

STATE OF TEXAS §
COUNTY OF CALHOUN §
CITY OF PORT LAVACA §

On this the 14th day of March, 2016, the City Council of the City of Port Lavaca, Texas, convened in 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:

Jack Whitlow	Mayor
Jerry Smith	Councilman, District 1
Tim Dent	Councilman, District 2
Lee Rivera	Councilman, District 3
Rosie G. Padron	Councilwoman, District 4
Jim Ward	Councilman, District 5

And with the following absent:

Ken Barr	Councilman, District 6, Mayor Pro Tem
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Constituting a quorum for the transaction of business, at which time the following business was transacted:

CALL TO ORDER

- Mayor Whitlow called the meeting to order at 6:35 P.M. and presided.
- City Manager Turner gave the invocation.
- Mayor Whitlow led the pledge of allegiance to the American and Texas flags.
- City Secretary Grant administered Statement of Appointed Officer and Oath of Office to:
 - Obed Estrada as a Fire Inspector for the Fire Department.
- Mayor Whitlow presented an Employee Service Award to:
 - Santiago “Jimmy” Servantes 15 Years Street Department
- Mayor asked for comments from the public and there were none.

CONSENT AGENDA:

- (A) **MINUTES OF FEBRUARY 08, 2016 REGULAR MEETING**
- (B) **MINUTES OF FEBRUARY 22, 2016 SPECIAL MEETING AND WORKSHOP**
- (C) **CONSIDER CITY POOL CONTRACT WITH YMCA FROM MAY 1, 2016 TO SEPTEMBER 30, 2016**

- (D) CONSIDER INTERLOCAL AGREEMENT BETWEEN THE CITY AND CALHOUN COUNTY INDEPENDENT SCHOOL DISTRICT (CCISD) FOR THE PURCHASE IN BULK QUANTITIES OF OFFICE SUPPLIES AND MATERIALS
- (E) CONSIDER REQUEST OF OUR LADY OF THE GULF CATHOLIC CHURCH TO HOST A “GOOD FRIDAY – LAS CRUCES – WAY OF THE CROSS” WALKING PROCESSION, ON MARCH 25, 2016, USE OF TRAIN DEPOT FOR WARDROBE CHANGE, ASSIST WITH TRAFFIC CONTROL AND WAIVE ANY FEES ASSOCIATED WITH THE EVENT
- (F) CONSIDER REQUEST OF OUR LADY OF THE GULF CATHOLIC CHURCH TO HOST A “RUN FOR SON II” 5K RUN/WALK, ON SATURDAY, APRIL 16, 2016, ASSIST WITH TRAFFIC CONTROL AND WAIVE ANY FEES ASSOCIATED WITH THE EVENT
- (G) PAYMENT OF INVOICES EXCEEDING \$1,500

Councilman Ward made a motion to pass the following:

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.

Councilman Smith seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER AGREEMENT BETWEEN THE CITY AND THE PORT LAVACA WAVE FOR PARTICIPATION IN NEW TECHNICAL APPLICATION TO PROMOTE THE CITY

Ms. Tania French, Editor and Publisher of the Port Lavaca Wave Newspaper, made a short presentation to Council. She said the investment in the program “The App within an App” package was \$550.00 per month or \$6,600 per year. This program is part of “Discover Port Lavaca” app and they will work with the City to develop content, including directories and links as necessary. This agreement shall begin March 01, 2016 and is effective through February 28, 2016.

Councilman Ward made a motion to pass the following:

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 an agreement between the City of Port Lavaca and the Port Lavaca Wave, in the amount of five hundred fifty dollars (\$550.00) per month or sixty-six hundred dollars (\$6,600) per year, beginning March 01, 2016 through February 28, 2016, from the Hotel Motel Fund.

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

Councilwoman Padron seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER APPOINTING CITY REPRESENTATIVE TO CALHOUN COUNTY 9-1-1 BOARD TO FILL A VACANCY

Fire Chief Calagna advised Council there was a vacancy in the Calhoun County 9-1-1 Board caused by the resignation of Police Chief James Martinez. He said he would recommend the appointment of Fire Captain Joe Reyes to be the City Representative for that Board.

