

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

On this the 13th day of February, 2017, 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 6:35 P.M. and presided.
- Councilman Ward gave the invocation.
- Mayor Whitlow led the pledge of allegiance to the American and Texas flags.
- Mayor Whitlow asked for comments from the public and there were none.

CONSENT AGENDA:

- (A) **MINUTES OF JANUARY 10, 2017 SPECIAL MEETING (Note: Regular Council meeting scheduled for January 09, 2017 was cancelled)**
- (B) **PAYMENT OF INVOICES EXCEEDING \$1,500**

Councilman Dent advised Mayor Whitlow to pull consent agenda item "B" for discussion.

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 recommendation of staff, Council hereby approves all consent agenda items with the exception of consent agenda item "B" which has been pulled.

Councilman Dent seconded this motion.

Motion passed by the following vote:

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

NAYS: None

Consent agenda item "B" was discussed by some Council Members.

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 consent agenda item "B".

Councilman Ward seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER APPLICATION FROM KENNETH BANKS, OWNER OF THE FORMER FIRST NATIONAL BANK BUILDING LOCATED AT COLORADO AND MAIN STREETS FOR THE CITY'S DOWNTOWN FAÇADE IMPROVEMENT GRANT IN THE AMOUNT OF \$5,000

City Manager Bradshaw advised Council that Mr. Kenneth Banks of Houston Kaco, Inc. is owner of the former First National Bank Building located at 138 E. Main Street in Port Lavaca and has applied for the City's Downtown Façade Improvement Grant, in the amount of \$5,000. He said that recipients of a façade grant will receive a maximum \$1.00 matching grant for each \$1.00 expended by the owner. He state the maximum grant that may be awarded per façade is \$5,000 (i.e. on a \$10,000 project, grant award would be \$5,000). He said this is a reimbursement grant and that \$25,000 had been budgeted in the 2016-2017 fiscal year. He said the grant is allocated in the following four categories:

| | | | |
|------------|-----------|-----|-----------|
| Façade | \$ 10,000 | 50% | \$ 5,000 |
| Signage | \$ 5,000 | 50% | \$ 2,500 |
| Property | \$ 10,000 | 50% | \$ 5,000 |
| Demolition | \$ 10,000 | 50% | \$ 5,000 |
| Totals: | \$ 35,000 | 50% | \$ 17,500 |

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 application from Mr. Kenneth Banks of Houston Kaco, Inc., owner of the former First National Bank Building located at 138 E. Main Street in Port Lavaca for the City's Downtown Façade Improvement Grant, in the amount of \$5,000.

Councilman Dent seconded this motion.

Motion passed by the following vote:

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

NAYS: None

Interim Director of Public Works Pena gave Council some information on the water line from Main Street to Liveoak Street which has to be replaced. He said a 4 inch line would be approximately \$25,890 and a 6 inch line would be approximately \$31,780. He also stated that the Fire Hydrant in front of Melchor's Hardware on Main Street has to be replaced and the cost would be approximately \$9,300.

Mayor Whitlow appointed an Ad Hoc Committee consisting of Councilman Tim Dent, Councilman Jim Ward, City Attorney Odefey and City Manager Bradshaw to work with Kenneth Banks on downtown development and to look into future economic development of economically depressed areas of downtown.

CONSIDER AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY WITH TEXAS DEPARTMENT OF TRANSPORTATION TO CLOSE MAIN STREET FOR THE IGUANA FEST COMMENCING AT NOON ON FRIDAY, APRIL 07, 2017 THRU NOON ON SUNDAY, APRIL 09, 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 approves and adopts the agreement made and entered into by and between Texas Department of Transportation and the City of Port Lavaca; for the purpose of temporary closure of state-right-of-way to close Main Street for the Iguana Fest from Noon on Friday, April 07 through Noon on Sunday, April 09, 2017.

