

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

On this the 27<sup>th</sup> day of March, 2017, the City Council of the City of Port Lavaca, Texas, convened in a special meeting and a workshop session at 5:30 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
Rosie G. Padron	Councilwoman, District 4
Jim Ward	Councilman, District 5
Ken Barr	Councilman, District 6, Mayor Pro Tem

\*Councilman Smith left at 7:07 p.m. (during closed session from 5:50 p.m. to 7:31 p.m.)

And with the following absent:

Lee Rivera	Councilman, District 3
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Constituting a quorum for the transaction of business, at which time the following business was transacted:

### **CALL TO ORDER**

- Mayor Whitlow called the special meeting to order at 5:40 P.M. and presided.

### **AGENDA ITEMS TO BE CONSIDERED AND TAKE ANY ACTION DEEMED NECESSARY:**

### **CONSIDER RECOMMENDATION OF THE PLANNING BOARD TO CONSIDER PRELIMINARY AND FINAL PLAT OF DUBOSE SUBDIVISION RE-SUBDIVISION NO. 1, BEING A 23.89 ACRE TRACT OF LAND SITUATED IN THE MAXIMO SANCHEZ SURVEY, ABSTRACT 35, CALHOUN COUNTY, TEXAS, AND BEING ALL OF LOT 1 AND LOT 2, BLOCK 1, DUBOSE SUBDIVISION**

Building Official Smith advised Council the Planning Board approved the preliminary and final plat of Dubose Subdivision Re-subdivision No. 1, being a 23.89 acre tract of land situated in the Maximo Sanchez Survey, Abstract 35, Calhoun County, Texas, and being all of lot 1 and lot 2, block 1, Dubose Subdivision.

This final plat was approved by City Council at the regular scheduled meeting on Monday, March 13, 2017; however, the agenda item was incorrectly posted as a final plat for Trinity Shores and therefore must go before Council to have staff's error corrected.

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 Planning Board and staff, Council hereby approves preliminary and final plat of Dubose Subdivision Re-subdivision No. 1, being a 23.89 acre tract of land situated in the Maximo Sanchez survey, Abstract 35, Calhoun County, Texas and being all of Lot 1 and Lot 2, Block 1, Dubose Subdivision.

Councilman Smith seconded this motion.

Motion passed by the following vote:

AYES: Smith, Dent, Padron, Ward and Barr

NAYS: None

**CONSIDER RECOMMENDATION OF THE PLANNING BOARD TO CONSIDER GRAND TEJAS LAND, LLC. REQUEST FOR TWO (2) VARIANCES TO CITY ORDINANCE NO. SEC. 42-132 STREETS AND ALLEYS (F) STREET CROSS SECTIONS (4) LOCAL (a) MINIMUM RIGHT-OF-WAY-WIDTH BEING 55 FEET AND (b) MINIMUM PAVEMENT WIDTH BEING 28 FEET FOR REDFISH RETREAT SUBDIVISION PHASE 3**

Building Official Smith advised Council the Planning Board approved the request of Grand Tejas Land, LLC. for two (2) variances to City regulations and ordinance number Chapter 42 Subdivisions and Plats, Article VI Design Standards, Section 42-132 Streets and Alleys (f) Street Cross Sections (4) Local (a) minimum right-of-way width being 55 feet and (b) minimum pavement width being 28 feet for Redfish Retreat Subdivision Phase 3.

Smith said they were asking for a variance from (a) 55 feet minimum right-of-way width to 60 feet minimum width and (b) minimum pavement width of 28 feet to 24 feet of pavement width with no curb and gutter.

Councilman Barr stated he wanted it on the record that the City would not be providing curbs and gutters to this subdivision now or in the future at tax payers expense. Jesse Valeriano, President of Grand Tejas Land, LLC replied that the streets were designed to be drained into the ponds; therefore, no curbs and gutters would ever be needed.

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 Planning Board and staff, Council hereby approves request of Grand Tejas Land, LLC. for two (2) variances to the City of Port Lavaca regulations and ordinance number Chapter 42 Subdivisions and Plats, Article VI Design Standards, Section 42-132 Streets and Alleys (f) Street Cross Sections (4) Local, (a) Variance from 55 feet minimum right-of-way width to 60 feet minimum width and (b) minimum pavement width of 28 feet to 24 feet of pavement width with no curb and gutter for Redfish Retreat Subdivision Phase 3.

Councilman Dent seconded this motion.