Councilman Rivera made a motion to pass the following:

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 appoints Fire Captain Joe Reyes as a City representative to the Calhoun County 9-1-1 Board to fill the current vacancy.

Councilman Smith seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER DECLARING CITY PROPERTY AS SURPLUS AND ENTERING INTO CONSIGNMENT AGREEMENT BETWEEN THE CITY AND G. T. DISTRIBUTORS, INC. FOR DISPOSAL OF SUCH PROPERTY

Police Detective Derek Walton advised Council the Police Department has in its inventory a few rifles and pistols that have been awarded to the Department. He said that in the past, the City has used G. T. Distributors, Inc., a consignment company, to dispose of firearms. Staff recommends items be declared surplus and authorize entering into a consignment agreement between the City and G. T. Distributors, Inc. for disposal of such property.

Councilman Rivera made a motion to pass the following:

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 and declares the list of items presented as surplus and authorizes entering into a consignment agreement between the City and G. T. Distributors, Inc. for disposal of such property.

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

Councilman Ward seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER RESOLUTION NO. R-031416-1E TO APPOINT ELECTION JUDGES FOR THE CITY'S GENERAL OFFICERS ELECTION TO BE HELD ON THE UNIFORM DATE OF MAY 07, 2016

Councilman Ward made a motion to pass the following:

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 has the authority to appoint the Election Officers for city elections.

WHEREAS, in addition, that the general officers election has been ordered for Saturday, May 07, 2016 by Resolution #R-011116-1E adopted on January 11, 2016.

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

SECTION 1. THAT, in accordance with the Texas Election Code, a presiding judge and an alternate presiding judge must be appointed for each election precinct [EC §32.001(a)]. The role of the alternate judge is to serve as presiding judge for an election if the presiding judge cannot serve [EC §32.001(b)]. In an election conducted by the presiding judge, the alternate judge serves as one of the election clerks [EC §32.032].

SECTION 2. THAT, such election shall be conducted by the City of Port Lavaca, with Early Voting Days and the main Election Day voting to be at the following polling places designated for each City election district and the following citizens, registered to vote in the city, are hereby appointed Election Officers to conduct said election:

All Polling Places:	City of Port Lavaca City Hall - Main Lobby 202 N. Virginia Street Port Lavaca, Texas 77979
Margaret Ann Hilscher	Presiding Judge
Val Rodriguez Torres	Alternate Judge
Mary Watkins	Presiding Judge for the Early Voting Ballot Board and the Central Counting Station

SECTION 3 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 officers election..

SECTION 4. THAT, the Office of the City Secretary is hereby authorized and directed to provide a copy of the RESOLUTION to the judges as written notice of their appointment as required the Texas Election Code [EC §32.009].

If either the Presiding Judge or the Alternate Presiding Judge is unable to perform his/her assigned duties, the Office of the City Secretary is authorized to select an Acting Presiding or Acting Alternate Presiding Judge from the qualified Election Clerks, as needed.

SECTION 5. THAT, the Presiding Judge shall have the authority to appoint two (2) clerks to assist in the holding of such election. Said election officers shall also serve as the Early Voting Ballot Board (EVBB) for such election. The Central Counting Station will be in the City Hall Conference Room.

SECTION 6. THAT, the Election Judge(s) shall be compensated at an hourly rate of \$12.00; early voting clerks and election clerks shall be compensated at an hourly rate of \$11.00 as provided by the State Election Code [EC §32.091(a)].

SECTION 7. THAT, the City Secretary is hereby appointed the Elections Clerk for early voting; and the Assistant City Secretary is hereby appointed the Deputy Election Clerk for early voting in accordance with Section 83.001 *et seq.* of the Texas Election Code. The place for early voting days and election day is hereby designated as the City of Port Lavaca, City Hall - Main Lobby, 202 N. Virginia Street, Port Lavaca, Texas.

SECTION 8. THAT, the Mayor is authorized to sign Writ of Election to the Presiding Judge.

SECTION 9. THAT, this resolution shall be effective immediately upon adoption.