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

Councilman Barr seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER NEW SERVICES AGREEMENT BETWEEN THE CITY OF PORT LAVACA AND THE CALHOUN COUNTY CHAMBER OF COMMERCE COMMENCING ON MARCH 01, 2017

Tenia French, Board President for the Port Lavaca Chamber of Commerce, was in attendance and addressed the Council in reference to a new one (1) year services agreement between the City of Port Lavaca and the Port Lavaca Chamber of Commerce, for the annual sum of \$50,000, paid in two (2) installments payable on March 1 and October 1. This contract will commence on March 01, 2017 and expire on February 28, 2018. A copy of this contract is on file, in its entirety, in the office of the City Secretary. Staff recommends entering into this contract.

Councilman Dent made a motion to pass the following:

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 one (1) year services agreement with the Port Lavaca Chamber of Commerce for the annual sum of \$50,000, paid in two (2) installments payable on March 1 and October 1. This contract will commence on March 01, 2017 and expire on February 28, 2018. A copy of this contract is on file, in its entirety, in the office of the City Secretary.

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

Councilman Ward 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 CHAMBER OF COMMERCE TO CHANGE A DATE PREVIOUSLY APPROVED BY COUNCIL ON SEPTEMBER 12, 2016 FOR PROMOTIONAL "BEACH DAYS" AT THE LIGHTHOUSE BEACH (FROM APRIL 22, 2017 TO APRIL 29, 2017) AND ALSO TRANSFER WAIVER OF FEES

Tania French, representing the Calhoun County Chamber of Commerce, advised Council they previously had authorized the use Lighthouse Beach for "Beach Days" to promote the City and the admission fees were also waived. She said there has been a conflict for Saturday, April 22, 2017 and is asking to change that day to Saturday, April 29, 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 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 and also approves changing a date from Saturday, April 22, 2017 to Saturday, April 29, 2017.

Councilman Barr seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER RESOLUTION NO. R-021317-1E AN ADDENDUM TO THE ELECTION ORDER FOR THE CITY OF PORT LAVACA GENERAL OFFICERS ELECTION HELD ON THE UNIFORM DATE OF MAY 06, 2017 - A PROPOSITION ON THE BALLOT FOR OR AGAINST THE SALE OR CONVEYANCE OF UNDEVELOPED PARK LAND LOCATED BEHIND THE PORT LAVACA CEMETERY KNOWN AS LORRAINE SULTAN PARK

Councilman Smith made a motion to pass the following:

WHEREAS, On January 09, 2017, Resolution No. R-010917-1E was presented to City Council, who in turn, issued and signed an election order for the City of Port Lavaca General Officers Election to be held on the uniform date of Saturday, May 06, 2017. An addendum to that election order is necessary for the placement of a proposition on the ballot.

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 Saturday, May 06, 2017, which is a uniform election date, in the City of Port Lavaca, Texas, an addendum to Resolution No. R-010917-1E is necessary for the purpose of placement of a proposition on the ballot:

“FOR OR AGAINST THE SALE OR CONVEYANCE OF UNDEVELOPED
PARK LAND LOCATED BEHIND THE PORT LAVACA CEMETERY
KNOWN AS LORENE S. SULTON PARK”

SECTION 2. THAT, this resolution shall be effective immediately upon adoption.

Councilwoman Padron seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER LEASE AGREEMENT WITH CALHOUN COUNTY FOR USE OF
ELECTRONIC VOTING EQUIPMENT FOR THE CITY OF PORT LAVACA
GENERAL OFFICERS ELECTION HELD ON UNIFORM DATE OF MAY 06, 2017**

City Secretary Grant advised Council the lease proposal for the use of Calhoun County's Electronic Voting Equipment in connection with the May 06, 2017 City of Port Lavaca General Elections would be approximately \$1,296.00. She also advised staff recommends Council approve request.

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 a lease agreement with Calhoun County Elections for the use of Electronic Voting Equipment in connection with the May 06, 2017 City of Port Lavaca General Elections, 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.

Councilwoman Padron seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER APPOINTMENT OF NAME, OFFICERS AND REGISTERED AGENT OF CLEMENT COVE HARBOR COMPANY, A CHANNEL AND DOCK COMPANY OWNED BY THE CITY OF PORT LAVACA

City Attorney Odefey advised Council that the City purchased the land and the channel and dock corporation and it is a grandfathered organization that controls what kind of development can occur in the area governed by the channel and dock. She said it is treated as a corporation in Texas. Officers need to be appointed to the organization and they must meet at least once a year. As council members and staff leave, they can be replaced by others in those positions.

