

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

On this the 10<sup>th</sup> day of August, 2015, 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
Ken Barr	Councilman, District 6, Mayor Pro Tem

And with the following absent:

None

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 6:37 P.M. and presided.
- City Manager Turner gave the invocation.
- Mayor Whitlow led the pledge of allegiance to the American and Texas flags.
- Mayor Whitlow made the following presentations:
  - Employee Service Award:
    - Willie Espinoza      15 Years      Code Enforcement Department
- Mayor asked for comments from the public and there were none.

**CONSENT AGENDA:**

- (A) **MINUTES OF JULY 13, 2015 REGULAR MEETING**
- (B) **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 Dent seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**RECEIVE BUDGET REPORT FROM THE GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) FOR THE PORT LAVACA WATER TREATMENT PLANT FOR THE 2016 FISCAL YEAR**

Council Members received a work plan and budget report from Bryan Serold of the Guadalupe-Blanco River Authority (GBRA) for the fiscal year ending August 31, 2016.

Summary of estimated expenses:	<u>Fiscal Year 2015</u>	<u>Fiscal Year 2016</u>	<u>Difference</u>
Total Plant Expenses	\$ 1,755,841	\$ 1,586,582	\$ 169,259
Cost per 1,000 gallons (treated)	\$ 2.48	\$ 2.29	\$ -0.19

No action needed and none taken.

**RECEIVE CERTIFICATION FROM CITY SECRETARY ON EXAMINATION OF SIGNATURES OF REGISTERED VOTERS OF THE CITY OF PORT LAVACA FROM THE PETITION PRESENTED BY THE PETITIONER'S COMMITTEE FOR REFERENDUM ON ORDINANCE NUMBER G-2-15 – "NO SMOKING AREAS"**

City Secretary Grant advised Council she had certified the signatures belonging to registered voters of the City of Port Lavaca from the petition presented by the Petitioner's Committee for referendum on Ordinance G-2-15, No Smoking Areas, per the Home Rule Charter for the City of Port Lavaca, Section 5.03 for such purpose as to repeal the offending ordinance or, if failing to do so, to place it before the electorate for approval or rejection in the next election according to the provisions of the Port Lavaca City Charter.

She said the Home Rule Charter for the City of Port Lavaca, Section 5.07, states that initiative and referendum petitions must be signed by 200 qualified voters residing within the City. She stated this petition held two hundred seventy-three (273) signatures; however, only two hundred fourteen (214) were valid.

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 accepts certification from City Secretary that the petition presented by the Petitioners Committee for referendum on Ordinance G-2-15, No Smoking Areas, had two hundred fourteen (214) valid signatures and is therefore sufficient.

Councilman Padron seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER REQUEST OF THE PETITIONER'S COMMITTEE TO REPEAL ORDINANCE NUMBER G-2-15 – "NO SMOKING AREAS" IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER, ARTICLE 5.03 – REFERENDUM**

The following citizens signed up for comments for this agenda item:

- |                          |                    |                    |
|--------------------------|--------------------|--------------------|
| 1) Evelyn Burluson       | 210 W. Tilley St.  | Port Lavaca, Texas |
| 2) Kip LoFland           | 129 Timberline Dr. | Port Lavaca, Texas |
| 3) Tommy H. Sanchez      | 409 Charlotte Dr.  | Port Lavaca, Texas |
| 4) Maria (Ester) Sanchez | 409 Charlotte Dr.  | Port Lavaca, Texas |
| 5) James Highberg        | 532 N. Commerce    | Port Lavaca, Texas |
| 6) Tami Pruitt           | 418 Westwood Dr.   | Port Lavaca, Texas |
| 7) Michael J. Smith      | 1021 Bauer Rd      | Port Lavaca, Texas |
| 8) Dean Demeio           | 2207 Larry Dr.     | Port Lavaca, Texas |
| 9) Christine Demeio      | 2207 Larry Dr.     | Port Lavaca, Texas |

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 Home Rule Charter of the City of Port Lavaca, Article 5.03 – Referendum, the request of the Petitioner’s Committee for Council to reconsider and repeal Ordinance Number G-2-15 “No Smoking Areas” is hereby denied.

