

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

On this the 14<sup>th</sup> day of November, 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 6:33 P.M. and presided.
- Floyd Felder gave the invocation.
- Mayor Whitlow led the pledge of allegiance to the American and Texas flags.
- Mayor asked for comments from the public and the following person spoke:
  - Mike Hendrickson – 201 Berwick Place      Port Lavaca, Texas  
Commented about a yellow house left of 317 Charlotte Street needing to be demolished.

### **CONSENT AGENDA:**

- (A) **MINUTES OF OCTOBER 10, 2016 REGULAR MEETING**
- (B) **MINUTES OF OCTOBER 24, 2016 WORKSHOP/SPECIAL MEETING**
- (C) **PAYMENT OF INVOICES EXCEEDING \$1,500**

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 all consent agenda items as listed.

Councilman Smith seconded said motion

Motion passed by the following vote:

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

NAYS: None

**CONSIDER REQUEST OF OUR LADY OF THE GULF CATHOLIC CHURCH FOR TRAFFIC CONTROL AND WAIVER OF FEES FOR THEIR FOURTH ANNUAL "EUCHARISTIC PROCESSION PARADE" ON SUNDAY, NOVEMBER 20, 2016 BEGINNING AT 6:00 P.M. AND WAIVER OF ANY FEES FOR THIS EVENT**

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 Council hereby grants the request of Our Lady of the Gulf Catholic Church to have their fourth annual Eucharistic Procession parade on Sunday, November 20, 2016, assistance with traffic control and also waives all applicable fees in connection with this event.

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 CHAMBER OF COMMERCE FOR CLOSING OF SEVERAL STREETS, TRAFFIC CONTROL AND WAIVER OF FEES FOR THE ANNUAL "LIGHTED CHRISTMAS PARADE" ON THURSDAY, DECEMBER 08, 2016, BEGINNING AT 6:30 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, in accordance with the recommendation of staff, Council hereby approves the request of the Chamber of Commerce to hold their annual Lighted Christmas Parade on Thursday, December 08, 2016 and hereby waives all applicable permit fees associated with the event.

Councilman Smith seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER APPOINTMENT OF MEMBERS TO VARIOUS GOLDEN CRESCENT REGIONAL PLANNING COMMISSION (GCRPC) COMMITTEES:**

- (A) **(RHSAC) REGIONAL HOMELAND SECURITY ADVISORY COMMITTEE**
- (B) **(REDAC) REGIONAL ECONOMIC DEVELOPMENT ADVISORY COMMITTEE**
- (C) **(REFAC) REGIONAL ENVIRONMENTAL RESOURCES ADVISORY COMMITTEE**

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 appoints Joe Reyes, Jr., Fire Chief (to replace Brandon Riedel, formerly of the Police Dept) to the Regional Homeland Security Advisory Committee (RHSAC) of the Golden Crescent Regional Planning Committee, representing the City of Port Lavaca, to finish a term until Delegate is replaced; and

THAT Council hereby appoints Robert Bradshaw, City Manager (to replace Bob Turner, former City Manager) to the Regional Economic Development Advisory Committee (REDAC) of the Golden Crescent Regional Planning Committee, representing the City of Port Lavaca, to finish a term until Delegate is replaced; and

THAT Council hereby appoints Oscar Pena, Interim Public Works Director (to replace Darren Gurley, former Public Works Director) to the Regional Environmental Resources Advisory Committee (RERAC) of the Golden Crescent Regional Planning Committee, representing the City of Port Lavaca, to finish a term until Delegate is replaced.



Councilman Rivera seconded said motion

Motion passed by the following vote:

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

NAYS: None

**CONSIDER PURCHASE OF SECURITY EQUIPMENT FOR THE MUNICIPAL COURT CHAMBERS FROM THE COURT BUILDING SECURITY FUND**

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 authorizes the use of the Municipal Court Building Security Fund 113, as per Ordinance No. S-13-07, to purchase a newer model and handicap assessable walk-thru metal detector and two (2) wands for security measures at Municipal Court.