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 City Attorney, Council hereby makes appointments of Corporate Officers and Registered Agent of Clement Cove Harbor Company, a Channel and Dock Company owned by the City of Port Lavaca and they are as follow:

| | | | |
|--|------------------|-------------------|-------------------|
| | President | Jack Whitlow, | Mayor |
| | Secretary | Mandy Grant, | City Secretary |
| | Director | Jerry Smith, | Council Member D1 |
| | Director | Tim Dent, | Council Member D2 |
| | Director | Lee Rivera, | Council Member D3 |
| | Director | Rosie Padron, | Council Member D4 |
| | Director | Jim Ward, | Council Member D5 |
| | Director | Ken Barr, | Council Member D6 |
| | Registered Agent | Anne Marie Odefey | City Attorney |

Councilman Dent seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER PURCHASE AND INSTALLATION OF COMPUTER HARDWARE AND/OR SOFTWARE EQUIPMENT FROM LOCAL IT SOLUTIONS FOR BETTER CITY-WIDE TECHNOLOGY AND PERFORMANCE

City Manager Bradshaw advised Council that the city has been having some technical difficulties and Mr. James Dale dba/ Local IT Solutions of Victoria, Texas has been looking for a solution. He said Mr. Dale has given the city a couple of estimates totaling \$9,900 (Estimate No. 1022 in the amount of \$8,900 and Estimate No. 1023 in the amount of \$1,000); however, this amount was not budgeted in the 2016-2017 fiscal year. He said staff recommends the approval of this purchase and installation for better city-wide technology and performance along with better security and backup of information.

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 Estimate No. 1022 in the amount of \$8,900 and Estimate No. 1023 in the amount of \$1,000 from vendor James Dale dba/ Local IT Solutions of Victoria, Texas for the purchase and installation of computer hardware and/or software equipment.

Councilman Dent seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER CITY POOL CONTRACT WITH YMCA FROM APRIL 01, 2017 TO SEPTEMBER 30, 2017

Parks and Recreation Director Ivanoski advised Council that the YMCA of the Golden Crescent wants to continue the same contract with the City for the operation of the City Municipal Pool. He said the pool hours will be from 12:00 p.m. to 6:00 p.m. every day, except on Wednesdays and Thursdays. On Wednesdays, the pool will be closed for maintenance. On Thursdays, the hours will be extended to hold family swim-night from 7:00 p.m. to 9:00 p.m. He also advised the contract would be in effect from April 01, 2017 to September 30, 2017. He said staff recommends approval of the pool contract with the YMCA.

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 entering into a contract with the YMCA of the Golden Crescent for the operation of the City Municipal Pool, a copy of which is on file in the office of the City Secretary, to be in effect from April 01, 2017 to September 30, 2017.

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

Councilman Ward seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER RECOMMENDATION OF THE PARKS AND RECREATION BOARD FOR INSTALLATION OF LIGHTS THAT WILL ILLUMINATE ASHLEY FIELD AND WAIVER OF ANY PERMIT FEES

Parks and Recreation Director Ivanoski advised Council that the Parks and Recreation Board met recently and considered the fact that currently there is no lighting on Ashley Field. Staff has had the cooperation of the Little League Football Association (LLFA) and the Calhoun County Independent School District (CCISD) and they have come up with a plan to illuminate Ashley Field. CCISD has some surplus lighting they can donate and LLFA will donate labor for an electrician for this project. He said materials and labor will be no cost to the City; however, the Parks and Recreation Board is asking Council to waive any permit fees associated with this project.

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 the Parks and Recreation Board and staff, Council hereby approves installation of lights that will illuminate Ashley Field and also waives any permit fees associated with this project.

