compliance Inspection Process conducted on September 22, 2022.

2. Recognize the City of Port Lavaca Police Department for the Mental Health Officer Program being the recipient of the 2022 TML Municipal Excellence Award.

VI. PROCLAMATION(S)

- Proclamations by the Mayor
 3. October 2022 is National Fire Prevention Month with the theme “Fire won’t wait. Plan your escape”, reinforcing the critical importance of developing a home escape plan”

VII. COMMENTS FROM THE PUBLIC

(Limited to 3 minutes per individual unless permission to speak longer is received in advance)

- Mayor asked for comments from the public and Raymond Butler thanked the Interim City Manager and Code Enforcement Officer Perez for cleaning up some properties.

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

- A. Minutes of September 06, 2022 Special Meeting
- B. Minutes of September 12, 2022 Regular Meeting
- C. Minutes of September 26, 2022 Special Meeting
- D. Review of the Credit Card Statement
- E. Receive monthly Financial Highlight Report
- F. Ratify new lease with Port Lavaca Plumbing for Suite 1D of Nautical Landings Office Building

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 all consent agenda items as listed.

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

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

1. **Receive Status Report on Frontier projects in Port Lavaca from Director of Operations of South Texas and Internal Affairs Director for Frontier. Presenter is Cort Patterson and David Patterson**

(Note: The presenters listed on this agenda item above are incorrect; however, have been corrected below).

Mr. Cort Peterson, Director of Operation of South Texas for Frontier and Mr. David Russell, Internal Affairs Director for Frontier were in attendance and presented City Council a Status Report on Frontier projects in the Port Lavaca area. Some of the complaints consisted of trash left behind by contractors and also the long periods of not having any internet connection. The following citizens also expressed concerns to the Frontier representatives:

- Dr. Kenneth Motl of Bayfront Animal Hospital in Port Lavaca; and
- Mr. Russell Cain of Russell Cain Real Estate in Port Lavaca.

No action necessary and none taken.

2. **Conduct Public Hearing in connection with Substandard Building located at 227 Tommy Drive. Presenter is Derrick Smith**

Mayor Whitlow opened Public Hearing at 7:15 p.m.

Mayor Whitlow closed Public Hearing at 7:19 p.m.

No action necessary and none taken.

3. **Consider finding that the following property, 227 Tommy Drive, located in the City of Port Lavaca, Texas, is in violation of the Substandard Building Code, Chapter 12, Section IV of the City of Port Lavaca Code of Ordinances, following a Public Hearing held on September 12, 2022 and Order that it be vacated, secured, repaired, removed, or demolished by the Owner within ninety (90) days of the date of this meeting. Presenter is Derrick Smith**

(Note: The date on item listed above is incorrect; however, has been corrected to October 10, 2022).

Development Services Director and Code Enforcement Officer Perez advised Council that

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 finds that the following property, 227 Tommy Drive, located in the City of Port Lavaca, Texas, is in violation of the Substandard Building Code, Chapter 12, Section IV of the City of Port Lavaca Code of Ordinances, following a Public Hearing held on October 10, 2022 and approves Order that it be vacated, secured, repaired, removed, or demolished by the Owner within ninety (90) days of the date of this meeting.

Seconded by Councilman District 6 Barr

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

4. **Consider Request of Our Lady of the Gulf Catholic Church (OLG) Altar Society, for closure of Benavides Street between Leona and Austin Streets for their annual fund-raising Thanksgiving Meal Drive-Thru on Sunday, November 06, 2022 from 9:00 a.m. to 2:00 p.m. Presenter is Anne Marie Odefey**

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 request of Our Lady of the Gulf Catholic Church (OLG) Altar Society, for closure of Benavides Street between Leona and Austin Streets for their annual fund-raising Thanksgiving Meal Drive-Thru on Sunday, November 06, 2022 from 9:00 a.m. to 2:00 p.m., and also waives any fees associated with the event.

Seconded by Councilman District 1 Smith

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

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

Development Services Director Smith advised Council that Betty Birdwell's term as a Planning Board member will be expiring and she has expressed a desire to serve another two-year term. He said the Planning Board recommends she be reappointed and he also advised that Mike Elgin was elected Chairman.

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 the Planning Board, Council hereby reappoints Betty Birdwell and Mike Elgin to the Planning Board to serve a new two-year term from November 2022 thru November 2024.

Seconded by Councilman District 6 Barr

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

It was later clarified that Mike Elgin was elected Chairman of the Planning Board; however, his term does not expire until April 2024.

