

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

On this the 12th day of September, 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
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 6:34 P.M. and presided.
- Councilman Ward gave the invocation.
- Mayor Whitlow led the pledge of allegiance to the American and Texas flags.
- Presentation by the Mayor:
 - Judge James Duckett's Service to the City of Port Lavaca Municipal Court
- Mayor asked for comments from the public and there were none.

CONSENT AGENDA:

- (A) **MINUTES OF AUGUST 03, 2016 WORKSHOP SESSION**
- (B) **MINUTES OF AUGUST 08, 2016 REGULAR MEETING**
- (C) **MINUTES OF AUGUST 22, 2016 WORKSHOP AND SPECIAL MEETING**
- (D) **MINUTES OF AUGUST 29, 2016 SPECIAL MEETING**
- (E) **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 Barr seconded said motion

Motion passed by the following vote:

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

NAYS: None

RECEIVE REPORT FROM PORT LAVACA WAVE IN CONNECTION WITH THE “DISCOVER PORT LAVACA” PROGRAM TO PROMOTE THE CITY

Tania French, representing the Port Lavaca Wave Newspaper, presented a report in connection with the “Discover Port Lavaca” Program to promote the City.

No action needed and none taken.

CONSIDER REQUEST OF THE CALHOUN COUNTY CHAMBER OF COMMERCE FOR USE OF THE PAVILION AT THE LIGHTHOUSE BEACH FOR MARKET DAYS ON OCTOBER 22, 2016 AND WAIVER OF ANY FEES RELATED TO THIS EVENT

Tania French, representing the Calhoun County Chamber of Commerce, advised Council they would like to use the Pavilion at the Lighthouse Beach for Market Days on October 22, 2016 and are also asking that any fees associated with this event, be waived.

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 the request of the Calhoun County Chamber of Commerce to use the Lighthouse Beach and Pavilion for “Market Days” on October 22, 2016 and all fees associated with this event are hereby waived.

Councilman Smith seconded said motion

Motion passed by the following vote:

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

NAYS: None

**CONSIDER REQUEST OF THE CALHOUN COUNTY CHAMBER OF COMMERCE
FOR PROMOTIONAL “BEACH DAYS” AT THE LIGHTHOUSE BEACH AND
WAIVER OF ADMISSION FEES ON SPECIFIED DAYS DURING THE YEAR**

Tania French, representing the Calhoun County Chamber of Commerce, advised Council they would like to use Lighthouse Beach for “Beach Days” to promote the City and are also asking that the admission fees associated with these days, be waived. The “Beach Days” are as follows:

Saturday	October 22, 2016
Saturday	April 22, 2017
Saturday	June 24, 2017
Saturday	August 26, 2017
Saturday	October 28, 2017

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 approves the request of the Calhoun County Chamber of Commerce to use the Lighthouse Beach for “Beach Days” to promote the City and the admission fees associated with these days are hereby waived. The “Beach Days” are as follows:

Saturday	October 22, 2016
Saturday	April 22, 2017
Saturday	June 24, 2017
Saturday	August 26, 2017
Saturday	October 28, 2017

Councilman Ward seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER REQUEST OF TNT ELITE GYMNASTICS, 200 HWY 35 SOUTH IN PORT LAVACA TO HOST “NATIONAL GYMNASTICS DAY” SATURDAY, SEPTEMBER 17, 2016 FROM 1:00 P.M. TO 5:00 P.M. TO BLOCK ROAD/ENTRYWAY BETWEEN FIRST PRESBYTERIAN CHURCH AND DAIRY QUEEN TO SIDE ENTRANCE OF MALL AND WAIVE ANY FEES ASSOCIATED WITH THE EVENT

Brianna Passmore, owner of TNT Elite Gymnastics, advised Council they are hosting “National Gymnastics Day” on Saturday, September 17, 2016 from 1:00 p.m. to 5:00 p.m. She is requesting to block off Stanley Lester Street from N. Virginia Street up to the entrance of the mall they are housed in at 200 Hwy 35 South. She also stated this would still allow access to all the businesses in that area.

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 the request of the TNT Elite Gymnastics to block off Stanley Lester Street from N. Virginia Street up to the entrance of the mall they are housed in at 200 Hwy 35 South to host “National Gymnastics Day” on Saturday, September 17, 2016 from 1:00 p.m. to 5:00 p.m. and all fees associated with this event are hereby waived, pending that proof of event insurance is provided.