Motion passed by the following vote:

AYES: Smith, Dent, Padron, Ward and Barr

NAYS: None

**CONSIDER RECOMMENDATION OF PLANNING BOARD RECOMMENDATION OF THE PLANNING BOARD TO CONSIDER GRAND TEJAS LAND, LLC. PRELIMINARY AND FINAL PLAT OF REDFISH RETREAT SUBDIVISION PHASE 3, BEING 77.2345 ACRES OF LAND SITUATED IN THE SAMUEL SHUPE SURVEY, ABSTRACT NO. 137**

Building Official Smith advised Council the Planning Board approved the request of Grand Tejas Land, LLC. to consider preliminary and final plat of Redfish Retreat Subdivision Phase 3, being 77.2345 acres of land situated in the Samuel Shupe Survey, Abstract No. 137, Port Lavaca, Calhoun County, Texas.

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 Planning Board and staff, Council hereby approves the request of Grand Tejas Land, LLC. to consider preliminary and final plat of Redfish Retreat Subdivision Phase 3, being 77.2345 acres of land situated in the Samuel Shupe Survey, Abstract No. 137, Port Lavaca, Calhoun County, Texas.

Councilman Ward seconded this motion.

Motion passed by the following vote:

AYES: Smith, Dent, Padron, Ward and Barr

NAYS: None



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

- **TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY (DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PARTY), IN ACCORDANCE WITH CHAPTER 551, TITLE 5, SECTION 551.072 OF THE TEXAS GOVERNMENT CODE**

Mayor Whitlow announced that Council would retire into closed session at 5:50 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 7:31 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 City Manager Bradshaw to negotiate contract price to purchase property as discussed in closed session.

Councilman Barr seconded this motion.

Motion passed by the following vote:

AYES: Dent, Padron, Ward and Barr

NAYS: None

**CONSIDER REQUEST OF OUR LADY OF THE GULF CATHOLIC CHURCH FOR A 5K RUN/WALK "RUN FOR THE SON" SPRING FIESTA AND HEALTH FAIR EVENT ON SATURDAY, APRIL 01, 2017 BEGINNING AT 8:00 A.M., ASSISTANCE WITH TRAFFIC CONTROL, WAIVER OF ANY FEES ASSOCIATED WITH THIS EVENT AND TAKE ANY ACTION DEEMED NECESSARY**

City Secretary Grant advised Council that Our Lady of the Gulf Catholic Church has requested to have their third annual 5K Run/Walk "Run for the Son" and Spring Fiesta and Health Fair Event on Saturday, April 01, 2017 beginning at 8:00 a.m. The event will start at the Bauer Community Center with participants traveling South on Broadway to Main Street, turning around and going to Lighthouse Beach Bird Sanctuary and then back to the Bauer Center. She said the Church has asked that all fees associated with this event be waived and also asks assistance with traffic control. Staff recommends approval of request.

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 Our Lady of the Gulf Catholic Church to have their third annual 5K Run/Walk "Run for the Son" and Spring Fiesta and Health Fair Event on Saturday, April 01, 2017 beginning at 8:00 a.m., waiver of any permit fees associated with this event and also assistance with traffic control.

Councilman Barr seconded this motion.

Motion passed by the following vote:

AYES: Ward and Barr

NAYS: None

ABSTAIN: Dent and Padron  
(both Council Members are full-time employees of Our Lady of the Gulf Church)

**ANNOUNCEMENT BY MAYOR THAT CITY 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).**

Mayor Whitlow announced that Council would retire into closed session at 5:50 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 7:31 p.m. and no action will be taken with regard to matters discussed in closed session.

**DISCUSS AND CONSIDER ENCROACHMENT ON CITY PROPERTY AND TAKE ANY ACTION DEEMED NECESSARY**

This agenda item was discussed in closed session under consultation with City Attorney Odefey and City Manager Bradshaw will take care of it.

No action needed and none taken.

**ADJOURN**

Councilwoman Padron made a motion to adjourn the meeting

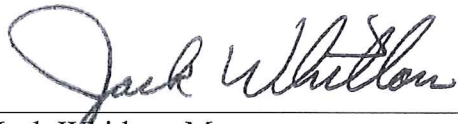
Councilman Ward seconded said motion

Motion passed by the following vote:

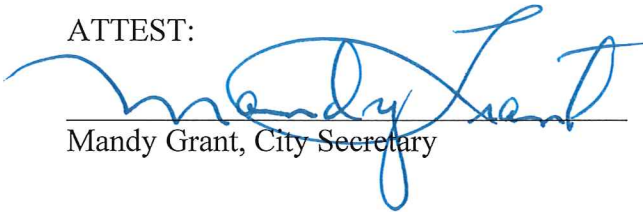
AYES: Dent, Padron, Ward and Barr

NAYS: None

Meeting adjourned at 7:40 P.M.