Councilman Barr seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER RECOMMENDATION OF THE PARKS AND RECREATION BOARD FOR REMOVAL OF T-BALL BACKSTOP AND EXPANDING THE PARKING LOT AT ASHLEY FIELD AND WAIVER OF ANY PERMIT FEES

Parks and Recreation Director Ivanoski advised Council that the Parks and Recreation Board met recently and considered the fact that the T-ball backstop at Ashley Field is no longer being utilized and should be removed. They also discussed expanding the parking lot at Ashley Field. Staff has had the cooperation of the Little League Football Association (LLFA) and they have come up with a plan to remove the backstop and also expand the parking lot at Ashley Field. LLFA will donate materials and labor for this project at no cost to the city. The Parks and Recreation Board is asking Council to waive any permit fees associated with this project.

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 the Parks and Recreation Board and staff, Council hereby approves the removal of the T-ball backstop at Ashley Field, the expansion of the parking lot at Ashley Field and also waives any permit fees associated with this project.

Councilman Barr seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER AWARD OF BID FOR THE S. COLORADO WATERLINE 2017 CAPITAL IMPROVEMENTS PROJECT (CIP)

Interim Public Works Director Pena advised Council that CivilCorp Engineers had reviewed bids on January 31, 2017 for the S. Colorado Waterline Replacement Project, that is part of the 2016-2017 Capital Improvement Plan (CIP). He said bids were as follows:

| | | |
|--------------------------------------|--------------|----------------------|
| Sylva Construction, LLC | \$273,451.50 | 120 days to complete |
| Armadillo Underground Utilities, LLC | \$260,328.00 | 90 days to complete |
| Mercer Construction | \$227,866.00 | 180 days to complete |

| | | |
|---------------------------------|--------------|----------------------|
| Lopez Utilities Contractor, LLC | \$233,468.00 | 120 days to complete |
| Lester Contracting | \$211,032.50 | 160 days to complete |
| J&R Contracting Services, Inc. | \$198,994.46 | 90 days to complete |

Interim Public Works Director Pena said staff and CivilCorp Engineers recommend awarding this bid to J&R Contracting Services, Inc., the low bidder, in the amount of \$198,994.46 with 90 calendar days to complete project. Pena advised Council the engineer's estimate for this project was \$210,000 and staff had budgeted \$300,000 for the project.

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 awards the Bid for the S. Colorado Waterline Replacement Project, that is part of the 2016-2017 Capital Improvement Plan (CIP), to J&R Contracting Services, Inc. in the amount of \$198,994.46 and project is to be completed in 90 calendar days from Notice to Proceed.

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

Councilman Ward seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER RESOLUTION NO. R-021317-1 BY THE CITY OF PORT LAVACA, REQUESTING SUBMISSION OF AN APPLICATION FOR REQUESTING FUNDS PERTAINING TO THE HOMELAND SECURITY GRANT PROGRAM (HSGP) GRANT NUMBER 3317501, PORT LAVACA FIRE DEPARTMENT CRITICAL INFRASTRUCTURE PROJECT

Councilman Dent made a motion to pass the following:

WHEREAS, the City of Port Lavaca finds it in the best interest of the citizens of Port Lavaca, Calhoun County, Texas that the Port Lavaca Fire Department Critical Infrastructure Project be operated from August 31, 2018 to August 31, 2019; and

WHEREAS, the total amount of funds available for this project is \$15,000; and

WHEREAS, the City of Port Lavaca agrees to provide zero applicable matching funds for the said project as required by the HSGP-Homeland Security Grant Program application; and

WHEREAS, the City of Port Lavaca agrees that in the event of loss or misuse of the HSGP-Homeland Security funds, the City of Port Lavaca assures that the funds will be returned to the Department of Homeland Security in full; and.

WHEREAS, the City of Port Lavaca designates Mayor Jack Whitlow as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

THAT, the City of Port Lavaca approves submission of the grant application for the Port Lavaca Fire Department Critical Infrastructure Project (Grant No. 3317501) through the HSGP-Homeland Security Grant for the Port Lavaca Fire Department Critical Infrastructure Project to the Office of the Governor, Homeland Security Division.