Councilman Dent seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER AMENDMENT TO CONTRACT BETWEEN THE CITY MUNICIPAL COURT AND GOVERNMENT PAYMENT SERVICE, INC. (GPS) FOR CREDIT CARD TRANSACTION PAYMENT FEE SCHEDULE FOR FINES AND/OR CASH BONDS

City Secretary Grant advised Council that Government Payment Service, Inc. aka GovPayNet Pay Solutions (GPS) is the company currently used by the City since 2006, to provide a credit card payment service for Municipal Court Fines, Warrants and/or Cash Bonds. Each contract is for five (5) years and this one will expire on April 07, 2016. The company makes their revenue by charging a transaction fee to the credit card holder; therefore, there is no cost to the City.

This contract is an amendment to the transaction fee schedule as follows:

Currently:		Changing to:
Warrants	7%	5% for Call Center and 3.5% for Web/Onsite payments
Cash Bond	7%	Staying the same
Traffic	3.5% for Call Center/Web with a \$3.50 min.	Tiered structure, no minimum fee

Councilman Ward made a motion to pass the following:

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 and amends the transaction fee schedule to the contract of Government Payment Service, Inc. aka GovPayNet Pay Solutions (GPS), for credit card payment services, continuing for five (5) years from April 07, 2016.

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

Councilwoman Padron seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF PORT LAVACA AND BUREAU VERITAS NORTH AMERICA, INC. (BVNA) FOR THIRD PARTY INSPECTIONS IN ACCORDANCE WITH THE CITY'S BUILDINGS AND BUILDING CODE REGULATIONS

Fire Chief Calagna advised Council that there are valid and reasonable occasions when Building Official Smith is not able to perform inspections; therefore, he recommended entering into a professional services agreement between the City of Port Lavaca and Bureau Veritas North America, Inc. (BVNA) for third party inspections in accordance with the City's Buildings and Building Code regulations.

The Citizens Comment Participation Form was filled out by the following citizens and spoke against entering into such agreement.

1. Jan Regan 201 S. Colorado Street Port Lavaca, TX
2. Ed Campbell 201 S. Colorado Street Port Lavaca, TX
3. Russell Cain 56 Marshall Road Port Lavaca, TX

Councilman Dent made a motion to pass the following:

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 authorizes entering into a professional services agreement between the City of Port Lavaca and Bureau Veritas North America, Inc. (BVNA) for third party inspections in accordance with the City's Buildings and Building Code regulations.

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

Councilman Ward seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER RECOMMENDATION OF THE PLANNING BOARD FOR VARIANCE REQUEST OF THE MANUFACTURED HOME ORDINANCE CHAPTER 26-4 FROM MS. PEGGY ANN LOY

The property owner, Ms. Peggy Ann Loy, was in attendance and addressed the Council about her situation. Fire Chief Calagna advised Council the Planning Board had denied Ms. Loy's request since the location on Williams Street does not meet the 50/50 rule. Staff concurs with the Planning Board.

Councilman Ward made a motion to pass the following:

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 denies the request for variance of the Manufactured Home Ordinance Chapter 26-4 from Ms. Peggy Ann Loy.

Councilman Smith seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE PORT O'CONNOR IMPROVEMENT DISTRICT (POCID) TO PROVIDE PERSONNEL TO ASSIST WITH THEIR WATER SYSTEM OPERATION

Councilman Ward made a motion to pass the following:

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 entering into an interlocal agreement between the City of Port Lavaca and the Port O'Connor Improvement District (POCID) to provide personnel to assist with their water system operation.

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

Councilman Dent seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER AMENDMENT TO CONTRACT BETWEEN THE CITY AND ALLIED WASTE SERVICES OF TEXAS / REPUBLIC SERVICE OF CORPUS CHRISTI (AW) FOR AUTOMATED CURBSIDE REFUSE COLLECTION

City Manager Turner reminded Council that as discussed at the workshop on February 22, 2016 Allied Waste Services of Texas / Republic Service of Corpus Christi (AW) would like to amend the Solid Waste Collection and Disposal Contract between AW and the City of Port Lavaca. He said AW wants to go to automated curbside refuse collection and extend contract for an additional two (2) years.

Councilman Ward made a motion to pass the following:

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 and amends the Solid Waste Collection and Disposal Contract between AW and the City of Port Lavaca to go to automated curbside refuse collection and extends contract for an additional two (2) years.