BE IT FURTHER RESOLVED, that in accordance with the Home Rule Charter of the City of Port Lavaca, Article 5.10 – Referendum – Suspension of Ordinance, Ordinance Number G-2-15 “No Smoking Areas” is hereby suspended and such suspension shall continue until the Council repeals the ordinance or the ordinance is upheld by election.

Councilman Barr seconded this motion.

Motion passed by the following vote:

AYES: Smith, Rivera, Padron, Ward and Barr

NAYS: Dent

**CONSIDER RESOLUTION NO. R-081015-1E ESTABLISHING PROVISIONS FOR CONDUCT OF THE CITY OF PORT LAVACA SPECIAL ELECTION TO BE HELD ON THE UNIFORM DATE OF NOVEMBER 03, 2015 AND AUTHORIZING MAYOR TO ISSUE ORDER OF ELECTION**

Councilman Ward made a motion to pass the following:

WHEREAS, in accordance with Article 5 of the City Home Rule 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 finds that a special election should be held on Tuesday, November 03, 2015, for the purpose of:

“Placing a Proposition before the electorate for approval or rejection of the entire ordinance identified as number G-2-15 for the purpose of establishing No Smoking Areas in public buildings, within the City of Port Lavaca, Texas and which was passed and adopted by the City of Port Lavaca City Council on April 13, 2015 and ordained by same to go into effect on April 23, 2015”.

WHEREAS, in addition to calling the special election, City Council finds it necessary and expedient to establish provisions for the conduct of such special election:

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

SECTION 1. THAT, an election shall be held on Tuesday, November 03, 2015, which is a uniform election date, in the City of Port Lavaca, Texas, which date is not less than forty five (45) days from the date of the adoption of this resolution for the purpose of:

“Placing a Proposition before the electorate for approval or rejection of the entire ordinance identified as number G-2-15 for the purpose of establishing No Smoking Areas inside a public building, within the City of Port Lavaca, Texas and which was passed and adopted by the City of Port Lavaca City Council on April 13, 2015 and ordained by same to go into effect on April 23, 2015”.

SECTION 2. THAT, per City Charter, Article 5.10, the referendum-suspension of an ordinance are as follows:

- a) When an authorized referendum petition is certified by the City Secretary as sufficient, the ordinance sought to be reconsidered shall be suspended, unless such suspension will create an immediate breach of public health and safety; and such suspension shall continue until the Council repeals the ordinance or the ordinance is upheld by election.

SECTION 3. THAT, per City Charter, Article 5.12, the procedures and results of the election are as follows:

- a) Not more than thirty (30) and not less than fifteen (15) days prior to the special election, the City Secretary shall cause the proposed or referred ordinance to be published in its entirety at least once in a newspaper of general circulation in the City.
- b) The ballots used when voting upon such proposed and referred ordinances shall set forth the nature of the ordinance sufficiently to identify the ordinance and shall also set forth a proposition as provided in this Charter.
- c) If a majority of the qualified voters voting on a referred ordinance vote AGAINST the ordinance, it shall be considered repealed upon certification of the election results.
- d) If a majority of the qualified voters voting on a referred ordinance vote FOR the ordinance, it shall be upheld and, in such event, may not again be the subject of a petition within twelve (12) months following the date of such election

SECTION 4. THAT, Early Voting by Personal Appearance shall be conducted by the Calhoun County Elections Administrator in the Calhoun County Courthouse, 211 S. Ann Street, Port Lavaca, Texas with the proposed following schedule:

Monday	October	19	from	8:00	a.m.	to	5:00	p.m.
<b>Tuesday</b>	<b>October</b>	<b>20</b>	<b>from</b>	<b>7:00</b>	<b>a.m.</b>	<b>to</b>	<b>7:00</b>	<b>p.m.</b>
Wednesday	October	21	from	8:00	a.m.	to	5:00	p.m.
<b>Thursday</b>	<b>October</b>	<b>22</b>	<b>from</b>	<b>7:00</b>	<b>a.m.</b>	<b>to</b>	<b>7:00</b>	<b>p.m.</b>
Friday	October	23	from	8:00	a.m.	to	5:00	p.m.
Monday	October	26	from	8:00	a.m.	to	5:00	p.m.
Tuesday	October	27	from	8:00	a.m.	to	5:00	p.m.
Wednesday	October	28	from	8:00	a.m.	to	5:00	p.m.
Thursday	October	29	from	8:00	a.m.	to	5:00	p.m.
Friday	October	30	from	8:00	a.m.	to	5:00	p.m.

Early voting by personal appearance shall be conducted during the regular business hours of the Calhoun County Elections Administrator's Office each week day from 8:00 a.m. until 5:00 p.m., except for the second and fourth days of the early voting period by personal appearance. On the second and fourth days of early voting by personal appearance, the Calhoun County Elections Administrator's regular business hours are hereby designated as 7:00 a.m. until 7:00 p.m.

SECTION 5. THAT, such election shall be conducted by the Calhoun County Elections Administrator, with Election Day Voting to be at the polling places designated by the County in the uniform date for November Elections for each City election district which is shown on Exhibit A.

SECTION 6. THAT, Notice of the election, including a Spanish translation thereof, shall be posted at City Hall and published in a local newspaper as provided by the Home Rule Charter of the City of Port Lavaca, the Texas Election Code and/or other state and federal law, and the Mayor, or his designee, is hereby authorized and directed to execute such Notice together with an Order calling such election.

SECTION 7. THAT should any part, section, subsection, paragraph, sentence, clause or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this resolution, but in all respects said remaining portion shall be and remain in full force and effect.

SECTION 8. THAT this resolution shall be effective immediately upon adoption.

Councilman Rivera seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER APPROVAL OF CONTRACT WITH THE CALHOUN COUNTY ELECTIONS ADMINISTRATOR FOR CONDUCTING THE CITY OF PORT LAVACA SPECIAL ELECTION TO BE HELD ON THE UNIFORM DATE OF NOVEMBER 03, 2015**

City Secretary Grant advised Council the proposal from the Calhoun County Elections Administrator for conducting the City of Port Lavaca Special Election on the uniform date of November 03, 2015 would be approximately \$11,462.40. She said staff recommends entering into this agreement.

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 entering into a contract with the County Elections Administrator to conduct the City of Port Lavaca Special Election on the uniform date of November 03, 2015, a copy of which is on file in the office of the City Secretary, and reference to which is here made for any and all purposes.

Councilman Ward seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER APPROVAL OF LEASE AGREEMENT WITH CALHOUN COUNTY FOR THE USE OF ELECTRONIC VOTING EQUIPMENT IN THE CITY OF PORT LAVACA SPECIAL ELECTION TO BE HELD ON THE UNIFORM DATE OF NOVEMBER 03, 2015**

City Secretary Grant advised Council that Election Laws require electronic voting devices be made available to voters. Costs related to these services include expenses related to 10 days of early voting and also for voting on Election Day. She said the lease amount for this equipment is already included in the cost estimate of contract between the City and County Elections Administrator to conduct this Special Election on the uniform date of November 03, 2015.

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 a lease agreement with Calhoun County for the use of Electronic Voting Equipment in connection with the City of Port Lavaca Special Election on the uniform date of November 03, 2015, a copy of which is on file in the office of the City Secretary, and reference to which is here made for any and all purposes.