Councilwoman Padron seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER RESOLUTION NO. R-021317-2 BY THE CITY OF PORT LAVACA, REQUESTING SUBMISSION OF AN APPLICATION FOR REQUESTING FUNDS PERTAINING TO THE HOMELAND SECURITY GRANT PROGRAM (HSGP) GRANT NUMBER 3343801, PORT LAVACA FIRE DEPARTMENT HAZ-MAT RESPONSE TRAILER RADIO REHABILITATION

Councilman Ward made a motion to pass the following:

WHEREAS, the City of Port Lavaca finds it in the best interest of the citizens of Port Lavaca, Calhoun County, Texas that the Port Lavaca Fire Department Haz-mat Response Trailer Radio Rehabilitation be operated from August 31, 2018 to August 31, 2019; and

WHEREAS, the total amount of funds available for this project is \$15,000; and

WHEREAS, the City of Port Lavaca agrees to provide zero applicable matching funds for the said project as required by the HSGP-Homeland Security Grant Program application; and

WHEREAS, the City of Port Lavaca agrees that in the event of loss or misuse of the HSGP-Homeland Security funds, the City of Port Lavaca assures that the funds will be returned to the Department of Homeland Security in full; and.

WHEREAS, the City of Port Lavaca designates Mayor Jack Whitlow as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

THAT, the City of Port Lavaca approves submission of the grant application for the Port Lavaca Fire Department Haz-mat Response Trailer Radio Rehabilitation (Grant No. 3343801) through the HSGP-Homeland Security Grant for the Fire Department Haz-mat Response Trailer Radio Rehabilitation to the Office of the Governor, Homeland Security Division.

Councilwoman Padron seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER RESOLUTION NO. R-021317-3 BY THE CITY OF PORT LAVACA, REQUESTING SUBMISSION OF AN APPLICATION FOR REQUESTING FUNDS PERTAINING TO THE HOMELAND SECURITY GRANT PROGRAM (HSGP) GRANT NUMBER 3343201, PORT LAVACA FIRE DEPARTMENT HAZ-MAT RESPONSE TRAILER CBRNE EQUIPMENT PROJECT

Councilman Ward made a motion to pass the following:

WHEREAS, the City of Port Lavaca finds it in the best interest of the citizens of Port Lavaca, Calhoun County, Texas that the Port Lavaca Fire Department Haz-Mat Response Trailer CBRNE Project be operated from August 31, 2018 to August 31, 2019; and

WHEREAS, the total amount of funds available for this project is \$15,000; and

WHEREAS, the City of Port Lavaca agrees to provide zero applicable matching funds for the said project as required by the HSGP-Homeland Security Grant Program application; and

WHEREAS, the City of Port Lavaca agrees that in the event of loss or misuse of the HSGP-Homeland Security funds, the City of Port Lavaca assures that the funds will be returned to the Department of Homeland Security in full; and.

WHEREAS, the City of Port Lavaca designates Mayor Jack Whitlow as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

THAT, the City of Port Lavaca approves submission of the grant application for the Port Lavaca Fire Department Haz-Mat Response Trailer CBRNE Equipment Project (Grant No. 3343201) through the HSGP-Homeland Security Grant for Chemical Biological Radiological and Nuclear (CBRNE) Equipment to the Office of the Governor, Homeland Security Division.

Councilwoman Padron seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER RESOLUTION NO. R-021317-4 BY THE CITY OF PORT LAVACA, REQUESTING SUBMISSION OF AN APPLICATION FOR REQUESTING FUNDS PERTAINING TO THE HOMELAND SECURITY GRANT PROGRAM (HSGP) GRANT NUMBER 3344201, PORT LAVACA POLICE DEPARTMENT RADIO EQUIPMENT PROJECT

Councilman Rivera made a motion to pass the following:

WHEREAS, the City of Port Lavaca finds it in the best interest of the citizens of Port Lavaca, Calhoun County, Texas that the Port Lavaca Police Department Radio Equipment Project be operated from August 31, 2018 to August 31, 2019; and

WHEREAS, the total amount of funds available for this project is \$15,000; and

WHEREAS, the City of Port Lavaca agrees to provide zero applicable matching funds for the said project as required by the HSGP-Homeland Security Grant Program application; and

WHEREAS, the City of Port Lavaca agrees that in the event of loss or misuse of the HSGP-Homeland Security funds, the City of Port Lavaca assures that the funds will be returned to the Department of Homeland Security in full; and.