Councilwoman Padron seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER AMENDMENT TO CONTRACT BETWEEN THE CITY AND ALAN PLUMMER ASSOCIATES, INC. (APAI) FOR WASTEWATER APPLICATION PERMIT RENEWAL WITH TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)

City Manager Turner reminded Council that as discussed at the workshop on February 22, 2016 there was a discussion about the Texas Commission on Environmental Quality (TCEQ) advising staff this would be a great time to renew our permit for the Lynn Bayou Wastewater Treatment Plant (WWTP). On October 11, 2010 Alan Plummer Associates, Inc. (APAI) was contracted by the City to help with the TCEQ agreed order on the plants permit for copper discharge. APAI was to perform a Water-Effect Ratio Study to determine what effect the copper levels released had on the receiving stream. This determination helps the City raise the discharge limits to levels we are able to meet. Staff does weekly testing to make sure we are continuing to meet the new demand and have had excellent results in the last year; however, the new permit has to be applied for.

Councilman Smith made a motion to pass the following:

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 and amends the contract with Alan Plummer Associates, Inc. (APAI) for Wastewater Treatment Plant (WWTP) application permit renewal with the Texas Commission on Environmental Quality (TCEQ).

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

Councilwoman Padron seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER FIRST READING OF AN ORDINANCE (G-1-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADES CODE, SEC. 12-1 AND PROVIDING AN EFFECTIVE DATE

Mayor Whitlow read for the first reading:

CONSIDER FIRST READING OF AN ORDINANCE (G-1-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADES CODE, SEC. 12-1 AND PROVIDING AN EFFECTIVE DATE

Councilman Smith made a motion

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

THAT Council hereby approves said ordinance (G-1-16) on this its first reading.

Councilman Rivera seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER FIRST READING OF AN ORDINANCE (G-2-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADE CODES, SEC. 12-20 AND SEC. 12-21; AND PROVIDING AN EFFECTIVE DATE

Mayor Whitlow read for the first reading:

CONSIDER FIRST READING OF AN ORDINANCE (G-2-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADE CODES, SEC. 12-20 AND SEC. 12-21; AND PROVIDING AN EFFECTIVE DATE

Councilman Ward made a motion

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

THAT Council hereby approves said ordinance (G-2-16) on this its first reading.

Councilman Rivera seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER FIRST READING OF AN ORDINANCE (G-3-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATION, ARTICLE IV, SUBSTANDARD BUILDINGS; AND PROVIDING AN EFFECTIVE DATE

Mayor Whitlow read for the first reading:

CONSIDER FIRST READING OF AN ORDINANCE (G-3-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATION, ARTICLE IV, SUBSTANDARD BUILDINGS; AND PROVIDING AN EFFECTIVE DATE

Councilman Ward made a motion

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

THAT Council hereby approves said ordinance (G-3-16) on this its first reading.

Councilman Dent seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER FIRST READING OF AN ORDINANCE (G-4-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 20, ENVIRONMENT AND HEALTH CODE; ARTICLE III, ACCUMULATIONS ON PROPERTY; AND PROVIDING AN EFFECTIVE DATE

Mayor Whitlow read for the first reading:

CONSIDER FIRST READING OF AN ORDINANCE (G-4-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 20, ENVIRONMENT AND HEALTH CODE; ARTICLE III, ACCUMULATIONS ON PROPERTY; AND PROVIDING AN EFFECTIVE DATE

Councilman Ward made a motion

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

THAT Council hereby approves said ordinance (G-4-16) on this its first reading.

Councilman Rivera seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER FIRST READING OF AN ORDINANCE (G-5-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 20 ENVIRONMENT AND HEALTH, ARTICLE V, JUNK VEHICLES; PROVIDED A PENALTY; AND PROVIDNG AN EFFECTIVE DATE

Mayor Whitlow read for the first reading:

CONSIDER FIRST READING OF AN ORDINANCE (G-5-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 20 ENVIRONMENT AND HEALTH, ARTICLE V, JUNK VEHICLES; PROVIDED A PENALTY; AND PROVIDNG AN EFFECTIVE DATE

Councilman Ward made a motion

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

THAT Council hereby approves said ordinance (G-5-16) on this its first reading.