Councilman Dent seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER RECOMMENDATION OF THE PLANNING BOARD FOR A FINAL PLAT OF PARKWAY CHURCH SUBDIVISION

Building Official Byron Smith advised Council that this final plat of Parkway Church Subdivision is a 10.00 acre tract of land situated in the Samuel Shupe Survey, Abstract No. 137 in Port Lavaca, Calhoun County, Texas. He stated the Planning Board had approved the final plat and staff concurs.

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 the Planning Board and staff, Council hereby approves the final plat of Parkway Church Subdivision, a 10.00 acre tract of land situated in the Samuel Shupe Survey, Abstract No. 137 in Port Lavaca, Calhoun County, Texas.

Councilman Ward seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER RECOMMENDATION OF THE PLANNING BOARD FOR A FINAL PLAT LOCATED AT MARY BICKFORD SUBDIVISION, PORTION OF LOT 8, VOLUME W, PAGE 7, CALHOUN COUNTY TEXAS DEED RECORDS

Building Official Byron Smith advised Council that this final plat of a subdivision of 1.8447 Acres (80,357 square feet) of land being a replat of a portion of Lot 8 of the Mary Bickford Subdivision recorded under volume W, page 7, Port Lavaca, Calhoun County, Texas deed records, is the location for the new What-A-Burger on Hwy 35 North. He stated the Planning Board had approved the final plat and staff concurs.

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 approves the final plat of a subdivision of 1.8447 Acres (80,357 square feet) of land being a replat of a portion of Lot 8 of the Mary Bickford Subdivision recorded under volume W, page 7, Port Lavaca, Calhoun County, Texas deed records, and the location for the new What-A-Burger on Hwy 35 North.

Councilman Dent seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER AWARD OF PROFESSIONAL ENGINEERING SERVICES AGREEMENT FOR THE 2017 CAPITAL IMPROVEMENT PROJECTS (CIP) FOR THE COMMERCE STREET RECONSTRUCTION; ANN & BENAVIDES STREET RECONSTRUCTION; BONORDEN AREA STREET; COLORADO STREET WATER IMPROVEMENTS; AND BAYFRONT PARK IMPROVEMENTS

Public Works Director Gurley advised Council staff is ready to proceed with the 2017 Capital Improvement Projects (CIP) for the Commerce Street Reconstruction, Ann and Benavides Street Reconstruction, Bonorden Area Street, Colorado Street Water Improvements, and Bayfront Park Improvements. He said CivilCorp, LLC has been chosen to do the design and bidding for these projects. He stated the engineering cost is broken down as follows:

\$ 77,000	Commerce Street Reconstruction
\$ 33,000	Ann and Benavides Street Reconstruction
\$ 115,000	Bonorden Area Street Improvements
\$ 28,000	Colorado Street Water Improvements
\$ 28,000	Bayfront Park Improvements
\$ 281,000	Total for all above CIP projects

Public Works Gurley also reminded Council that the construction cost estimate for the three projects is \$3,057,000. Staff recommends entering into the Professional Service Agreement with CivilCorp, LLC. for the 2017 Capital Improvement Projects (CIP) in the amount of \$281,000.

Council Members were in consensus to pull the Bayfront Park Improvements Project for \$28,000 at this time. Council would like to have the new Recreation and Parks Director, Dillon Ivanosky, involved in future discussion and plans for the Bayfront Park. Parks Director Ivanosky is in the process of presenting Council some citizens interested in being appointed to the Parks Board.

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 recommendation of staff, Council hereby approves entering into the Professional Service Agreement with CivilCorp, LLC. for the 2017 Capital Improvement Projects (CIP) as follows:

\$ 77,000	Commerce Street Reconstruction
\$ 33,000	Ann and Benavides Street Reconstruction
\$ 115,000	Bonorden Area Street Improvements
\$ 28,000	Colorado Street Water Improvements
\$ 253,000	Total for above 2017 CIP projects awarded to CivilCorp, LLC.

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

Councilman Barr seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER ADOPTING THE CITY OF PORT LAVACA 2016 TAX ABATEMENT AND INCENTIVE POLICY

Economic Development Director Odom advised Council that he and City Attorney Odefey had worked on this policy. He said that January 14, 2013 was the last time these guidelines had been evaluated and the City is required to establish tax abatement guidelines every two years before any tax abatement is considered. Staff recommends Council accept the 2016 Tax Abatement and Economic Development Incentive Policy Guidelines, a copy of which is on file in the City Secretary's office.

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 City Attorney and Staff, Council hereby approves the 2016 Tax Abatement and Economic Development Incentive Policy Guidelines for the granting of tax abatements in the City of Port Lavaca, for a period of two years, a copy of which is on file in the City Secretary's office.

