

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

On this the 14th day of August, 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
Jan Regan	Councilwoman, 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 6:30 P.M. and presided.
- Councilman Jim Ward gave the invocation.
- Mayor Whitlow led the pledge of allegiance to the American and Texas flags.
- Oath of Office to Fire Department Personnel:
 - Jeremy Marek, Promoted to Capitan
 - Obed Estrada, Promoted to Lieutenant
 - Juan Luna, Promoted to Lieutenant
- Mayor asked for comments from the public and there were none.

CONSENT AGENDA:

- (A) **MINUTES OF JULY 06, 2017 WORKSHOP SESSION**
- (B) **MINUTES OF JULY 10, 2017 REGULAR MEETING**
- (C) **MINUTES OF JULY 24, 2017 SPECIAL MEETING**
- (D) **PAYMENT OF INVOICES EXCEEDING \$1,500**

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 as listed.

Councilman Ward seconded said motion

Motion passed by the following vote:

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

NAYS: None

RECEIVE BUDGET REPORT FROM THE GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) FOR THE PORT LAVACA WATER TREATMENT PLANT FOR THE 2018 FISCAL YEAR

Council Members received a work plan and budget report from Stephanie Shelly of the Guadalupe-Blanco River Authority (GBRA) for the fiscal year ending August 31, 2018.

Summary of estimated expenses:	<u>Fiscal Year 2017</u>	<u>Fiscal Year 2018</u>	<u>Difference</u>
Total Plant Expenses	\$ 1,726,043	\$ 1,732,501	\$ 6,458
Cost per 1,000 gallons (treated)	\$ 2.38	\$ 2.25	\$ -5.65%

No action needed and none taken

CONSIDER REQUEST OF THE HARBOR ADVOCACY CENTER AND THE PORT LAVACA POLICE DEPARTMENT FOR USE OF BAYFRONT PARK TO HOST A "BACK TO SCHOOL BASH" ON SATURDAY, AUGUST 19, 2017 FROM 10:00 A.M. TO 2:00 P.M. AND ALSO REQUEST WAIVER OF FEES ASSOCIATED WITH EVENT

Police Chief Rangnow advised Council that the Harbor Advocacy Center and the Police Department would like to host a "Back to School Bash" for the community at the Bay Front Peninsula. There will be food, inflatables, games and fun. Event will be held on Saturday, August 19, 2017 from 10:00 a.m. to 2:00 p.m. He also asked for exclusive use of the Bay Front pavilion and waiver of any fees associated with this event.

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 Harbor Advocacy Center and the Police Department to host a "Back to School Bash" for the community at the Bay Front Peninsula on Saturday, August 19, 2017 from 10:00 a.m. to 2:00 p.m. and also waives any fees associated with this event.

Councilwoman Regan seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER REQUEST OF ALAMO HEIGHTS BAPTIST CHURCH FOR USE OF BAYFRONT PAVILION FOR "FREEDOM CELEBRATION" TO HONOR FIRST RESPONDERS ON SUNDAY, SEPTEMBER 10, 2017 FROM 4:00 P.M. TO 7:00 P.M. AND ALSO REQUEST WAIVER OF FEES ASSOCIATED WITH EVENT

Public Works Director Pena advised Council that Mr. Mike Bender, on behalf of the Alamo Heights Baptist Church, is requesting the use of the Bayfront Pavilion on Sunday, September 10, 2017 from 4:00 p.m. to 7:00 p.m. to host a "Freedom Celebration" in honor of First Responders. They are also requesting 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 Mr. Mike Bender, on behalf of the Alamo Heights Baptist Church for the use of the Bayfront Pavilion on Sunday, September 10, 2017 from 4:00 p.m. to 7:00 p.m. to host a "Freedom Celebration" in honor of First Responders and also waives any fees associated with this event.