Motion made by Councilman District 2 Dent

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

THAT, the previous motion to reappoint Betty Birdwell and Mike Elgin to the Planning Board to serve a new two-year term from November 2022 thru November 2024, is hereby rescinded.

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

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 the Planning Board, Council hereby reappoints Betty Birdwell to the Planning Board to serve a new two-year term from November 2022 thru November 2024.

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

6. **Consider appointment/reappointment of member(s) to the Recreation and Parks Board to fill a vacancy and/or start a new term. Presenter is Wayne Shaffer**

Public Works Director Shaffer advised Council that the Recreation and Parks Board has a term that will expire at the end of October 2022 for Jean Wehmeyer and she has expressed a desire to be reappointed and serve another term. There are no term limits established and the full term is for a period of two (2) years.

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 reappoints Jean Wehmeyer to the Recreation and Parks Board to serve a new two-year term from November 2022 thru November 2024.

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

7. **Consider appointment of member to the Port Commission Board to fill the unexpired term of David Roberts until February 2023. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that Robert Knox had sent a letter of interest to serve on the Port Commission, a copy which is on file in the office of the City Secretary.

Motion made by Councilman District 5 Ward

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

THAT, Council hereby appoints Robert Knox to the Port Commission to fill the unexpired term of David Roberts until February 2023.

This motion died due to lack of a second.

Motion made by Councilman District 1 Smith

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

THAT, Council hereby appoints Raymond Butler to the Port Commission to fill the unexpired term of David Roberts until February 2023.

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

8. **Consider Award of Professional Services Agreement to CivilCorp for Engineering and Construction Administration for Alamo Heights Phase I and II Street and Drainage Improvements Project. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that recently the City approved the sale of Certificate of Obligation Bonds toward the funding of various Capital Improvement Projects. One of those projects was to provide Phase 1 and Phase 2 Streets and Drainage improvements in Alamo Heights Subdivision.

This is to include Jackson Street from Alcoa to 5th (Jackson from 5th to Seadrift was accomplished in 2020); Leon and Justice Streets from Alcoa to Seadrift Street, and 3rd, 5th and 7th Street from Jackson to Algee. This area currently has limited to no underground storm sewer and as a result has very poor streets.

The initial part of this project is to upgrade the downstream drainage system beginning at 5th street and Jackson. This project was recently awarded to Lester Contracting and should begin construction in the very near future. The entire area of this Phase 1 and 2 Alamo Heights, drains to this location at 5th street and Jackson Street through underground piping and ditches to ultimately discharge to the Harbor of Refuge next to the boat ramp. It is anticipated that the design phase will take approximately a year to complete, so we can anticipate bidding this project out in the fall of 2023. The preliminary construction cost estimate provided in May 2022 for this project was \$8.75M.

CivilCorp has long been the selected engineer of record for the City's Street and Drainage Improvement Projects and has submitted a proposed Professional Services Agreement with a total fee of \$675,000.00. Staff recommends approval of this professional services agreement with CivilCorp, LLC for design, bidding and construction administration of the referenced project in the amount of \$675,000.00.

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 award of Professional Services Agreement to CivilCorp LLC for Engineering and Construction Administration for Alamo Heights Phase I and II Street and Drainage Improvements Project, in the amount of \$675,000.00.

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

9. **Consider Change Order No. 1 and authorize additional funding for the Community Development Block Grant-Disaster Relief (CDBG-DR) Phase 1 Project. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that no additional funding is required for this project. She said CivilCorp has requested Change Order No. 1, GLO Contract #20-065-071-C198 issued to Lester Contracting, Inc., for the Community Development Block Grant-Disaster Relief (CDBG-DR) Phase 1 Project. She said the report showed a decrease in the amount of \$20,781.00 from the original contract of \$2,168,200.05. Staff recommends approval of Change Order, a copy which is in the office of the City Secretary, in its entirety.

Motion made by Councilman District 1 Smith

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 request of CivilCorp for Change Order No. 1, GLO Contract #20-065-071-C198 issued to Lester Contracting, Inc., for the Community Development Block Grant-Disaster Relief (CDBG-DR) Phase 1 Project and no additional funding is required.