Councilman Smith seconded said motion

Motion passed by the following vote:

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

NAYS: None

**CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (G-8-16)
AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12,
BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADE
CODES; AND PROVIDING AN EFFECTIVE DATE**

Mayor Whitlow read the following:

CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (G-8-16)
AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES
CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II,
BUILDING TRADE CODES; AND PROVIDING AN EFFECTIVE DATE

Councilman Ward made a motion to pass the following:

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 ordinance
(G-8-16) on this its second and final reading.

Councilman Barr seconded said motion

Motion passed by the following vote:

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

NAYS: None

**CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (G-9-16) OF THE
CITY OF PORT LAVACA, TEXAS, ADOPTING THE COMPREHENSIVE PLAN AND
SETTING AN EFFECTIVE DATE**

Mayor Whitlow read the following:

CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (G-9-16)
OF THE CITY OF PORT LAVACA, TEXAS, ADOPTING THE
COMPREHENSIVE PLAN AND SETTING AN EFFECTIVE DATE

Councilman Smith made a motion to pass the following:

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 ordinance (G-9-16) on this its second and final reading.

Councilman Ward seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER SECOND AND FINAL READING OF ORDINANCE (S-1-16) ADOPTING BUDGET FOR FISCAL YEAR 2016-2017

Mayor Whitlow read the following:

CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (S-1-16) APPROVING THE ANNUAL BUDGET FOR THE CITY OF PORT LAVACA, TEXAS AND ADOPTING THE BUDGET DOCUMENT FOR THE FISCAL YEAR OCTOBER 01, 2016 THROUGH SEPTEMBER 30, 2017; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE

Councilman Ward made a motion to pass the following:

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 ordinance (S-1-16) on this its second and final reading.

Councilman Barr seconded said motion

Motion passed by the following vote:

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

NAYS: None

Councilman Ward made a motion to pass the following:

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

THAT, in accordance with recommendation of staff, Council hereby ratifies the property tax revenue increase reflected in the 2016-2017 Budget.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all instruments necessary to effect passage and adoption.

Councilman Barr seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER SECOND AND FINAL READING OF ORDINANCE (S-2-16) SETTING TAX RATE FOR 2016

Mayor Whitlow read the following:

AN ORDINANCE (S-2-16) FIXING THE TAX RATE AND TAX LEVY FOR THE CITY OF PORT LAVACA, TEXAS, FOR THE YEAR 2016, UPON ALL TAXABLE PROPERTY IN SAID CITY OF PORT LAVACA, TEXAS SUBJECT TO TAXATION BY SAID CITY ON THE FIRST DAY OF JANUARY, 2016 IN CONFORMITY WITH THE CHARTER PROVISIONS AND ORDINANCES OF SAID CITY OF PORT LAVACA; APPROPRIATING THE FUNDS DERIVED FROM SAID TAX LEVY TO VARIOUS FUNDS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND ESTABLISHING AN EFFECTIVE DATE

Councilman Ward made a motion

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

THAT, in accordance with recommendation of staff, the property tax rate be increased by the adoption of a tax rate of \$0.79, which is effectively a 2.34 percent increase in the tax rate; and

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

THAT, Council hereby approves and adopts said ordinance (S-2-16) on this its second and final reading.

Councilman Barr seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (G-10-16) TO MAKE AMENDMENTS TO THE ORDINANCE DESCRIBED IN THE CITY OF PORT LAVACA CODE OF ORDINANCES AS APPENDIX A - FEES, RATES AND CHARGES

Mayor Whitlow read the following:

CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (G-10-16) TO MAKE AMENDMENTS TO THE ORDINANCE DESCRIBED IN THE CITY OF PORT LAVACA CODE OF ORDINANCES AS APPENDIX A - FEES, RATES AND CHARGES

Councilman Rivera made a motion to pass the following:

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 ordinance (G-10-16) on this its second and final reading.

Councilman Ward seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER RESOLUTION NUMBER R-091216-1 TO RE-ADOPT THE CITY'S FINANCIAL MANAGEMENT AND BUDGETARY POLICIES

Finance Director Jones presented Council with the Financial Management and Budgetary Policies for the City of Port Lavaca, by Resolution Number R-091216-1, a copy of which is in the office of the City Secretary, in its entirety.

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 recommendation of staff, Council hereby readopts the Financial Management and Budgetary Policies for the City of Port Lavaca, by Resolution Number R-091216-1, a copy of which is in the office of the City Secretary, in its entirety.