Councilman Dent 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 REQUEST FROM URBAN ENGINEERING FOR TRAVIS MIDDLE SCHOOL FOR A VARIANCE FROM THE 2012 INTERNATIONAL PLUMBING CODE (IPC)**

Building Official Smith advised Council that he was asking for approval from a request from Urban Engineering for a variance from the 2012 International Plumbing Code (IPC) to allow a pipe slope of .33 for the sanitary sewer on the grounds of Travis Middle School in lieu of the required .50 slope required. He said a slope of .33 is allowed by the Texas Commission on Environmental Quality (TCEQ) for public utilities sanitary sewer piping installations. He stated the Planning Board had approved the request and he concurred.

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 the Planning Board and staff, Council hereby authorizes the request from Urban Engineering for a variance from the 2012 International Plumbing Code (IPC) to allow a pipe slope of .33 for the sanitary sewer on the grounds of Travis Middle School in lieu of the required .50 slope required.

Councilman Ward seconded said motion

Motion passed by the following vote:

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

NAYS: None

**CONSIDER REQUEST FROM THE FIRE DEPARTMENT TO DECLARE CITY PROPERTY SURPLUS AND AUTHORIZE THE DONATION OF SAME**

Fire Chief Reyes advised Council that the City of Port Lavaca Fire Department has in its inventory nine (9) used Scott Air Packs NXG2 and ten (10) SCBA Cylinders which have recently been replaced with new ones. Since the City has no use for the old Air Packs, staff recommends that it be declared surplus and donated to Texas A&M Forest Service Helping Hands Program, which will in turn donate to the Six Mile Volunteer Fire Department. He also stated that by donating to a State Agency, the City will not have to pay certification on this property before disposing of it. He said staff recommended approval of listed items as surplus and authorize donation of same.

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 and declares the list of items presented as surplus and authorizes entering into a consignment agreement between the City and G. T. Distributors, Inc. for disposal of such property.

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

Councilman Ward seconded said motion

Motion passed by the following vote:

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

NAYS: None

**CONSIDER SECOND AND FINAL READING OF ORDINANCE NO. S-3-16 AN AMENDMENT TO CITY OF PORT LAVACA ORDINANCE (S-4-98) CODIFIED IN THE CODE OF ORDINANCES AS CHAPTER 32 PARKS AND RECREATION, ARTICLE II, RECREATION AND PARKS BOARD, SECTION 32-19 CREATED; RESIDENCY REQUIREMENT; COMPENSATION AND EXPANSION ON NUMBER OF MEMBERS**

Mayor Whitlow read the following:

CONSIDER SECOND AND FINAL READING OF ORDINANCE NO. S-3-16 AN AMENDMENT TO CITY OF PORT LAVACA ORDINANCE (S-4-98) CODIFIED IN THE CODE OF ORDINANCES AS CHAPTER 32 PARKS AND RECREATION, ARTICLE II, RECREATION AND PARKS BOARD, SECTION 32-19 CREATED; RESIDENCY REQUIREMENT; COMPENSATION AND EXPANSION ON NUMBER OF MEMBERS

Councilman Rivera 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 (S-3-16) with changes to read from “not less than five (5) nor more than seven (7) members” to “not less than five (5) nor more than nine (9) members” on this its second and final reading.

Councilwoman Padron seconded said motion

Motion passed by the following vote:

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

NAYS: None

**CONSIDER APPOINTMENTS OF MEMBERS TO THE PARKS AND RECREATION BOARD TO SERVE A TWO (2) YEAR TERM**

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 the Parks and Recreation Board and staff, Council hereby appoints the following seven (7) citizens to serve on the Parks and Recreation Board for a term of two (2) years:

1. Juan Cobos
2. Barbara David
3. Bill Harvey
4. Jeff Sabedra
5. Chris Scroggs
6. Patty Weaver
7. Ross Stapp

Councilman Rivera 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 6:35 p.m.

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

Mayor Whitlow announced City Council was returning to open session at 6:47 p.m.

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 the recommendation the City Manager, Council hereby appoints Colin Rangnow as the new Police Chief for the City of Port Lavaca at a salary determined by the City Manager.