Councilwoman Regan seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER REQUEST OF UNITED WAY FOR USE OF BAYFRONT PARK FOR FAMILY DAY ON SATURDAY, SEPTEMBER 23, 2017 AND ALSO REQUEST WAIVER OF FEES ASSOCIATED WITH EVENT

Public Works Director Pena advised Council that United Way of Calhoun County will be holding a Family Day on September 23, 2017 from 10:00 a.m. to 4:00 p.m. at the Bayfront Peninsula. The event will be free of charge to the public. The United Way of Calhoun County has requested that the fees be waived for the use of the park.

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 United Way of Calhoun County to host a Family Day for the community at the Bay Front Peninsula on September 23, 2017 from 10:00 a.m. to 4:00 p.m. and also waives any fees associated with this event.

Councilman Ward seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER APPOINTMENT AND/OR RE-APPOINTMENT OF REPRESENTATIVES TO THE GOLDEN CRESCENT REGIONAL PLANNING COMMISSION (GCRPC) GENERAL ASSEMBLY AND BOARD OF DIRECTORS

City Manager Bradshaw advised that the Council needs to make two (2) appointments to the Golden Crescent Regional Planning Commission (GCRPC) General Assembly for a one-year term, beginning September 01, 2017 through August 31, 2018. He also advised that it is the City of Point Comfort's turn to be on the Board of Directors. He gave Council the following information:

General Assembly: (one-year term)

Each City will select 2 Council Members; and

Representatives now: Lee Rivera (Jan Regan elected May 2017) and Rosie Padron; and

Term will be from 09-01-17 thru 08-31-18.

Board of Directors: (two-year term)

Cities of Port Lavaca, Point Comfort and Seadrift alternate representatives; and
Currently we have Seadrift on the Board of Directors; and
This term will be from the City of Point Comfort; and
Term will be from 09-01-17 thru 08-31-19.

History:	09-01-13 thru 08-31-15	Port Lavaca
	09-01-15 thru 08-31-17	Seadrift
	09-01-17 thru 08-31-19	Point Comfort

City Manager Bradshaw advised that the Council needs to make two (2) appointments to the Golden Crescent Regional Planning Commission General Assembly for a one-year term, beginning September 01, 2017 through August 31, 2018. He also advised that it is the City of Point Comfort's turn to be on the Board of Directors.

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 reappoints Councilwoman Rosie Padron and appoints Councilman Jim Ward to the General Assembly of the Golden Crescent Regional Planning Committee (GCRPC) representing the City of Port Lavaca, for a one-year term, beginning September 01, 2017 through August 31, 2018.

BE IT FURTHER RESOLVED, that there is no objection for the City of Point Comfort to appoint their representatives to the Board of Directors of the Golden Crescent Regional Planning Committee (GCRPC) for a two-year term, beginning September 01, 2017 through August 31, 2019.

Councilwoman Regan seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER PLACING A PROPOSAL TO ADOPT A TAX RATE FOR THE 2017-2018 FISCAL YEAR AS AN ACTION ITEM ON THE AGENDA OF A FUTURE MEETING, SPECIFYING THEREIN THE DESIRED RATE AND PUBLISHING NOTICE THEREOF

Councilman Dent made a motion to pass the following:

THAT, in accordance with the recommendation of staff, Council hereby approves placing a proposal to adopt a Tax Rate for the 2017-2018 fiscal year as an action item on a future meeting agenda.

Councilwoman Padron seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER SETTING TWO (2) PUBLIC HEARINGS ON THE PROPOSED 2017-2018 FISCAL YEAR BUDGET FOR MONDAY, AUGUST 21, 2017 AND MONDAY, AUGUST 28, 2017

Staff recommends the following dates and times:

- Monday, August 21, 2017 5:30 P.M.
- Monday, August 28, 2017 5:30 P.M.

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 approves two special meetings for public hearings on the proposed 2017-2018 fiscal year budget be set for Monday, August 28, 2017 at 5:30 p.m. and Monday, September 11, 2017 at 5:30 p.m.