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

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

10. **Consider Resolution No. R-101022-1 of the City of Port Lavaca requesting that Golden Crescent Regional Planning Commission (GCRPC) amend the Method of Distribution of the Community Development Block Grant - Mitigation (CDBG-MIT) regional project funding . Presenter is Jody Weaver**

Motion made by Councilman District 2 Dent

WHEREAS, The City of Port Lavaca is a member County of the Golden Crescent Regional Planning Commission (GCRPC), and

WHEREAS, The City of Port Lavaca is listed as a HUD–MID under the Community Development Block Grant – Mitigation, and

WHEREAS, The City of Port Lavaca has identified mitigation projects to address the current and future risks related to hurricanes, tropical storms and tropical depressions, and

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

THAT, this resolution by THE CITY OF PORT LAVACA asks the Golden Crescent Regional Planning Commission (GCRPC) to change the distribution method for the \$80.317M CDBG-MIT allocation. THE CITY OF PORT LAVACA requests the GCRPC to use the same rating factors and formula that were utilized under the Harvey CDBG-Disaster Recovery (DR) allocation, since it considered other important factors beyond population size, such as prior storm damage, resilient factors, social vulnerability and FEMA data. Additionally, the Harvey DR formula allows for a more regional approach to mitigation, making sure our coastal communities get enough funding to accomplish projects that will make a true difference, since they serve as a barrier and protector to the more inland areas.

The Harvey DR formula also allows for a fairer approach towards distribution of the State MID funds, allowing for a better impact in smaller communities region-wide.

On page 24 of the contract between the TXGLO and GCRPC it states under Project Description “Subrecipient shall allocate funds for mitigation projects to eligible entities that will address the current and future risks related to hurricanes, tropical storms and tropical depressions, and severe coastal and riverine flooding.” Hurricane Harvey and other tropical systems since then caused widespread street flooding in the City of Port Lavaca and significant erosion, particularly along the banks of our Harbor of Refuge, which, as the name suggests, is a city-owned harbor where local fisherman and other commercial vessels take refuge during hurricanes and other tropical storms. These mitigation dollars are planned to go toward projects to address these risks.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

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

11. **Consider Resolution No. R-101022-2 of the City of Port Lavaca to nominate someone to fill the unexpired term of Bill Swope on the Calhoun County Appraisal District(CCAD) Board. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that this resolution is to nominate someone to fill the unexpired term of Bill Swope on the Calhoun County Appraisal District(CCAD) Board until December 31, 2023.

Motion made by Councilman District 2 Dent

WHEREAS, the untimely passing of the Chairman for the Board of Directors of the Calhoun County Appraisal District; and

WHEREAS, the Board of Directors consists of five members who serve two-year terms, beginning January 1, 2022 through December 31, 2023; and

WHEREAS, City of Port Lavaca is a taxing unit entitled to nominate candidates to the Calhoun County Appraisal District Board of Directors, if so desired.

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

THAT, the following individual, Raymond Butler, is nominated and submitted to the Calhoun County Appraisal District for election to fulfill the unexpired term of the Calhoun County Appraisal District Board of Directors, until December 31, 2023.

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

12. **Consider award of Maintenance Mowing contract(s) for 2022-2023 fiscal year (FY).**
Presenter is Derrick Smith

Development Services Director Smith advised Council that sealed bids were opened on Tuesday, October 04, 2022 for the Maintenance Mowing Contracts of various areas for the 2022-2023 fiscal year (FY). Staff received three (3) bids and they are as follows:

Name of Bidder	Scope of Services	Amount
Marvelous Gardens	A.1 thru A.6	\$ 51,600.00
P & W Tree Trimming	B, E, G, H, I, J	\$ 33,150.00
Mauer Shredding Service	C, D, F	\$ 3,300.00
	GRAND TOTAL	<u>\$ 88,050.00</u>

The grand total of \$88,050.00 is budgeted under Contracted Services in the Street Department (\$58,850.00) and Recreation and Parks Department (\$29,200.00).

Staff recommends three (3) separate contracts be awarded from the bid tabulation as presented above.

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 awards three (3) separate Maintenance Mowing contract(s) for 2022-2023 fiscal year (FY), in the total sum of \$88,050.00 to be distributed by Scope of Services, as follows:

Name of Bidder	Scope of Services	Amount
Marvelous Gardens	A.1 thru A.6	\$ 51,600.00
P & W Tree Trimming	B, E, G, H, I, J	\$ 33,150.00
Mauer Shredding Service	C, D, F	\$ 3,300.00
	GRAND TOTAL	<u>\$ 88,050.00</u>

Copy of the bids and scope of services, including aerial photographs of various areas to be mowed, are in the office of the City secretary, in its entirety.