WHEREAS, the City of Port Lavaca designates Mayor Jack Whitlow as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

THAT, the City of Port Lavaca approves submission of the grant application for the Port Lavaca Police Department Radio Equipment Project (Grant No. 3344201) through the HSGP-Homeland Security Grant for the Port Lavaca Police Department Radio Equipment Project to the Office of the Governor, Homeland Security Division.

Councilman Barr seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER REQUEST FROM THE POLICE DEPARTMENT TO DECLARE CITY PROPERTY SURPLUS AND AUTHORIZE THE DISPOSAL OF SAME

Police Chief Rangnow advised Council the Police Department has several vehicles (seized and purchased) which have a significant amount of mileage. Several of the vehicles are an eye-sore and need to be disposed of. He requested the following vehicles be declared surplus:

- | | |
|-----------------------------|-------------------------|
| 1. 2005 Honda Accord | Vin # 1HGCM55895A120718 |
| 2. 2003 Ford F150 | Vin # 2FTRX17W33CA94214 |
| 3. 1999 Ford Ranger | Vin # 1FTYR10C8XPB56345 |
| 4. 2007 Chrysler 200 | Vin # 1C3LC56KX7N532562 |
| 5. 2000 Jeep Grand Cherokee | Vin # 1J4G248S5YC270030 |
| 6. 2008 Dodge Charge | Vin # 2B3KA43H78H135080 |
| 7. 2007 Ford Crown Victoria | Vin # 2FAFP71W87X110801 |
| 8. 2010 Ford Crown Victoria | Vin # 2FABP7BV1AX125619 |

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 recommendation of staff, Council hereby approves declaring the above listed city property from the Police Department as surplus and authorize the disposal of same, a copy of which is in the office of the City Secretary.

Councilman Ward seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**RECEIVE INFORMATION ON THE 85TH SESSION OF THE TEXAS LEGISLATURE
RECOGNIZING MARCH 08, 2017 AS GOLDEN CRESCENT DAY AT THE STATE
CAPITOL BY RESOLUTION**

City Manager Bradshaw advised Council the following was only information:

WHEREAS, the citizens of the city of Port Lavaca and Calhoun County are extremely proud to partner with the citizens of the City of Victoria and Victoria County to celebrate Golden Crescent Day on March 8, 2017 at the State Capitol; and

WHEREAS, the citizens of the City of Port Lavaca and Calhoun County unequivocally support activities and functions that strengthen and expand the relationships that make the Golden Crescent Region a successful and viable entity; and

WHEREAS, the citizens of the City of Port Lavaca and Calhoun County are thankful for the opportunity to actively participate with the citizens of the City of Victoria and Victoria County on important issues in the Golden Crescent Region; and

WHEREAS, recognizing their rich and colorful history as they work together to build a bright and successful future, the citizens of the City of Port Lavaca, Calhoun County, City of Victoria, and Victoria County may take justifiable pride in the important role the Golden Crescent Region continues to play in the story of the Lone Star State; now, therefore, be it

RESOLVED, That the 85th Session of the Texas Legislature, hereby recognize March 8, 2017 as Golden Crescent Day at the State Capitol and extend to the visiting delegation sincere best wishes for an informative and enjoyable stay in Austin.

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 accepts information on the 85th session of the Texas Legislature recognizing March 08, 2017 as Golden Crescent Day at the State Capitol, by Resolution.

Councilman Smith seconded this motion.

Motion passed by the following vote:

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

NAYS: None

RECEIVE UPDATE FROM BUILDING OFFICIAL ON BUILDING AND CODE ENFORCEMENT PROJECTS

Building Official Smith gave Council an update on building and code enforcement projects.

No action needed and none taken.