Councilman Dent seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER SETTING TWO (2) PUBLIC HEARINGS ON THE PROPOSED 2017 TAX RATE FOR MONDAY, AUGUST 21, 2017 AND MONDAY, AUGUST 28, 2017

Staff recommends the following dates and times:

- Monday, August 21, 2017 5:30 P.M.
- Monday, August 28, 2017 5:30 P.M.

Councilwoman Regan made a motion to pass the following:

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

THAT, in accordance with the recommendation of staff, Council hereby approves two special meetings for public hearings on the proposed 2017 tax rate be set for Monday, August 28, 2017 at 5:30 p.m. and Monday, September 11, 2017 at 5:30 p.m.

Councilman Dent seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (NO. G-1-17) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADE CODES, SECTIONS 12-20 AND 12-21; AND PROVIDING AN EFFECTIVE DATE

Mayor Whitlow read the following:

CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (NO. G-1-17) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADE CODES, SECTIONS 12-20 AND 12-21; AND PROVIDING AN EFFECTIVE DATE

Councilman Smith made a motion

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 No. G-1-17 on this its second and final reading.

Councilman Dent seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER RECOMMENDATION OF THE PLANNING BOARD ON REQUEST FROM MANUEL RESENDEZ 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)(3) SIDE SETBACK LINES REQUESTED TO BE FOURTEEN (14") INCHES IN LIEU OF THE ORDAINED FIVE (5') FEET FOR PROPERTY LOCATED AT 2209 MC PHERSON STREET

Building Official Smith advised Council that Mr. Manuel Resendez would like to construct a carport on his property and is requesting a variance to the City's Code of Ordinances, Chapter 12 Buildings and Building Regulations, Article II, Building Trades Code, Section 12-24(d)(3) Side Setback lines requested to be fourteen (14") inches in lieu of the ordained five (5) feet for property located at 2209 Mc Pherson. He said Planning Board has denied this 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, Council hereby approves the request of Mr. Manual Resendez for a variance to the City's Code of Ordinances, Chapter 12 Buildings and Building Regulations, Article II, Building Trades Code, Section 12-24(d)(3) Side Setback lines requested to be fourteen (14") inches in lieu of the ordained five (5) feet for property located at 2209 Mc Pherson.

Councilman Ward seconded said motion

Motion failed by the following vote:

AYES: Ward and Barr

NAYS: Smith, Dent, Regan and Padron

CONSIDER PURCHASE OF BACKHOE FOR THE STREETS DEPARTMENT

Public Works Director Pena advised Council the Streets Department is in desperate need of replacing a backhoe. He said this backhoe was on a ten-year replacement cycle and was scheduled for replacement in FY 2017-2018. He stated bids were received on a couple of backhoes. He advised staff determined the Case 580N was the low bid but the John Deere 310SL had the advantage in total horsepower, breakout force and maximum lifting capacity; therefore, it is recommended to purchase a new John Deere Model 310SL Tractor Loader Backhoe, from Doggett Heavy Machinery Services, LTD, through Buyboard, for the sum of \$83,635.00.

He also advised Council the breakdown to buy the backhoe was as follows:

\$	29,907.50	-	from the insurance for the backhoe that was damaged
\$	53,727.50	-	out of the Fixed Asset Replacement Fund (FARF).
\$	83,635.00	-	Total

Councilwoman Regan 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 authorizes the Streets Department to purchase a new John Deere Model 310SL Tractor Loader Backhoe, from Doggett Heavy Machinery Services, LTD, through Buyboard, for the sum of \$83,635.00.

Councilman Smith seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER RECOMMENDATION OF THE PORT COMMISSION TO LEASE SUITE 4 AT NAUTICAL LANDINGS TO SOMETHING MORE, INC.

Public Works Director Pena and Port Commission member Dave Roberts advised Council that the Port Commission has approved the lease of Nautical Landings Marina Suite "4" to Something More, Inc, at \$450.00 per month on a month to month basis.

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 the Port Commission and staff, Council hereby approves lease of Nautical Landings Marina Suite "4" to Something More, Inc, at \$450.00 per month, on a month-to-month basis.