Councilman Rivera seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER FIRST READING OF AN ORDINANCE (G-6-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 20, ENVIRONMENT AND HEALTH CODE; ARTICLE VII, TRIMMING OF VEGETATION NEAR STREETS; AND PROVIDING AN EFFECTIVE DATE

Mayor Whitlow read for the first reading:

CONSIDER FIRST READING OF AN ORDINANCE (G-6-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 20, ENVIRONMENT AND HEALTH CODE; ARTICLE VII, TRIMMING OF VEGETATION NEAR STREETS; AND PROVIDING AN EFFECTIVE DATE

Councilman Ward made a motion

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

THAT Council hereby approves said ordinance (G-6-16) on this its first reading.

Councilman Rivera seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

CONSIDER FIRST READING OF AN ORDINANCE (G-7-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES PART II, APPENDIX A – FEES, RATES AND CHARGES, BY ADDING FEES TO THE BUILDING DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE

Mayor Whitlow read for the first reading:

CONSIDER FIRST READING OF AN ORDINANCE (G-7-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES PART II, APPENDIX A – FEES, RATES AND CHARGES, BY ADDING FEES TO THE BUILDING DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE

Councilman Smith made a motion

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

THAT Council hereby approves said ordinance (G-7-16) on this its first reading.

Councilman Ward seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

Mayor Whitlow announced that Council would have a Recess at 8:11 p.m.

Mayor Whitlow announced that Council was back from Recess at 8:25 p.m.

ANNOUNCEMENT BY MAYOR THAT CITY COUNCIL WILL RETIRE INTO CLOSED SESSION:

- **TO DISCUSS PERSONNEL MATTERS IN ACCORDANCE WITH TITLE 5, SECTION 551.074 OF THE TEXAS GOVERNMENT CODE (TO DISCUSS APPOINTMENT, EMPLOYMENT, EVALUATION, RESPONSIBILITIES AND DUTIES, REASSIGNMENT, DISCIPLINE OR DISMISSAL OF AN OFFICER OR EMPLOYEE, OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE [CITY MANAGER])**

Mayor Whitlow announced that Council would retire into closed session at 8:27 p.m.

RETURN TO OPEN SESSION AND TAKE ANY ACTION DEEMED NECESSARY WITH REGARD TO MATTERS DISCUSSED IN CLOSED SESSION

Mayor Whitlow announced that Council was back in open session at 11:04 p.m.

Councilman Dent made a motion to pass the following:

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

THAT, Council hereby authorizes Strategic Government Resources (SGR) to proceed with interviewing four (4) candidates for City Manager.

Councilwoman Padron seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

Councilman Dent made a motion to pass the following:

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

THAT, Council hereby appoints Mandy Grant as Interim City Manager beginning May 1st, 2016 in the event that the new City Manager has not taken office and until the new City Manager takes office, for a stipend of twenty-five hundred dollars (\$2,500) per month in addition to her regular salary.

Councilman Smith seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

ADJOURN

Councilman Rivera made a motion to adjourn the meeting

Councilwoman Padron seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron, and Ward

NAYS: None

Meeting adjourned at 11:09 P.M.



Jack Whitlow, Mayor

ATTEST:



Mandy Grant, City Secretary

PUBLIC NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS, WILL HOLD A REGULAR MEETING MONDAY, MARCH 14, 2016 BEGINNING AT 6:30 P.M., AT THE REGULAR MEETING PLACE IN COUNCIL CHAMBERS AT CITY HALL, 202 NORTH VIRGINIA STREET, PORT LAVACA, TEXAS TO CONSIDER THE FOLLOWING ITEMS OF BUSINESS:

THE FOLLOWING ITEM WILL BE ADDRESSED AT THIS OR ANY OTHER MEETING OF THE CITY COUNCIL UPON THE REQUEST OF THE MAYOR, ANY MEMBER(S) OF COUNCIL AND/OR THE CITY ATTORNEY:

ANNOUNCEMENT BY THE MAYOR THAT 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).

(All matters listed under the Consent Agenda item are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.)