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

Councilman Padron seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER REQUEST OF THE CALHOUN COUNTY YMCA TO BE REIMBURSED FOR ALL CITY-RELATED COSTS ASSOCIATED WITH THE CONSTRUCTION OF THEIR NEW FACILITY**

City Manager Turner advised Council that Ms. Michele Morales, Executive Director for the Calhoun County YMCA has requested that all city-related costs associated with the construction of their new facility be waived. Staff recommends Council deny this request.

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, the request of the Calhoun County YMCA for waiver of all city-related costs, associated with the construction of their new facility, is hereby denied.

Councilman Rivera seconded this motion.

Motion passed by the following vote:

AYES: Smith, Dent, Rivera, Padron and Barr

NAYS: Ward

**CONSIDER APPOINTING THREE (3) BOARD MEMBERS TO THE PLANNING BOARD**

City Manager Turner advised Council that the following citizens were interested in serving:

1. Mike Elgin
2. Jim Faulkner
3. Ty Harriss
4. Michael Hawes
5. Glenn Miller
6. Bob Poimbeauf

Voting ballots were passed out to each Council Member with the instructions to sign their name on the ballot and pick three candidates from the list. City Secretary Grant announced that the three candidates with the most votes were Mike Elgin, Ty Harriss and Michael Hawes.

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, Council hereby appoints Mike Elgin, Ty Harriss and Michael Hawes as new board members to the Planning Board and they shall each serve for a term of two years, beginning in August 2015.

Councilman Rivera seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER RECOMMENDATION OF PORT COMMISSION TO APPOINT ONE (1) BOARD MEMBER TO THE PORT COMMISSION**

City Manager Turner advised Council the Port Commission Board has a vacancy needing to be filled for a term of two years and staff has received a résumé from Mr. Raymond Butler. He said staff and the Port Commission recommend Mr. Butler be appointed for a term of two 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 Port Commission and staff, Council hereby appoints Mr. Raymond Butler as a new board member to the Port Commission Board and he shall serve for a term of two years, beginning in August 2015.

Councilman Smith seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER RECOMMENDATION OF PORT COMMISSION FOR A LEASE AGREEMENT AT THE NAUTICAL LANDINGS MARINA BUILDING SUITE "4" TO KENCH CONNALLY INSURANCE (KCI)**

Public Works Director Gurley advised Council that Kench Connally Insurance (KCI) would like to renew their lease for Suite 4 at Nautical Landings Marina Building from the City, for \$450.00 a month for one year with a one year option to renew. The Port Commission recommends approval of the lease to Kench Connally Insurance (KCI).

Councilman Barr 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 Port Commission and staff, Council hereby approves the lease agreement with Kench Connally Insurance (KCI) to renew their lease for Suite 4 at Nautical Landings Marina Building from the City, for \$450.00 a month for one year with a one year option to renew.

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

Councilman Smith seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER RECOMMENDATION OF PORT COMMISSION FOR A LEASE AGREEMENT AT THE HARBOR OF REFUGE TO HELENA CHEMICAL COMPANY**

Public Works Director Gurley advised Council that Helena Chemical Company is going to replace the storage warehouse on the property they have leased from the City at the Harbor of Refuge. The replacement cost is estimated to be a Million Dollars (\$1,000,000). Helena Chemical Company would like to have a twenty (20) year lease with two (2) ten (10) year options on the current property they are leasing. The lease will have a rent adjustment included and is to be adjusted by using the Municipal Cost Index.

Councilman Barr 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 Port Commission and staff, Council hereby approves the lease agreement with Helena Chemical Company at the Harbor of Refuge for a twenty (20) year lease with two (2) ten (10) year options on the current property they are leasing. The lease will have a rent adjustment included and is to be adjusted by using the Municipal Cost Index.

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

Councilman Ward seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER APPROVAL OF BUDGET AMENDMENTS FOR QUARTER ENDING JUNE 30, 2015**

Finance Director Jones presented Council with some Budget Amendments for Quarter ending June 30, 2015, copy of which is in the office of the Finance Director.