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, Regan, Padron, Ward and Barr

NAYS: None

CONSIDER RECOMMENDATION OF THE PORT COMMISSION TO AUTHORIZE STAFF TO BEGIN NEGOTIATIONS WITH URBAN ENGINEERING FOR A PROFESSIONAL SERVICES AGREEMENT FOR NAUTICAL LANDINGS BREAK WATER REPAIR PROJECT, CITY HARBOR DOCK REPAIRS PROJECT AND HARBOR OF REFUGE BULKHEAD REPAIR PROJECT

City Manager Bradshaw advised Council that based on Port Commission recommendation, City Council authorized the issuance of a Request for Qualifications (RFQ) for Engineering Services related to numerous proposed Port infrastructure projects. The City received three (3) responses and ranked them as follows:

- | | | |
|----|-------------------|-----|
| 1. | Urban Engineering | 269 |
| 2. | G & W Engineering | 262 |
| 3. | CivilCorp | 258 |

City Manager Bradshaw advised that Port Commission concurs with the rankings and also said funds are available in Port Commission budget. He recommended Council authorize city staff to begin negotiations with Urban Engineering for a Professional Services Agreement for numerous Port Projects.

Councilman Ward 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 the Port Commission and staff, Council hereby authorizes City Manager or his designee(s) to begin negotiations with Urban Engineering for a Professional Services Agreement for numerous Port Projects.

Councilman Dent seconded said motion

Motion passed by the following vote:

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

NAYS: None

CONSIDER RECOMMENDATION OF PORT COMMISSION TO EXTEND EXISTING HARBOR OF REFUGE TRACT 3 LEASE WITH EQUALIZER WITH TERMS AS WRITTEN ON A MONTH-TO-MONTH BASIS UNTIL SUCH TIME AS CURRENT MARKET CONDITIONS CAN BE MORE CLEARLY DETERMINED

City Manager Bradshaw and Port Commission member Dave Roberts advised Council that the existing Equalizer real estate lease for Harbor of Refuge Tract 3 was expiring on August 15, 2017. In response to Equalizer's offer to modify and extend such lease, the Port Commission unanimously recommends that Council extend and offer to Equalizer to continue the existing lease, at a total monthly rate of \$3,415.00 with all other terms as written, on a month-to-month basis, until such time as current market conditions can be more clearly determined. He said this rate represents the minimum rate that can be offered under the current City "Rules and Regulations" regarding lease fees (420 feet of bulkhead at \$2.50 per foot and 4.3 acres at \$550.00 per Acre.

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 the Port Commission and staff, Council hereby approves extending existing Harbor of Refuge Tract 3 lease with Equalizer to continue the existing lease, at a total monthly rate of \$3,415.00 with all other terms as written, on a month-to-month basis, until such time as current market conditions can be more clearly determined.

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, Regan, Padron, Ward and Barr

NAYS: None

CONSIDER FIRST READING OF AN ORDINANCE (G-2-17) TO MAKE AMENDMENTS TO THE ORDINANCE DESCRIBED IN THE CITY OF PORT LAVACA CODE OF ORDINANCES AS APPENDIX "A" – FEES, RATES AND CHARGES AND ESTABLISHING AN EFFECTIVE DATE

Mayor Whitlow read for the first reading:

CONSIDER FIRST READING OF AN ORDINANCE (G-2-17) TO MAKE AMENDMENTS TO THE ORDINANCE DESCRIBED IN THE CITY OF PORT LAVACA CODE OF ORDINANCES AS APPENDIX "A" – FEES, RATES AND CHARGES AND ESTABLISHING AN EFFECTIVE DATE

Councilman Dent made a motion to pass the following:

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

THAT Council hereby approves said ordinance (G-2-17) on this its first reading with changes discussed to appear on the second and final reading.

Councilwoman Regan seconded said motion

Motion passed by the following vote:

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

NAYS: None

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

- **FOR DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATION IN ACCORDANCE WITH CHAPTER 551, TITLE 5, SECTION 551.087 OF THE TEXAS GOVERNMENT CODE**

Mayor Whitlow announced that Council would retire into closed session at 8:19 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 8:47 p.m. and would take action with regard to matters discussed in closed session.