- CALL TO ORDER
- INVOCATION
- PLEDGE OF ALLEGIANCE
- MAYOR'S PRESENTATION FOR EMPLOYEE SERVICE AWARD:
 - SANTIAGO "JIMMY" SERVANTES 15 YEARS STREET DEPT.
- OATH OF OFFICE AND SWORN STATEMENT OF APPOINTED OFFICIAL
 - OBED ESTRADA – FIRE INSPECTOR
- COMMENTS FROM THE PUBLIC
(Limited to 3 minutes per individual unless permission to speak longer is received in advance)

AGENDA: (COUNCIL WILL CONSIDER/DISCUSS THE FOLLOWING ITEMS AND TAKE ANY ACTION DEEMED NECESSARY)

1. CONSENT AGENDA:
 - (A) MINUTES OF FEBRUARY 08, 2016 REGULAR MEETING
 - (B) MINUTES OF FEBRUARY 22, 2016 SPECIAL MEETING AND WORKSHOP
 - (C) CONSIDER CITY POOL CONTRACT WITH YMCA FROM MAY 1, 2016 TO SEPTEMBER 30, 2016
 - (D) CONSIDER INTERLOCAL AGREEMENT BETWEEN THE CITY AND CALHOUN COUNTY INDEPENDENT SCHOOL DISTRICT (CCISD) FOR THE PURCHASE IN BULK QUANTITIES OF OFFICE SUPPLIES AND MATERIALS
 - (E) CONSIDER REQUEST OF OUR LADY OF THE GULF CATHOLIC CHURCH TO HOST A "GOOD FRIDAY – LAS CRUCES – WAY OF THE CROSS" WALKING PROCESSION, ON MARCH 25, 2016, USE OF TRAIN DEPOT FOR WARDROBE CHANGE, ASSIST WITH TRAFFIC CONTROL AND WAIVE ANY FEES ASSOCIATED WITH THE EVENT
 - (F) CONSIDER REQUEST OF OUR LADY OF THE GULF CATHOLIC CHURCH TO HOST A "RUN FOR SON II" 5K RUN/WALK, ON SATURDAY, APRIL 16, 2016, ASSIST WITH TRAFFIC CONTROL AND WAIVE ANY FEES ASSOCIATED WITH THE EVENT
 - (G) PAYMENT OF INVOICES EXCEEDING \$1,500
2. CONSIDER AGREEMENT BETWEEN THE CITY AND THE PORT LAVACA WAVE FOR PARTICIPATION IN NEW TECHNICAL APPLICATION TO PROMOTE THE CITY
3. CONSIDER APPOINTING A CITY REPRESENTATIVE TO CALHOUN COUNTY 9-1-1 BOARD TO FILL A VACANCY
4. CONSIDER DECLARING CITY PROPERTY AS SURPLUS AND ENTERING INTO CONSIGNMENT AGREEMENT BETWEEN THE CITY AND G. T. DISTRIBUTORS, INC. FOR DISPOSAL OF SUCH PROPERTY
5. CONSIDER RESOLUTION NO. R-031416-1E TO APPOINT ELECTION JUDGES FOR THE CITY'S GENERAL OFFICERS ELECTION TO BE HELD ON THE UNIFORM DATE OF MAY 07, 2016

6. CONSIDER AMENDMENT TO CONTRACT BETWEEN THE CITY MUNICIPAL COURT AND GOVERNMENT PAYMENT SERVICE, INC. (GPS) FOR CREDIT CARD TRANSACTION PAYMENT FEE SCHEDULE FOR FINES AND/OR CASH BONDS
7. CONSIDER PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF PORT LAVACA AND BUREAU VERITAS NORTH AMERICA, INC. (BVNA) FOR THIRD PARTY INSPECTIONS IN ACCORDANCE WITH THE CITY'S BUILDINGS AND BUILDING CODE REGULATIONS
8. CONSIDER RECOMMENDATION OF THE PLANNING BOARD FOR VARIANCE REQUEST OF THE MANUFACTURED HOME ORDINANCE CHAPTER 26-4 FROM MS. PEGGY ANN LOY
9. CONSIDER INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE PORT O'CONNOR IMPROVEMENT DISTRICT (POCID) TO PROVIDE PERSONNEL TO ASSIST WITH THEIR WATER SYSTEM OPERATION
10. CONSIDER AMENDMENT TO CONTRACT BETWEEN THE CITY AND ALLIED WASTE SERVICES OF TEXAS / REPUBLIC SERVICE OF CORPUS CHRISTI (AW) FOR AUTOMATED CURBSIDE REFUSE COLLECTION
11. CONSIDER AMENDMENT TO CONTRACT BETWEEN THE CITY AND ALAN PLUMMER ASSOCIATES, INC. (APAI) FOR WASTEWATER APPLICATION PERMIT RENEWAL WITH TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)
12. CONSIDER FIRST READING OF AN ORDINANCE (G-1-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADES CODE, SEC. 12-1 AND PROVIDING AN EFFECTIVE DATE
13. CONSIDER FIRST READING OF AN ORDINANCE (G-2-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADE CODES, SEC. 12-20 AND SEC. 12-21; AND PROVIDING AN EFFECTIVE DATE
14. CONSIDER FIRST READING OF AN ORDINANCE (G-3-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATION, ARTICLE IV, SUBSTANDARD BUILDINGS; AND PROVIDING AN EFFECTIVE DATE