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

- **FOR CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION IN ACCORDANCE WITH TITLE 5, SECTION 551.071 OF THE TEXAS GOVERNMENT CODE**

Mayor Whitlow announced that Council would retire into closed session at 9:11 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 9:19 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, Council hereby authorizes and approves confidential mediation settlement agreement as presented by Council.

Councilman Rivera seconded said motion

Motion passed by the following vote:

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

NAYS: None

ADJOURN

Councilman Ward made a motion to adjourn the meeting

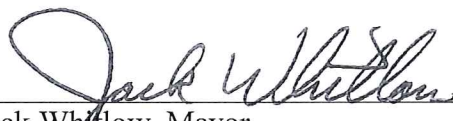
Councilwoman Padron seconded said motion

Motion passed by the following vote:

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

NAYS: None

Meeting adjourned at 9:25 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, FEBRUARY 13, 2017 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:
- 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:
 - (C) MINUTES OF JANUARY 10, 2017 SPECIAL MEETING (Note: Regular Council meeting scheduled for January 09, 2017 was cancelled)
 - (D) PAYMENT OF INVOICES EXCEEDING \$1,500
2. CONSIDER APPLICATION FROM KENNETH BANKS, OWNER OF THE FORMER FIRST NATIONAL BANK BUILDING LOCATED AT COLORADO AND MAIN STREETS FOR THE CITY'S DOWNTOWN FAÇADE IMPROVEMENT GRANT IN THE AMOUNT OF \$5,000
3. CONSIDER AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY WITH TEXAS DEPARTMENT OF TRANSPORTATION TO CLOSE MAIN STREET FOR THE IGUANA FEST COMMENCING AT NOON ON FRIDAY, APRIL 07, 2017 THRU NOON ON SUNDAY, APRIL 09, 2017
4. CONSIDER NEW SERVICES AGREEMENT BETWEEN THE CITY OF PORT LAVACA AND THE CALHOUN COUNTY CHAMBER OF COMMERCE COMMENCING ON MARCH 01, 2017
5. CONSIDER REQUEST OF THE CALHOUN COUNTY CHAMBER OF COMMERCE TO CHANGE A DATE PREVIOUSLY APPROVED BY COUNCIL ON SEPTEMBER 12, 2016 FOR PROMOTIONAL "BEACH DAYS" AT THE LIGHTHOUSE BEACH (FROM APRIL 22, 2017 TO APRIL 29, 2017) AND ALSO TRANSFER WAIVER OF FEES
6. CONSIDER RESOLUTION NO. R-021317-1E AN ADDENDUM TO THE ELECTION ORDER FOR THE CITY OF PORT LAVACA GENERAL OFFICERS ELECTION HELD ON THE UNIFORM DATE OF MAY 06, 2017 - A PROPOSITION ON THE BALLOT FOR OR AGAINST THE SALE OR CONVEYANCE OF UNDEVELOPED PARK LAND LOCATED BEHIND THE PORT LAVACA CEMETERY KNOWN AS LORRAINE SULTAN PARK
7. CONSIDER LEASE AGREEMENT WITH CALHOUN COUNTY FOR USE OF ELECTRONIC VOTING EQUIPMENT FOR THE CITY OF PORT LAVACA GENERAL OFFICERS ELECTION HELD ON THE UNIFORM DATE OF MAY 06, 2017
8. CONSIDER APPOINTMENT OF NAME, OFFICERS AND REGISTERED AGENT OF CLEMENT COVE HARBOR COMPANY, A CHANNEL AND DOCK COMPANY OWNED BY THE CITY OF PORT LAVACA