Councilman Ward seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER RESOLUTION NUMBER R-091216-2 TO RE-ADOPT THE CITY'S INVESTMENT POLICY

Finance Director Jones presented Council with the Investment Policy and Strategy for the City of Port Lavaca, by Resolution Number R-091216-2, a copy of which is in the office of the City Secretary, in its entirety.

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 recommendation of staff, Council hereby readopts the Investment Policy and Strategy for the City of Port Lavaca, by Resolution Number R-091216-2, a copy of which is in the office of the City Secretary, in its entirety.

Councilman Barr seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER THE CITY'S COMPENSATION PLAN FOR THE 2016-2017 FISCAL YEAR

Councilman Dent made a motion to table this item to study further. Schedule a Workshop and Special meeting for Monday, September 26, 2016 at 5:30 p.m. in City Hall Council Chambers.

Councilwoman Padron seconded said motion

Motion passed by the following vote:

AYES: Smith and Padron

NAYS: Barr and Ward

NO VOTE: Rivera and Smith

TIE: Whitlow broke tie by voting Aye – Item was tabled

CONSIDER APPROVAL OF THE CONTINUATION OF COVERAGE CONTRACT (COC) WITH TML MULTI-STATE INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL RELATED TO THE GROUP HEALTH INSURANCE COVERAGE

City Secretary Grant advised Council that due to legal requirements, this contract is updated annually. She said this contract outlines the Continuation of Coverage (COC) Administrative Agreement between the City and Texas Municipal League Intergovernmental Employee Benefits Pool (TML-IEBP). Staff recommends approving that the current rates for COC remain in effect for fiscal year October 01, 2016 through September 30, 2017.

Councilwoman Padron 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 accepts and approves for the current rates for Continuation of Coverage (COC) to remain in effect for fiscal year October 01, 2016 through September 30, 2017.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all instruments necessary to effect the coverage and rates hereby adopted.

Councilman Ward seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER THE FOLLOWING ITEMS RELATED TO THE GROUP HEALTH, DENTAL AND VISION INSURANCE COVERAGE:

- **APPROVAL OF CONTINUATION OF COVERAGE (COC) RATES**

City Secretary Grant advised Council that due to legal requirements, this contract will be updated annually from now on. She said this contract outlines the Continuation of Coverage (COC) Administrative Agreement between the City and Texas Municipal League Intergovernmental Employee Benefits Pool (TML-IEBP). Staff recommends approving the Continuation of Coverage (COC) Contract for fiscal year October 01, 2016 through September 30, 2017.

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 and approves the Continuation of Coverage (COC) Contract, between the City and Texas Municipal League Intergovernmental Employee Benefits Pool (TML-IEBP) for fiscal year October 01, 2016 through September 30, 2017.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all instruments necessary to effect the coverage and rates hereby adopted.

Councilman Barr seconded said motion

Motion passed by the following vote:

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

NAYS: None

- **APPROVAL OF EMPLOYEE CONTRIBUTION RATES**

City Secretary Grant advised Council staff recommends approving the employee's monthly contribution rates for fiscal year October 01, 2016 through September 30, 2017, as follows:

	<u>EE Only</u>	<u>+1 Dependent</u>	<u>Spouse</u>	<u>Child (ren)</u>	<u>Family</u>
MEDICAL Employee	\$ 80.00		\$240.00	\$210.00	\$270.00
DENTAL Employee	\$ 16.43				\$ 42.22
VISION* Employee	\$ 13.14				\$ 39.40

*Vision is on voluntary basis.

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 and approves the employee's contributions for fiscal year October 01, 2016 through September 30, 2017, as presented in above table.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all instruments necessary to effect the coverage and rates hereby adopted.

Councilman Barr seconded said motion

Motion passed by the following vote:

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

NAYS: None

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 8:18 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 9:35 p.m. and there would be no action taken with regard to matters discussed in closed session.

ADJOURN

Councilman Barr made a motion to adjourn the meeting

Councilman Ward seconded said motion

Motion passed by the following vote:

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

NAYS: None

Meeting adjourned at 9:35 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, SEPTEMBER 12, 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
- PRESENTATIONS BY THE MAYOR:
 - JUDGE JAMES DUCKETT'S SERVICE TO THE CITY
- 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 AUGUST 03, 2016 WORKSHOP SESSION
 - (B) MINUTES OF AUGUST 08, 2016 REGULAR MEETING
 - (C) MINUTES OF AUGUST 22, 2016 WORKSHOP AND SPECIAL MEETING
 - (D) MINUTES OF AUGUST 29, 2016 SPECIAL MEETING
 - (E) PAYMENT OF INVOICES EXCEEDING \$1,500
2. RECEIVE REPORT FROM PORT LAVACA WAVE IN CONNECTION WITH THE “DISCOVER PORT LAVACA” PROGRAM TO PROMOTE THE CITY
3. CONSIDER REQUEST OF THE CALHOUN COUNTY CHAMBER OF COMMERCE FOR USE OF THE PAVILION AT THE LIGHTHOUSE BEACH FOR MARKET DAYS ON OCTOBER 22, 2016 AND WAIVER OF ANY FEES RELATED TO THIS EVENT
4. CONSIDER REQUEST OF THE CALHOUN COUNTY CHAMBER OF COMMERCE FOR PROMOTIONAL “BEACH DAYS” AT THE LIGHTHOUSE BEACH AND WAIVER OF ADMISSION FEES ON SPECIFIED DAYS DURING THE YEAR
5. CONSIDER REQUEST OF TNT ELITE GYMNASTICS, 200 HWY 35 SOUTH IN PORT LAVACA TO HOST “NATIONAL GYMNASTICS DAY” SATURDAY, SEPTEMBER 17, 2016 FROM 1:00 P.M. TO 5:00 P.M. TO BLOCK ROAD/ENTRYWAY BETWEEN FIRST PRESBYTERIAN CHURCH AND DAIRY QUEEN TO SIDE ENTRANCE OF MALL AND WAIVE ANY FEES ASSOCIATED WITH THE EVENT
6. CONSIDER RECOMMENDATION OF THE PLANNING BOARD FOR A FINAL PLAT OF PARKWAY CHURCH SUBDIVISION
7. CONSIDER RECOMMENDATION OF THE PLANNING BOARD FOR A FINAL PLAT LOCATED AT MARY BICKFORD SUBDIVISION, PORTION OF LOT 8, VOLUME W, PAGE 7, CALHOUN COUNTY TEXAS DEED RECORDS (NEW WHATABURGER)

8. CONSIDER AWARD OF PROFESSIONAL ENGINEERING SERVICES AGREEMENT FOR THE 2017 CAPITAL IMPROVEMENT PROJECTS (CIP) FOR THE COMMERCE STREET RECONSTRUCTION; ANN AND BENAVIDES STREET RECONSTRUCTION; BONORDEN AREA STREET; COLORADO STREET WATER IMPROVEMENTS; AND BAYFRONT PARK IMPROVEMENTS
9. CONSIDER ADOPTING THE CITY OF PORT LAVACA 2016 TAX ABATEMENT AND INCENTIVE POLICY
10. CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (G-8-16) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADE CODES; AND PROVIDING AN EFFECTIVE DATE
11. CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (G-9-16) OF THE CITY OF PORT LAVACA, TEXAS, ADOPTING THE COMPREHENSIVE PLAN AND SETTING AN EFFECTIVE DATE
12. CONSIDER SECOND AND FINAL READING OF ORDINANCE (S-1-16) ADOPTING BUDGET FOR FISCAL YEAR 2016-2017
13. CONSIDER SECOND AND FINAL READING OF ORDINANCE (S-2-16) SETTING TAX RATE FOR 2016
14. CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (G-10-16) TO MAKE AMENDMENTS TO THE ORDINANCE DESCRIBED IN THE CITY OF PORT LAVACA CODE OF ORDINANCES AS APPENDIX A - FEES, RATES AND CHARGES
15. CONSIDER RESOLUTION NUMBER R-091216-1 TO RE-ADOPT THE CITY'S FINANCIAL MANAGEMENT AND BUDGETARY POLICIES
16. CONSIDER RESOLUTION NUMBER R-091216-2 TO RE-ADOPT THE CITY'S INVESTMENT POLICY
17. CONSIDER THE CITY'S COMPENSATION PLAN FOR THE 2016-2017 FISCAL YEAR
18. CONSIDER APPROVAL OF THE CONTINUATION OF COVERAGE CONTRACT (COC) WITH TML MULTI-STATE INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL RELATED TO THE GROUP HEALTH INSURANCE COVERAGE

19. CONSIDER THE FOLLOWING ITEMS RELATED TO THE GROUP HEALTH, DENTAL AND VISION INSURANCE COVERAGE:
 - APPROVAL OF CONTINUATION OF COVERAGE (COC) RATES
 - APPROVAL OF EMPLOYEE CONTRIBUTION RATES
20. 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])
21. 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, SEPTEMBER 12, 2016, BEGINNING AT 6:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 5:00 P.M. WEDNESDAY, SEPTEMBER 07, 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.