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 from staff, effective June 30, 2015, Council hereby approves the Budget Amendments for Quarter ending June 30, 2015, as presented.

Councilman Barr seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER PLACING A PROPOSAL TO ADOPT A TAX RATE FOR THE 2015-2016 FISCAL YEAR AS AN ACTION ITEM ON THE AGENDA OF A FUTURE MEETING, SPECIFYING THEREIN THE DESIRED RATE AND PUBLISHING NOTICE THEREOF**

Finance Director Jones advised Council that the proposed tax rate for 2015 will be \$0.7900 per \$100 value. She said that staff recommended placing a proposal to adopt a Tax Rate for the 2015-2016 fiscal year as an action item on the September 14, 2015 regular meeting agenda, with a desired rate of \$0.7900 per \$100 value.

Councilman Barr 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 placing a proposal to adopt a Tax Rate for the 2015-2016 fiscal year as an action item on the September 14, 2015 regular meeting agenda, with a desired rate of \$0.7900 per \$100 value and publishing notice thereof.

Councilman Rivera seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER SETTING TWO (2) PUBLIC HEARINGS ON THE PROPOSED 2015-2016 FISCAL YEAR BUDGET FOR MONDAY, AUGUST 24, 2015 AND MONDAY, AUGUST 31, 2015**

Finance Director Jones stated that two special meetings for public hearings on the proposed 2015-2016 fiscal year budget need to be set. She said staff recommends the following dates and times:

- Monday, August 24, 2015 5:30 P.M.
- Monday, August 31, 2015 5:30 P.M.

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 two special meetings for public hearings on the proposed 2015-2016 fiscal year budget be set for Monday, August 24, 2015 at 5:30 p.m. and Monday, August 31, 2015 at 5:30 p.m.

Councilman Rivera seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER SETTING TWO (2) PUBLIC HEARINGS ON THE PROPOSED 2015 TAX RATE FOR MONDAY, AUGUST 24, 2015 AND MONDAY, AUGUST 31, 2015**

Finance Director Jones stated that two special meetings for public hearings on the proposed 2015 tax rate need to be set. She said staff recommends the following dates and times:

- Monday, August 24, 2015 5:30 P.M.
- Monday, August 31, 2015 5:30 P.M.

Finance Director commented no action needed and none taken.

**ADJOURN**

Councilman Barr made a motion to adjourn the meeting

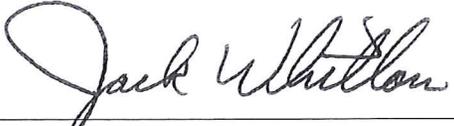
Councilman Padron seconded said motion

Motion passed by the following vote:

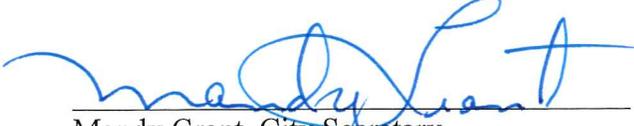
AYES: Smith, Dent, Rivera, Padron, Ward and Barr

NAYS: None

Meeting adjourned at 8:13 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, AUGUST 10, 2015 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
  