9. CONSIDER PURCHASE AND INSTALLATION OF COMPUTER HARDWARE AND/OR SOFTWARE EQUIPMENT FROM LOCAL IT SOLUTIONS FOR BETTER CITY-WIDE TECHNOLOGY AND PERFORMANCE
10. CONSIDER CITY POOL CONTRACT WITH YMCA FROM APRIL 01, 2017 TO SEPTEMBER 30, 2017
11. CONSIDER RECOMMENDATION OF THE PARKS AND RECREATION BOARD FOR INSTALLATION OF LIGHTS THAT WILL ILLUMINATE ASHLEY FIELD AND WAIVER OF ANY PERMIT FEES
12. CONSIDER RECOMMENDATION OF THE PARKS AND RECREATION BOARD FOR REMOVAL OF T-BALL BACKSTOP AND EXPANDING THE PARKING LOT AT ASHLEY FIELD AND WAIVER OF ANY PERMIT FEES
13. CONSIDER AWARD OF BID FOR THE S. COLORADO WATERLINE 2017 CAPITAL IMPROVEMENTS PROJECT (CIP)
14. CONSIDER RESOLUTION NO. R-021317-1 BY THE CITY OF PORT LAVACA, REQUESTING SUBMISSION OF AN APPLICATION FOR REQUESTING FUNDS PERTAINING TO THE HOMELAND SECURITY GRANT PROGRAM (HSGP) GRANT NUMBER 3317501, PORT LAVACA FIRE DEPARTMENT CRITICAL INFRASTRUCTURE PROJECT
15. CONSIDER RESOLUTION NO. R-021317-2 BY THE CITY OF PORT LAVACA, REQUESTING SUBMISSION OF AN APPLICATION FOR REQUESTING FUNDS PERTAINING TO THE HOMELAND SECURITY GRANT PROGRAM (HSGP) GRANT NUMBER 3343801, PORT LAVACA FIRE DEPARTMENT HAZ-MAT RESPONSE TRAILER RADIO REHABILITATION
16. CONSIDER RESOLUTION NO. R-021317-3 BY THE CITY OF PORT LAVACA, REQUESTING SUBMISSION OF AN APPLICATION FOR REQUESTING FUNDS PERTAINING TO THE HOMELAND SECURITY GRANT PROGRAM (HSGP) GRANT NUMBER 3343201, PORT LAVACA FIRE DEPARTMENT HAZ-MAT RESPONSE TRAILER CBRNE EQUIPMENT PROJECT
17. CONSIDER RESOLUTION NO. R-021317-4 BY THE CITY OF PORT LAVACA, REQUESTING SUBMISSION OF AN APPLICATION FOR REQUESTING FUNDS PERTAINING TO THE HOMELAND SECURITY GRANT PROGRAM (HSGP) GRANT NUMBER 3344201, PORT LAVACA POLICE DEPARTMENT RADIO EQUIPMENT PROJECT

18. CONSIDER REQUEST FROM THE POLICE DEPARTMENT TO DECLARE CITY PROPERTY SURPLUS AND AUTHORIZE THE DISPOSAL OF SAME
19. RECEIVE INFORMATION ON THE 85TH SESSION OF THE TEXAS LEGISLATURE RECOGNIZING MARCH 08, 2017 AS GOLDEN CRESCENT DAY AT THE STATE CAPITOL BY RESOLUTION
20. RECEIVE UPDATE FROM BUILDING OFFICIAL ON BUILDING AND CODE ENFORCEMENT PROJECTS
21. ANNOUNCEMENT BY MAYOR THAT CITY COUNCIL WILL RETIRE INTO CLOSED SESSION:
 - FOR CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION IN ACCORDANCE WITH TITLE 5, SECTION 551.071 OF THE TEXAS GOVERNMENT CODE
22. RETURN TO OPEN SESSION AND TAKE ANY ACTION DEEMED NECESSARY WITH REGARD TO MATTERS DISCUSSED IN CLOSED SESSION

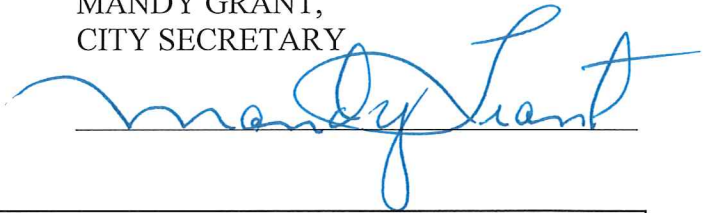
ADJOURN

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, FEBRUARY 13, 2017, BEGINNING AT 6:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 5:00 P.M. FRIDAY, FEBRUARY 10, 2017.

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.