15. CONSIDER FIRST READING OF AN ORDINANCE (G-4-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 20, ENVIRONMENT AND HEALTH CODE; ARTICLE III, ACCUMULATIONS ON PROPERTY; AND PROVIDING AN EFFECTIVE DATE
16. CONSIDER FIRST READING OF AN ORDINANCE (G-5-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 20 ENVIRONMENT AND HEALTH, ARTICLE V, JUNK VEHICLES; PROVIDED A PENALTY; AND PROVIDING AN EFFECTIVE DATE
17. CONSIDER FIRST READING OF AN ORDINANCE (G-6-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 20, ENVIRONMENT AND HEALTH CODE; ARTICLE VII, TRIMMING OF VEGETATION NEAR STREETS; AND PROVIDING AN EFFECTIVE DATE
18. CONSIDER FIRST READING OF AN ORDINANCE (G-7-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES PART II, APPENDIX A – FEES, RATES AND CHARGES, BY ADDING FEES TO THE BUILDING DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE
19. ANNOUNCEMENT BY MAYOR THAT CITY COUNCIL WILL RETIRE INTO CLOSED SESSION:
 - TO DISCUSS PERSONNEL MATTERS IN ACCORDANCE WITH TITLE 5, SECTION 551.074 OF THE TEXAS GOVERNMENT CODE (TO DISCUSS APPOINTMENT, EMPLOYMENT, EVALUATION, RESPONSIBILITIES AND DUTIES, REASSIGNMENT, DISCIPLINE OR DISMISSAL OF AN OFFICER OR EMPLOYEE, OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE [CITY MANAGER])
20. RETURN TO OPEN SESSION AND TAKE ANY ACTION DEEMED NECESSARY WITH REGARD TO MATTERS DISCUSSED IN CLOSED SESSION

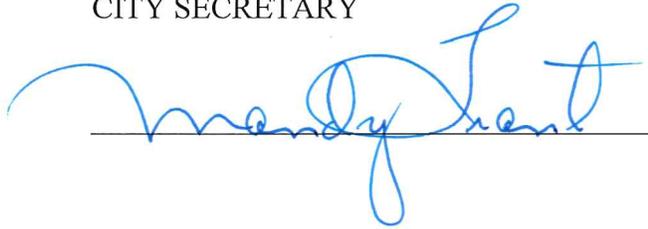
ADJOURN

JACK WHITLOW, MAYOR

CERTIFICATION OF POSTING NOTICE

THIS IS TO CERTIFY THAT THE ABOVE NOTICE OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PORT LAVACA, SCHEDULED FOR MONDAY, MARCH 14, 2016, BEGINNING AT 6:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 5:00 P.M. WEDNESDAY, MARCH 09, 2016.

MANDY GRANT,
CITY SECRETARY



The Port Lavaca City Hall and Council Chambers are wheelchair accessible. Access to the building is available at the primary north entrance facing Mahan Street. Special parking spaces are located in the Mahan Street parking area. In compliance with the Americans with Disabilities Act, the City of Port Lavaca will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact City Secretary Mandy Grant at (361) 552-9793 Ext. 230 for assistance.