- PRESENTATIONS BY THE MAYOR:
  - EMPLOYEE SERVICE AWARD
    - WILLIE ESPINOZA 15 YEARS CODE ENFORCEMENT DEPARTMENT
  
- 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 JULY 13, 2015 REGULAR MEETING
  - (B) PAYMENT OF INVOICES EXCEEDING \$1,500
2. RECEIVE BUDGET REPORT FROM THE GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) FOR THE PORT LAVACA WATER TREATMENT PLANT FOR THE 2016 FISCAL YEAR
3. RECEIVE CERTIFICATION FROM CITY SECRETARY ON EXAMINATION OF SIGNATURES OF REGISTERED VOTERS OF THE CITY OF PORT LAVACA FROM THE PETITION PRESENTED BY THE PETITIONER'S COMMITTEE FOR REFERENDUM ON ORDINANCE NUMBER G-2-15 – "NO SMOKING AREAS"
4. CONSIDER REQUEST OF THE PETITIONER'S COMMITTEE TO REPEAL ORDINANCE NUMBER G-2-15 – "NO SMOKING AREAS" IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER, ARTICLE 5.03 – REFERENDUM
5. CONSIDER RESOLUTION NO. R-081015-1E ESTABLISHING PROVISIONS FOR CONDUCT OF THE CITY OF PORT LAVACA SPECIAL ELECTION TO BE HELD ON THE UNIFORM DATE OF NOVEMBER 03, 2015 AND AUTHORIZING MAYOR TO ISSUE ORDER OF ELECTION
6. CONSIDER APPROVAL OF CONTRACT WITH THE CALHOUN COUNTY ELECTIONS ADMINISTRATOR FOR CONDUCTING THE CITY OF PORT LAVACA SPECIAL ELECTION TO BE HELD ON THE UNIFORM DATE OF NOVEMBER 03, 2015
7. CONSIDER APPROVAL OF LEASE AGREEMENT WITH CALHOUN COUNTY FOR THE USE OF ELECTRONIC VOTING EQUIPMENT IN THE CITY OF PORT LAVACA SPECIAL ELECTION TO BE HELD ON THE UNIFORM DATE OF NOVEMBER 03, 2015
8. CONSIDER REQUEST OF THE CALHOUN COUNTY YMCA TO BE REIMBURSED FOR ALL CITY-RELATED COSTS ASSOCIATED WITH THE CONSTRUCTION OF THEIR NEW FACILITY
9. CONSIDER APPOINTING THREE (3) BOARD MEMBERS TO THE PLANNING BOARD

10. CONSIDER RECOMMENDATION OF PORT COMMISSION TO APPOINT ONE (1) BOARD MEMBER TO THE PORT COMMISSION
11. CONSIDER RECOMMENDATION OF PORT COMMISSION FOR A LEASE AGREEMENT AT THE NAUTICAL LANDINGS MARINA BUILDING SUITE "4" TO KENCH CONNALLY INSURANCE (KCI)
12. CONSIDER RECOMMENDATION OF PORT COMMISSION FOR A LEASE AGREEMENT AT THE HARBOR OF REFUGE TO HELENA CHEMICAL COMPANY
13. CONSIDER APPROVAL OF BUDGET AMENDMENTS FOR QUARTER ENDING JUNE 30, 2015
14. CONSIDER PLACING A PROPOSAL TO ADOPT A TAX RATE FOR THE 2015-2016 FISCAL YEAR AS AN ACTION ITEM ON THE AGENDA OF A FUTURE MEETING, SPECIFYING THEREIN THE DESIRED RATE AND PUBLISHING NOTICE THEREOF
15. CONSIDER SETTING TWO (2) PUBLIC HEARINGS ON THE PROPOSED 2015-2016 FISCAL YEAR BUDGET FOR MONDAY, AUGUST 24, 2015 AND MONDAY, AUGUST 31, 2015
16. CONSIDER SETTING TWO (2) PUBLIC HEARINGS ON THE PROPOSED 2015 TAX RATE FOR MONDAY, AUGUST 24, 2015 AND MONDAY, AUGUST 31, 2015

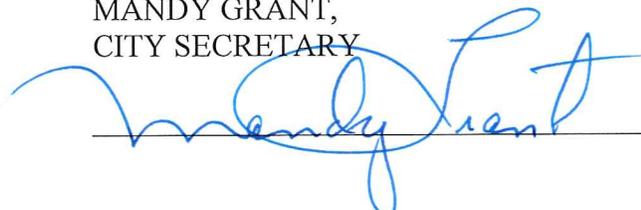
ADJOURN

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, AUGUST 10, 2015, BEGINNING AT 6:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 5:00 P.M. FRIDAY, AUGUST 07, 2015.

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.*