

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

On this the 10<sup>th</sup> day of October, 2016, the City Council of the City of Port Lavaca, Texas, convened in regular session at 6:30 p.m. at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas, with the following members in attendance:

Jack Whitlow	Mayor
Jerry Smith	Councilman, District 1
Tim Dent	Councilman, District 2
Lee Rivera	Councilman, District 3
Rosie G. Padron	Councilwoman, District 4
Jim Ward	Councilman, District 5
Ken Barr	Councilman, District 6, Mayor Pro Tem

And with the following absent:

None

Constituting a quorum for the transaction of business, at which time the following business was transacted:

#### **CALL TO ORDER**

- Mayor Whitlow called the meeting to order at 6:37 P.M. and presided.
- Councilman Ward gave the invocation.
- Mayor Whitlow led the pledge of allegiance to the American and Texas flags.
- Mayor asked for comments from the public and there were none.

#### **CONSENT AGENDA:**

- (A) **MINUTES OF SEPTEMBER 12, 2016 REGULAR MEETING**
- (B) **MINUTES OF SEPTEMBER 26, 2016 WORKSHOP AND SPECIAL MEETING**
- (C) **PAYMENT OF INVOICES EXCEEDING \$1,500**

Councilman Rivera made a motion to pass the following:

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

THAT, in accordance with recommendation of staff, Council hereby approves all consent agenda items as listed.

Councilman Barr seconded said motion

Motion passed by the following vote:

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

NAYS: None

**CONSIDER AND TAKE ACTION ON AN ORDINANCE (G-11-16) AUTHORIZING THE ISSUANCE OF CITY OF PORT LAVACA, TEXAS GENERAL OBLIGATION REFUNDING BOND, SERIES 2016; AUTHORIZING CERTAIN PARAMETERS FOR THE BOND; AUTHORIZING THE REDEMPTION PRIOR TO MATURITY OF CERTAIN OUTSTANDING OBLIGATIONS; AUTHORIZING THE CITY MANAGER OR DIRECTOR OF FINANCE AS PRICING OFFICER TO APPROVE THE AMOUNT, THE INTEREST RATE, PRICE, AND TERMS THEREOF AND CERTAIN OTHER PROCEDURES AND PROVISIONS RELATED THERETO; AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING OBLIGATIONS AND THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT; AND ENACTING OTHER PROVISIONS RELATING TO THE PURPOSES OF THIS ORDINANCE**

Mayor Whitlow read for the first and final reading:

CONSIDER AND TAKE ACTION ON AN ORDINANCE (G-11-16) AUTHORIZING THE ISSUANCE OF CITY OF PORT LAVACA, TEXAS GENERAL OBLIGATION REFUNDING BOND, SERIES 2016; AUTHORIZING CERTAIN PARAMETERS FOR THE BOND; AUTHORIZING THE REDEMPTION PRIOR TO MATURITY OF CERTAIN OUTSTANDING OBLIGATIONS; AUTHORIZING THE CITY MANAGER OR DIRECTOR OF FINANCE AS PRICING OFFICER TO APPROVE THE AMOUNT, THE INTEREST RATE, PRICE, AND TERMS THEREOF AND CERTAIN OTHER PROCEDURES AND PROVISIONS RELATED THERETO; AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING OBLIGATIONS AND THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT; AND ENACTING OTHER PROVISIONS RELATING TO THE PURPOSES OF THIS ORDINANCE

Robert V. Henderson, Managing Director of RBC Capital Markets, LLC, and Gregory Miller, Bond Attorney with the Law Firm of Bickerstaff Heath Delgado Acosta LLP, were in attendance and briefed Council on the preliminary refunding analysis his company had produced relating to an ordinance for General Obligation Refunding Bonds, Series 2016, a full copy which is on file in the office of the City Secretary.

Councilman Dent made a motion

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

THAT Council hereby approves and adopts said ordinance (G-11-16) relating to General Obligation Refunding Bonds, Series 2016, on this its first and final reading.

BE IT FURTHER RESOLVED, that the Mayor, City Secretary, City Manager and Finance Director are hereby authorized to execute all instruments necessary to effect the ordinance.

Councilman Barr seconded said motion

Motion passed by the following vote:

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

NAYS: None

**CONSIDER RECOMMENDATION OF THE PLANNING BOARD FOR A FINAL PLAT OF BUSH'S PORT LAVACA SUBDIVISION, PORTION OF LOT 1C, VOLUME Z, PAGE 580**

Building Official Byron Smith advised Council that this is the final plat of Bush's Port Lavaca Subdivision, portion of lot 1C, volume Z, page 580. He stated the Planning Board had approved the final plat and staff concurs.