Councilman Barr seconded said motion

Motion passed by the following vote:

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

NAYS: None

### **ADJOURN**

Councilman Barr made a motion to adjourn the meeting

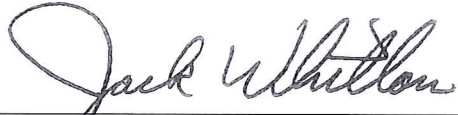
Councilman Ward seconded said motion

Motion passed by the following vote:

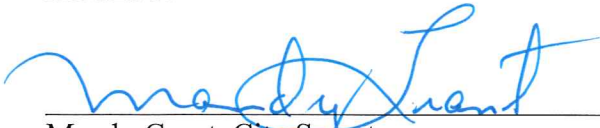
AYES: Smith, Dent, Rivera, Padron, Ward and Barr

NAYS: None

Meeting adjourned at 7:27 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, NOVEMBER 14, 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 OCTOBER 10, 2016 REGULAR MEETING
  - (B) MINUTES OF OCTOBER 24, 2016 WORKSHOP AND SPECIAL MEETING
  - (C) PAYMENT OF INVOICES EXCEEDING \$1,500
2. CONSIDER REQUEST OF OUR LADY OF THE GULF CATHOLIC CHURCH FOR TRAFFIC CONTROL AND WAIVER OF FEES FOR THEIR FOURTH ANNUAL "EUCHARISTIC PROCESSION PARADE" ON SUNDAY, NOVEMBER 20, 2016 BEGINNING AT 6:00 P.M. AND WAIVER OF ANY FEES FOR THIS EVENT
3. CONSIDER REQUEST OF THE CHAMBER OF COMMERCE FOR CLOSING OF SEVERAL STREETS, TRAFFIC CONTROL AND WAIVER OF FEES FOR THE ANNUAL "LIGHTED CHRISTMAS PARADE" ON THURSDAY, DECEMBER 08, 2016, BEGINNING AT 6:30 P.M.
4. CONSIDER APPOINTMENT OF MEMBERS TO VARIOUS GOLDEN CRESCENT REGIONAL PLANNING COMMISSION (GCRPC) COMMITTEES:
  - (A) (RHSAC) REGIONAL HOMELAND SECURITY ADVISORY COMMITTEE
  - (B) (REDAC) REGIONAL ECONOMIC DEVELOPMENT ADVISORY COMMITTEE
  - (C) (REFAC) REGIONAL ENVIRONMENTAL RESOURCES ADVISORY COMMITTEE
5. CONSIDER PURCHASE OF SECURITY EQUIPMENT FOR THE MUNICIPAL COURT CHAMBERS FROM THE COURT BUILDING SECURITY FUND
6. CONSIDER RECOMMENDATION OF THE PLANNING BOARD FOR A REQUEST FROM URBAN ENGINEERING FOR TRAVIS MIDDLE SCHOOL FOR A VARIANCE FROM THE 2012 INTERNATIONAL PLUMBING CODE (IPC)
7. CONSIDER REQUEST FROM THE FIRE DEPARTMENT TO DECLARE CITY PROPERTY SURPLUS AND AUTHORIZE THE DONATION OF SAME
8. CONSIDER SECOND AND FINAL READING OF ORDINANCE NO. S-3-16 AN AMENDMENT TO CITY OF PORT LAVACA ORDINANCE (S-4-98) CODIFIED IN THE CODE OF ORDINANCES AS CHAPTER 32 PARKS AND RECREATION, ARTICLE II, RECREATION AND PARKS BOARD, SECTION 32-19 CREATED; RESIDENCY REQUIREMENT; COMPENSATION AND EXPANSION ON NUMBER OF MEMBERS

9. CONSIDER APPOINTMENTS OF MEMBERS TO THE PARKS AND RECREATION BOARD TO SERVE A TWO (2) YEAR TERM
10. 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])
11. RETURN TO OPEN SESSION AND TAKE ANY ACTION DEEMED NECESSARY WITH REGARD TO MATTERS DISCUSSED IN CLOSED SESSION

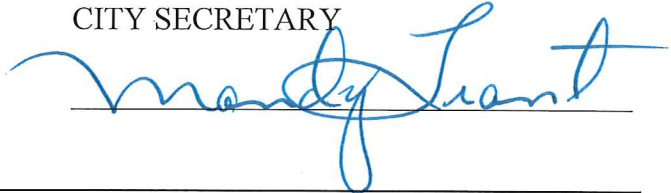
ADJOURN

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, NOVEMBER 14, 2016, BEGINNING AT 6:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 5:00 P.M. THURSDAY, NOVEMBER 10, 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.*