  
\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:

  
\_\_\_\_\_  
Mandy Grant, City Secretary

## **WORKSHOP SESSION:**

### **CALL TO ORDER**

- Mayor Whitlow called the workshop session to order at 7:40 P.M. and presided.

### **DISCUSS UPDATE ON THE CITY'S COMPREHENSIVE PLAN**

Council discussed this agenda item.

No action was taken.

### **DISCUSS ORDINANCE REGARDING OVERHANGING BRANCHES**

Council discussed this agenda item.

No action was taken.

### **DISCUSS TRASH/BRUSH PICK-UP ISSUES**

Council discussed this agenda item.

No action was taken.

### **DISCUSS WEBSITES OF THE CITY AND ECONOMIC DEVELOPMENT**

Council discussed this agenda item.

No action was taken.

### **DISCUSS UPDATE ON ECONOMIC DEVELOPMENT PLANS AND/OR PROJECTS**

Council discussed this agenda item.

No action was taken.

### **DISCUSS UPDATE ON PARKS AND RECREATION ADVISORY BOARD**

Council discussed this agenda item.

No action was taken.

**DISCUSS EXPECTATIONS OF ADVISORY BOARD MEMBERS**

Council discussed this agenda item.

No action was taken.

**ADJOURN**

Councilman Barr made a motion to adjourn the meeting

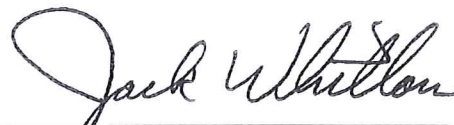
Councilman Dent seconded said motion

Motion passed by the following vote:

AYES: Dent, Padron, Ward and Barr

NAYS: None

Workshop adjourned at 8:30 P.M.



\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:



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Mandy Grant, City Secretary



PUBLIC NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS, WILL CONDUCT A SPECIAL MEETING AND A WORKSHOP SESSION ON MONDAY, MARCH 27, 2017. THE SPECIAL MEETING WILL BEGIN AT 5:30 P.M. AND THE WORKSHOP WILL BEGIN IMMEDIATELY AFTER THE SPECIAL MEETING, 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:

**CALL TO ORDER**

- ANNOUNCEMENT BY MAYOR THAT COUNCIL SESSION NOW OPEN

**AGENDA ITEMS TO BE CONSIDERED AND TAKE ANY ACTION DEEMED NECESSARY:**

1. CONSIDER RECOMMENDATION OF THE PLANNING BOARD TO CONSIDER PRELIMINARY AND FINAL PLAT OF DUBOSE SUBDIVISION RESUBDIVISION NO. 1, BEING A 23.89 ACRE TRACT OF LAND SITUATED IN THE MAXIMO SANCHEZ SURVEY, ABSTRACT 35, CALHOUN COUNTY, TEXAS, AND BEING ALL OF LOT 1 AND LOT 2, BLOCK 1, DUBOSE SUBDIVISION
2. CONSIDER RECOMMENDATION OF THE PLANNING BOARD TO CONSIDER GRAND TEJAS LAND, LLC. REQUEST FOR TWO (2) VARIANCES TO CITY ORDINANCE NO. SEC. 42-132 STREETS AND ALLEYS (F) STREET CROSS SECTIONS (4) LOCAL (a) MINIMUM RIGHT-OF-WAY-WIDTH BEING 55 FEET AND (b) MINIMUM PAVEMENT WIDTH BEING 28 FEET FOR REDFISH RETREAT SUBDIVISION PHASE 3
3. CONSIDER RECOMMENDATION OF THE PLANNING BOARD TO CONSIDER GRAND TEJAS LAND, LLC. PRELIMINARY AND FINAL PLAT OF REDFISH RETREAT SUBDIVISION PHASE 3, BEING 77.2345 ACRES OF LAND SITUATED IN THE SAMUEL SHUPE SURVEY, ABSTRACT NO. 137
4. ANNOUNCEMENT BY MAYOR THAT CITY COUNCIL WILL RETIRE INTO CLOSED SESSION:
  - TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY (DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PARTY), IN ACCORDANCE WITH CHAPTER 551, TITLE 5, SECTION 551.072 OF THE TEXAS GOVERNMENT CODE