Councilman Barr made a motion to pass the following:

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

THAT, in accordance with the recommendation of the Planning Board and staff, Council hereby approves the final plat of Bush's Port Lavaca Subdivision, portion of lot 1C, volume Z, page 580.

Councilman Ward seconded said motion

Motion passed by the following vote:

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

NAYS: None



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

- **TO DISCUSS PERSONNEL MATTERS IN ACCORDANCE WITH TITLE 5, SECTION 551.074 OF THE TEXAS GOVERNMENT CODE (TO DISCUSS APPOINTMENT, EMPLOYMENT, EVALUATION, RESPONSIBILITIES AND DUTIES, REASSIGNMENT, DISCIPLINE OR DISMISSAL OF AN OFFICER OR EMPLOYEE, OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE [POLICE CHIEF])**

Mayor Whitlow announced that Council would retire into closed session at 7:00 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 7:46 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

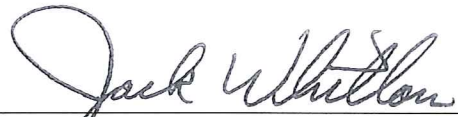
Councilwoman Padron seconded said motion

Motion passed by the following vote:

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

NAYS: None

Meeting adjourned at 7:49 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, OCTOBER 10, 2016 BEGINNING AT 6:30 P.M., AT THE REGULAR MEETING PLACE IN COUNCIL CHAMBERS AT CITY HALL, 202 NORTH VIRGINIA STREET, PORT LAVACA, TEXAS TO CONSIDER THE FOLLOWING ITEMS OF BUSINESS:

THE FOLLOWING ITEM WILL BE ADDRESSED AT THIS OR ANY OTHER MEETING OF THE CITY COUNCIL UPON THE REQUEST OF THE MAYOR, ANY MEMBER(S) OF COUNCIL AND/OR THE CITY ATTORNEY:

*ANNOUNCEMENT BY THE MAYOR THAT COUNCIL WILL RETIRE INTO CLOSED SESSION FOR CONSULTATION WITH CITY ATTORNEY ON MATTERS IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE OPEN MEETINGS ACT (TITLE 5, CHAPTER 551, SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE).*

*(All matters listed under the Consent Agenda item are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.)*

- CALL TO ORDER
- INVOCATION
- PLEDGE OF ALLEGIANCE
- PRESENTATIONS BY THE MAYOR:
- 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 SEPTEMBER 12, 2016 REGULAR MEETING
  - (B) MINUTES OF SEPTEMBER 26, 2016 WORKSHOP AND SPECIAL MEETING
  - (C) PAYMENT OF INVOICES EXCEEDING \$1,500

2. CONSIDER AND TAKE ACTION ON AN ORDINANCE (G-11-16) AUTHORIZING THE ISSUANCE OF CITY OF PORT LAVACA, TEXAS GENERAL OBLIGATION REFUNDING BOND, SERIES 2016; AUTHORIZING CERTAIN PARAMETERS FOR THE BOND; AUTHORIZING THE REDEMPTION PRIOR TO MATURITY OF CERTAIN OUTSTANDING OBLIGATIONS; AUTHORIZING THE CITY MANAGER OR DIRECTOR OF FINANCE AS PRICING OFFICER TO APPROVE THE AMOUNT, THE INTEREST RATE, PRICE, AND TERMS THEREOF AND CERTAIN OTHER PROCEDURES AND PROVISIONS RELATED THERETO; AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING OBLIGATIONS AND THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT; AND ENACTING OTHER PROVISIONS RELATING TO THE PURPOSES OF THIS ORDINANCE
3. CONSIDER RECOMMENDATION OF THE PLANNING BOARD FOR A FINAL PLAT OF BUSH'S PORT LAVACA SUBDIVISION, PORTION OF LOT 1C, VOLUME Z, PAGE 580
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 [POLICE CHIEF])
5. 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, OCTOBER 10, 2016, BEGINNING AT 6:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 5:00 P.M. WEDNESDAY, OCTOBER 05, 2016.

MANDY GRANT,  
CITY SECRETARY



*The Port Lavaca City Hall and Council Chambers are wheelchair accessible. Access to the building is available at the primary north entrance facing Mahan Street. Special parking spaces are located in the Mahan Street parking area. In compliance with the Americans with Disabilities Act, the City of Port Lavaca will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact City Secretary Mandy Grant at (361) 552-9793 Ext. 230 for assistance.*