Seconded by Councilman District 1 Smith

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

13. **Consider award of construction bids for Skate Park improvements at Wilson Sports Complex. Presenter is Wayne Shaffer**

The Interim City Manager Weaver and Public Works Director Shaffer advised Council that there is \$140,000.00 budgeted in the Recreation and Parks Department this fiscal year for the Wilson Park improvements. The engineer's estimate for the project scope was \$145,000.00. Staff recently advertised for bids for the following scope of work approved by the Recreation and Parks Board:

- Phase 1 of additional parking (11 spaces + 1 ADA space)
- Sidewalks: from Seadrift Street to skate surface; from existing parking lot to new Phase 1 parking and to Seadrift Street; from new parking to skate surface
- 2 Storm Sewer inlets and pipes to provide Drainage
- Aluminum fencing along the right-of-way line of Seadrift Street
- Domed wood posts to control where cars can travel over the grassed open area from the entrance road

Three Bids were received on September 27, 2022 and they are as follows:

Bidder	Amount	Calendar Days
K-C Lease Service, LLC	\$353,050.00	120 Days
Lester Contracting, Inc.	\$191,102.75	120 Days
Sylva Construction, LLC	\$181,220.60	110 Days

Staff contacted Musco Lighting, who specializes in sports lighting and provided the existing lights at Wilson Park. Musco analyzed the skate surface and considered the potential future expansion. The Buyboard quote to light the skate park surface with between 14 minimum and 35 maximum foot candles is \$70,732.00.

The total cost to complete both the lighting and the parking improvements is \$181,220.60 plus \$70,732.00 for a total sum of \$251,952.60, which would require a Budget Amendment to fund \$111,952.60 from General Fund Reserves.

Understanding that the cost of construction continues to rise, staff recommends that the parking and sidewalk improvements be constructed now by adding \$41,220.60 from General Fund Reserves. These same lights will be more expensive next year, we would like to utilize \$70,732.00 of General Fund Reserves and purchase these lights now as well.

There is a steady use and care of the park. This Phase 1 additional parking scope will provide further structure to and improve the appearance of the park. With the addition of LED lights, the park can be used after dark in conjunction with Soccer games and Ball games and we will have the opportunity to look into perhaps some Skateboarding events to bring people in from out of town. The Park is open until 11:00 p.m. The lights are able to be operated remotely and can be programmed to follow a time schedule and should also help deter vandalism.

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 awards a Construction Contract to Sylva Construction LLC., for the Skate Park Improvements Project at Wilson Sports Complex, in the amount of \$181,220.60 with 110 days to complete, from receipt of Order to Proceed and also approves purchasing lights from Musco Lighting, via Buy board, in the amount of \$70,732.00 for a total sum of \$251,952.60 for the entire project.

BE IT ALSO RESOLVED, that staff is directed to investigate the price difference between a Cyclone fence and an Aluminum fence.

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

Seconded by Councilman District 6 Barr

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

14. **Consider First Reading of an Ordinance (G-8-22) to amend the Parks rules as recommended by the Recreation and Parks Board. Presenter is Wayne Shaffer**

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 recommendation of staff, Council hereby approves the first reading of an Ordinance (G-8-22) of the City of Port Lavaca amending the Code of Ordinances Chapter 32, Parks and Recreation, Article IV. Park Regulations, Section 32-72 Park Rules established and Section 32-75 Rules Specific to Lighthouse Beach Park and Campground; providing for severability; providing a repealing clause; and providing an effective date.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

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

15. **Consider the recommendation of the Planning Board for a Preliminary Plat, Mimi's Subdivision, Property Identification #37736, Legal Description is A0035 Maximo Sanchez, Tract PT 24, Acres 10.62. Presenter is Derrick Smith**

Motion made by Councilman District 2 Dent

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

THAT, Council hereby passes this agenda item for the time being.

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

16. **Announcement by Mayor that City Council will retire into closed session:**

1. **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**
2. **To deliberate the purchase, exchange, lease or value of Real Property (Deliberation in an Open Meeting would have a detrimental effect on the position of the Governmental Body in negotiations with a third party), in accordance with Title 5, Chapter 551, Section 551.072 of the Texas Government Code. Presenter is Mayor Whitlow**

Mayor announced there would be no closed session.

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

There was no closed session.

IX. ADJOURNMENT

Motion made by Councilman District 2 Dent,

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

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

Meeting adjourned at 8:10 p.m.

ATTEST:

Jack Whitlow, Mayor

Mandy Grant, City Secretary