

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

On this the 19<sup>th</sup> day of June, 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
Jan Regan	Councilwoman, District 3
Rosie G. Padron	Councilwoman, District 4
Ken Barr	Councilman, District 6, Mayor Pro Tem

And with the following absent:

Jim Ward	Councilman, District 5
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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 ON REQUEST FROM JIMMY SHELTON DBA SHELTON PROPERTIES, LLC. FOR VARIANCE TO THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADES CODE, SEC. 12-24(D)(1) FRONT SETBACK LINES REQUESTED TO BE THIRTEEN (13) FEET IN LIEU OF THE ORDAINED FIFTEEN (15') FEET FOR PROPERTY LOCATED AT 509 S. GUADALUPE STREET AND MARTIN LUTHER KING DRIVE**

Councilwoman Regan objected to this agenda item being considered at a special meeting instead of at a regular scheduled meeting. She said there must be transparency and the public must not have the perception of things being rushed through.

Councilwoman Regan made a motion to pass this agenda item.

Councilman Dent seconded this motion.

Motion passed by the following vote:

AYES: Smith, Dent, Regan and Padron

NAYS: Barr

**CONSIDER RECOMMENDATION OF THE PLANNING BOARD ON REQUEST FROM JIMMY SHELTON DBA SHELTON PROPERTIES, LLC. FOR VARIANCE TO THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADES CODE, SEC. 12-24(D)(1) AND CORNER LOTS REQUESTED TO BE FIVE (5) FEET IN LIEU OF THE ORDAINED MINIMUM TEN-FOOT (10') SETBACK ON THE SIDE STREET FOR PROPERTY LOCATED AT 509 S. GUADALUPE STREET AND MARTIN LUTHER KING DRIVE**

Councilwoman Regan objected to this agenda item being considered at a special meeting instead of at a regular scheduled meeting. She said there must be transparency and the public must not have the perception of things being rushed through.

Councilwoman Regan made a motion to pass this agenda item.

Councilman Dent seconded this motion.

Motion passed by the following vote:

AYES: Smith, Dent, Regan and Padron

NAYS: Barr

**CONSIDER AWARD OF BID FOR THE 2016-2017 FY CAPITAL IMPROVEMENT PROJECT FOR COMMERCE STREET RECONSTRUCTION**

Public Works Director Pena advised Council the reconstruction of N. Commerce Street from Newlin Street to Wilson Street is part of the 2016-2017 Capital Improvement Project (CIP) that was budgeted for the current 2016-2017 Fiscal Year. He said that on May 30, 2017, CivilCorp and staff opened bids for the project and received bids from Lester Construction and Rexco Construction and bid tabulation is as follows:

Contractors Bidding	Base Bid	Owner's Option #1	Total Bid
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Lester Contracting	\$	994,385.00	\$	21,450.00	\$	1,015,835.00
Rexco, Inc.	\$	1,133,489.30	\$	33,145.20	\$	1,166,634.50

**FINANCIAL IMPLICATIONS:** Funds were allocated (\$804,000 for the base-bid) in the 2016/2017 Fiscal Year budget. Ben Galvan, owner of CivilCorp Engineers advised Council the project could be rebid; however, in his experience, sometimes the bids could come in even higher than these and it would also take some time to get the process underway again. Public Works Director Pena commented there were funds for the Benavides project that could be allocated to the Commerce Street project as it was in a more critical state of repair. He said there were other issues with the Benavides project that could use some more evaluation. Staff recommended awarding the bid to Lester Contracting for the total bid amount.

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 awards the bid for the 2016-2017 Capital Improvement Plan (CIP) for Commerce Street Reconstruction to Lester Contracting, for the base bid of \$994,385.00 and also owner's option #1 of \$21,450.00 in the total amount of \$1,015,835.00 for the completed project.

Councilman Smith seconded this motion.

Motion passed by the following vote:

AYES: Smith, Dent, Regan, Padron 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 6:07 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 8:14 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

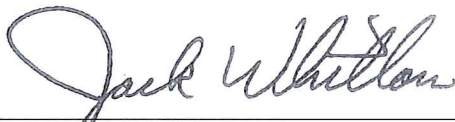
Councilman Smith seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Regan, Padron and Barr

NAYS: None

Meeting adjourned at 8:17 P.M.

  
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Jack Whitlow, Mayor

ATTEST:

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



**WORKSHOP SESSION:**

**CALL TO ORDER**

- Mayor Whitlow called the workshop session to order at 8:17 P.M. and presided.

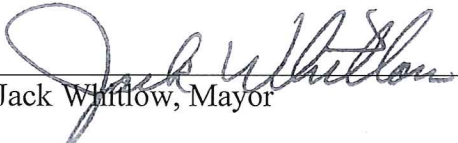
**DISCUSS CITY'S GROUP HEALTH INSURANCE**

Council discussed this agenda item.

No action was taken.

**ADJOURN**

Mayor Whitlow announced that workshop session was adjourned at 8:48 P.M.

  
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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 CONDUCT A SPECIAL MEETING AND A WORKSHOP SESSION ON MONDAY, JUNE 19, 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 ON REQUEST FROM JIMMY SHELTON DBA SHELTON PROPERTIES, LLC. FOR VARIANCE TO THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADES CODE, SEC. 12-24(D)(1) **FRONT** SETBACK LINES REQUESTED TO BE THIRTEEN (13) FEET IN LIEU OF THE **ORDAINED FIFTEEN (15') FEET** FOR PROPERTY LOCATED AT 509 S. GUADALUPE STREET AND MARTIN LUTHER KING DRIVE
2. CONSIDER RECOMMENDATION OF THE PLANNING BOARD ON REQUEST FROM JIMMY SHELTON DBA SHELTON PROPERTIES, LLC. FOR VARIANCE TO THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADES CODE, SEC. 12-24(D)(1) AND **CORNER LOTS** REQUESTED TO BE FIVE (5) FEET IN LIEU OF THE **ORDAINED MINIMUM TEN-FOOT (10') SETBACK ON THE SIDE STREET** FOR PROPERTY LOCATED AT 509 S. GUADALUPE STREET AND MARTIN LUTHER KING DRIVE
3. CONSIDER AWARD OF BID FOR THE 2016-2017 FY CAPITAL IMPROVEMENT PROJECT FOR COMMERCE STREET RECONSTRUCTION
4. 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])
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 CITY'S GROUP HEALTH INSURANCE

**ADJOURN**

- ANNOUNCEMENT BY MAYOR THAT WORKSHOP IS ADJOURNED

JACK WHITLOW, MAYOR

CERTIFICATION OF POSTING NOTICE

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING NOTICE OF A SPECIAL MEETING AND A WORKSHOP SESSION OF THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS, TO BE HELD ON MONDAY, JUNE 19, 2017 BEGINNING AT 5:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 5:00 P.M., THURSDAY, JUNE 15, 2017.

MANDY GRANT,  
CITY SECRETARY