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

**ADJOURN**

- ANNOUNCEMENT BY MAYOR THAT SPECIAL MEETING IS ADJOURNED

**WORKSHOP SESSION AGENDA:**

1. DISCUSS UPDATE ON THE CITY'S COMPREHENSIVE PLAN
2. DISCUSS ORDINANCE REGARDING OVERHANGING BRANCHES
3. DISCUSS TRASH/BRUSH PICK-UP ISSUES
4. DISCUSS WEBSITES OF THE CITY AND ECONOMIC DEVELOPMENT
5. DISCUSS UPDATE ON ECONOMIC DEVELOPMENT PLANS AND/OR PROJECTS
6. DISCUSS UPDATE ON PARKS AND RECREATION ADVISORY BOARD
7. DISCUSS EXPECTATIONS OF ADVISORY BOARD MEMBERS

**ADJOURN**

- ANNOUNCEMENT BY MAYOR THAT WORKSHOP IS ADJOURNED

JACK WHITLOW, MAYOR

PUBLIC NOTICE TO ADD SUPPLEMENTAL ITEM(S) FOR AGENDA OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF PORT LAVACA, SCHEDULED FOR MONDAY, MARCH 27, 2017, BEGINNING AT 5:30 P.M., IN COUNCIL CHAMBERS AT CITY HALL, 202 NORTH VIRGINIA STREET, PORT LAVACA, TEXAS:

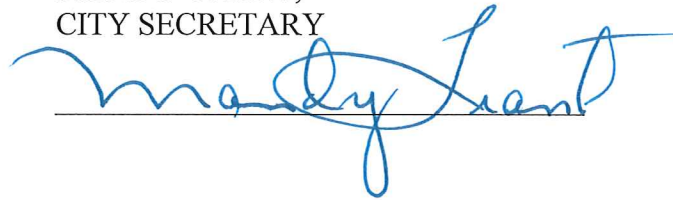
6. CONSIDER REQUEST OF OUR LADY OF THE GULF CATHOLIC CHURCH FOR A 5K RUN/WALK "RUN FOR THE SON" SPRING FIESTA AND HEALTH FAIR EVENT ON SATURDAY, APRIL 01, 2017 BEGINNING AT 8:00 A.M., ASSISTANCE WITH TRAFFIC CONTROL, WAIVER OF ANY FEES ASSOCIATED WITH THIS EVENT AND TAKE ANY ACTION DEEMED NECESSARY

JACK WHITLOW, MAYOR

CERTIFICATION OF POSTING NOTICE

THIS IS TO CERTIFY THAT THE ABOVE NOTICE TO ADD SUPPLEMENTAL ITEM(S) FOR AGENDA OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF PORT LAVACA, SCHEDULED FOR MONDAY, MARCH 27, 2017, BEGINNING AT 5:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 2:00 P.M., THURSDAY, MARCH 23, 2017.

MANDY GRANT,  
CITY SECRETARY



PUBLIC NOTICE TO ADD SUPPLEMENTAL ITEM(S) FOR AGENDA OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF PORT LAVACA, SCHEDULED FOR MONDAY, MARCH 27, 2017, BEGINNING AT 5:30 P.M., IN COUNCIL CHAMBERS AT CITY HALL, 202 NORTH VIRGINIA STREET, PORT LAVACA, TEXAS:

7. ANNOUNCEMENT BY MAYOR THAT CITY 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).
8. RETURN TO OPEN SESSION AND TAKE ANY ACTION DEEMED NECESSARY WITH REGARD TO MATTERS DISCUSSED IN CLOSED SESSION
9. DISCUSS AND CONSIDER ENCROACHMENT ON CITY PROPERTY AND TAKE ANY ACTION DEEMED NECESSARY

JACK WHITLOW, MAYOR

#### CERTIFICATION OF POSTING NOTICE

THIS IS TO CERTIFY THAT THE ABOVE NOTICE TO ADD SUPPLEMENTAL ITEM(S) FOR AGENDA OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF PORT LAVACA, SCHEDULED FOR MONDAY, MARCH 27, 2017, BEGINNING AT 5:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 5:00 P.M., FRIDAY, MARCH 24, 2017.

MANDY GRANT,  
CITY SECRETARY