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 City Attorney and staff, Council hereby approves economic development negotiations with Texas Lakeside RV Resort.

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

Councilwoman Regan seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Regan, 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])**

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, this item be passed.

Councilwoman Regan seconded said motion

Motion passed by the following vote:

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

NAYS: None

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

There was no closed session.

ADJOURN

Councilman Ward made a motion to adjourn the meeting

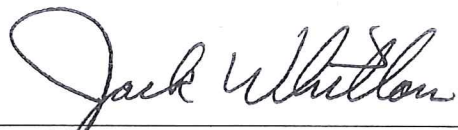
Councilman Barr seconded said motion

Motion passed by the following vote:

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


NAYS: None

Meeting adjourned at 8:49 P.M.



Jack Whitlow, Mayor

ATTEST:



Mandy Grant, City Secretary

PUBLIC NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS, WILL HOLD A REGULAR MEETING MONDAY, AUGUST 14, 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
 - JEREMY MAREK, PROMOTED TO CAPTAIN, FIRE DEPARTMENT
 - OBED ESTRADA, PROMOTED TO LIEUTENANT, FIRE DEPARTMENT
 - JUAN LUNA, PROMOTED TO LIEUTENANT, FIRE DEPARTMENT
- COMMENTS FROM THE PUBLIC
(Limited to 3 minutes per individual unless permission to speak longer is received in advance)

AGENDA: (COUNCIL WILL CONSIDER/DISCUSS THE FOLLOWING ITEMS AND TAKE ANY ACTION DEEMED NECESSARY)

1. CONSENT AGENDA:
 - (A) MINUTES OF JULY 06, 2017 WORKSHOP SESSION
 - (B) MINUTES OF JULY 10, 2017 REGULAR MEETING
 - (C) MINUTES OF JULY 24, 2017 SPECIAL MEETING
 - (D) PAYMENT OF INVOICES EXCEEDING \$1,500
2. RECEIVE BUDGET REPORT FROM THE GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) FOR THE PORT LAVACA WATER TREATMENT PLANT FOR THE 2018 FISCAL YEAR
3. CONSIDER REQUEST OF THE HARBOR ADVOCACY CENTER AND THE PORT LAVACA POLICE DEPARTMENT FOR USE OF BAYFRONT PARK TO HOST A "BACK TO SCHOOL BASH" ON SATURDAY, AUGUST 19, 2017 FROM 10:00 A.M. TO 2:00 P.M. AND ALSO REQUEST WAIVER OF FEES ASSOCIATED WITH EVENT
4. CONSIDER REQUEST OF ALAMO HEIGHTS BAPTIST CHURCH FOR USE OF BAYFRONT PAVILION FOR "FREEDOM CELEBRATION" TO HONOR FIRST RESPONDERS ON SUNDAY, SEPTEMBER 10, 2017 FROM 4:00 P.M. TO 7:00 P.M. AND ALSO REQUEST WAIVER OF FEES ASSOCIATED WITH EVENT
5. CONSIDER REQUEST OF UNITED WAY FOR USE OF BAYFRONT PARK FOR FAMILY DAY ON SATURDAY, SEPTEMBER 23, 2017 AND ALSO REQUEST WAIVER OF FEES ASSOCIATED WITH EVENT
6. CONSIDER APPOINTMENT AND/OR RE-APPOINTMENT OF REPRESENTATIVES TO THE GOLDEN CRESCENT REGIONAL PLANNING COMMISSION (GCRPC) GENERAL ASSEMBLY AND BOARD OF DIRECTORS
7. CONSIDER PLACING A PROPOSAL TO ADOPT A TAX RATE FOR THE 2017-2018 FISCAL YEAR AS AN ACTION ITEM ON THE AGENDA OF A FUTURE MEETING, SPECIFYING THEREIN THE DESIRED RATE AND PUBLISHING NOTICE THEREOF
8. CONSIDER SETTING TWO (2) PUBLIC HEARINGS ON THE PROPOSED 2017-2018 FISCAL YEAR BUDGET FOR MONDAY, AUGUST 21, 2017 AND MONDAY, AUGUST 28, 2017
9. CONSIDER SETTING TWO (2) PUBLIC HEARINGS ON THE PROPOSED 2017 TAX RATE FOR MONDAY, AUGUST 21, 2017 AND MONDAY, AUGUST 28, 2017

10. CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (NO. G-1-17) AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING TRADE CODES, SECTIONS 12-20 AND 12-21; AND PROVIDING AN EFFECTIVE DATE
11. CONSIDER RECOMMENDATION OF THE PLANNING BOARD ON REQUEST FROM MANUEL RESENDEZ 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)(3) SIDE SETBACK LINES REQUESTED TO BE FOURTEEN (14") INCHES IN LIEU OF THE ORDAINED FIVE (5') FEET FOR PROPERTY LOCATED AT 2209 MC PHERSON STREET
12. CONSIDER PURCHASE OF BACKHOE FOR THE STREETS DEPARTMENT
13. CONSIDER RECOMMENDATION OF THE PORT COMMISSION TO LEASE SUITE 4 AT NAUTICAL LANDINGS TO SOMETHING MORE, INC.
14. CONSIDER RECOMMENDATION OF THE PORT COMMISSION TO AUTHORIZE STAFF TO BEGIN NEGOTIATIONS WITH URBAN ENGINEERING FOR A PROFESSIONAL SERVICES AGREEMENT FOR NAUTICAL LANDINGS BREAK WATER REPAIR PROJECT, CITY HARBOR DOCK REPAIRS PROJECT AND HARBOR OF REFUGE BULKHEAD REPAIR PROJECT
15. CONSIDER RECOMMENDATION OF PORT COMMISSION TO EXTEND EXISTING HARBOR OF REFUGE TRACT 3 LEASE WITH EQUALIZER WITH TERMS AS WRITTEN ON A MONTH-TO-MONTH BASIS UNTIL SUCH TIME AS CURRENT MARKET CONDITIONS CAN BE MORE CLEARLY DETERMINED
16. CONSIDER FIRST READING OF AN ORDINANCE (G-2-17) TO MAKE AMENDMENTS TO THE ORDINANCE DESCRIBED IN THE CITY OF PORT LAVACA CODE OF ORDINANCES AS APPENDIX "A" – FEES, RATES AND CHARGES AND ESTABLISHING AN EFFECTIVE DATE
17. ANNOUNCEMENT BY MAYOR THAT CITY COUNCIL WILL RETIRE INTO CLOSED SESSION:
 - FOR DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATION IN ACCORDANCE WITH CHAPTER 551, TITLE 5, SECTION 551.087 OF THE TEXAS GOVERNMENT CODE
18. RETURN TO OPEN SESSION AND TAKE ANY ACTION DEEMED NECESSARY WITH REGARD TO MATTERS DISCUSSED IN CLOSED SESSION

19. 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])
20. RETURN TO OPEN SESSION AND TAKE ANY ACTION DEEMED NECESSARY WITH REGARD TO MATTERS DISCUSSED IN CLOSED SESSION

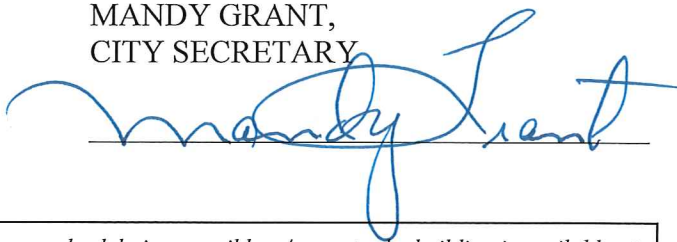
ADJOURN

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, AUGUST 14, 2017, BEGINNING AT 6:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 5:00 P.M. THURSDAY, AUGUST 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.