

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

On this the 22nd day of January, 2018, the City Council of the City of Port Lavaca, Texas, convened in a special meeting 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
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 special meeting to order at 5:40 P.M. and presided.

PUBLIC COMMENTS:

- Mr. Bobby Petty, Small Business Administration (SBA) gave an update to City Council as to time line on their office being open at the Calhoun County Library.

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

CONSIDER RATE INCREASE FROM ALLIED WASTE SERVICES OF TEXAS//REPUBLIC SERVICE OF CORPUS CHRISTI (AW) IN ACCORDANCE WITH SECTION 10 OF THE SOLID WASTE COLLECTION AND DISPOSAL CONTRACT WITH THE CITY OF PORT LAVACA

Mr. Mike Reeves, Municipal Services Manager for Republic Services, advised Council that in accordance with Section 10 of the Solid Waste Collection and Disposal Contract between Allied Waste Services of Texas/Republic Service of Corpus Christi (AW) and the City of Port Lavaca, AW submitted a comparative statement reflecting a 2.30% increase in the solid waste rates to become effective February 01, 2018.

He said the Base Residential Rate in December 01, 2017 was \$16.04 and after applying the modified rate percentage, the new rate is \$16.41. The commercial and industrial rates will also be increased by the same percentage (2.30%).

He said AW will consider waiving the residential increase for the 2018 year if the City approves a change to the Water/Sewer/Trash Index, or a fixed CPI rate of 3.00% effective February 01, 2018. He said if the city chooses to do so, there would be no CPI for both residential and commercial from February 01, 2019 through 2022.

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 proposal of Allied Waste Services of Texas/Republic Service of Corpus Christi (AW) in the following manner:

For consideration of the City approving a change to the Water/Sewer/Trash Index, or a fixed CPI rate of 3.00% effective rates will be as follow until 2022:

February 01, 2018 2.30% rate increase for **Commercial** Customers only; and
No rate increase for **Residential** Customers.

February 01, 2019 through 2022 3.00% Fixed CPI Rate is effective; and
No rate increase for both **Residential** and **Commercial** Customers.

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

Councilman Smith seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER AND DISCUSS RED LIGHT CAMERA TRAFFIC SYSTEM

Police Chief Rangnow advised City Council the contract between the City of Port Lavaca and RedFlex Photographic Enforcement Systems expires on January 29, 2018 at midnight. He commented the cameras would stay for one hundred twenty (120) days after contract expired. He also said they should be removed within thirty (30) days afterwards, according to the terms.

He said the City has remained in a cost neutrality status throughout the duration of the program. He advised Council to discuss the termination plan and determine if the City should renew or terminate the contract.

Councilman Smith 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 authorizes allowing the contract between the City of Port Lavaca and RedFlex Photographic Enforcement Systems to automatically terminate on January 29, 2018 at midnight in accordance with the terms within the termination contract.

Councilwoman Regan seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER AWARD OF THE BANK DEPOSITORY CONTRACT FOR CITY FUNDS

Finance Director Mason advised that three (3) requests for proposals (RFP's) for Bank Depository Contract were received and opened on January 09, 2018 by staff and the Finance Committee. Participating Banks were First National Bank, Prosperity Bank and IBC. Staff recommends the City should stay with First National Bank, the current depository, for a five (5) year period beginning February 01, 2018 and ending January 31, 2023.

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 awards the Bank Depository Contract for City funds to First National Bank in Port Lavaca for a five (5) year period beginning February 01, 2018 and ending January 31, 2023, in accordance with the terms of its Depository Bank Proposal, a copy of which is on file in the office of the City Secretary and reference to which is here made for all purposes.

Councilwoman Regan seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER APPROVAL OF QUARTERLY INVESTMENT REPORTS FOR
QUARTER ENDING SEPTEMBER 30, 2017**

Finance Director Mason presented Council with the quarterly investment report as of September 30, 2017, a copy of which is in the office of the Finance Director.

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 quarterly investment reports as of September 30, 2017, as presented.

Councilman Barr seconded this motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER RECOMMENDATION OF PLANNING BOARD FOR VARIANCE TO
CODE OF ORDINANCE CHAPTER 26 MANUFACTURED HOUSING; SECTION 26-6
MANUFACTURED HOUSING PARKS; (3) NEW OR EXPANDING MANUFACTURED
HOUSING PARKS CONSTRUCTION; (D) (10) REGARDING THE REQUIREMENT
FOR A SIX (6) FT PERIMETER PRIVACY FENCE**

City Engineer/Director Community and Economic Development Jody Weaver advised City Council that Mr. Doug Jenson, owner of Lakeside RV Resort is requesting a variance to the fence ordinance in the Code of Ordinance Chapter 26 Manufactured Housing; Section 26-6 Manufactured Housing Parks; (3) new or expanding manufactured housing parks construction; (d) (10) regarding the requirement for a six (6) foot perimeter privacy fence. She said Texas Lakeside RV Resort is a very attractive and well-maintained park with a grass berm and bushes planted along the public roads. She said the property line adjacent to Phase III also has a grassed berm and it is proposed that bushes will be planted on this berm in lieu of any fencing. She said the Planning Board approved the variance request and staff concurs.

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 recommendation of Planning Board and staff, Council hereby approves request of Lakeside RV Resort. for variance to the fence ordinance in the Code of Ordinance Chapter 26 Manufactured Housing; Section 26-6 Manufactured Housing Parks; (3) new or expanding manufactured housing parks construction; (d) (10) regarding the requirement for a six (6) foot perimeter privacy fence.

Councilman Ward seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER RECOMMENDATION OF PLANNING BOARD FOR VARIANCE TO CODE OF ORDINANCE CHAPTER 26 MANUFACTURED HOUSING; SECTION 26-8 RECREATIONAL VEHICLE PARKS; (B) EXCEPTIONS; (4) MINIMUM SPACES SHALL BE 20 FEET BY 70 FEET

City Engineer/Director Community and Economic Development Jody Weaver advised City Council that Mr. Doug Jenson, owner of Lakeside RV Resort is requesting a variance to the proposed RV spaces in the Code of Ordinance Chapter 26 Manufactured Housing; Section 26-8 Recreational Vehicle Parks; (B) Exceptions; (4) minimum spaces shall be twenty (20 feet by seventy (70) feet. She said the Planning Board approved the variance request and staff concurs.

The proposed RV spaces for Phase 3 of this existing RV Park are recommended as follow:

- Along the sixty (60) degree angle of the space:
Twenty-five ft. (25') wide with a length of forty-eight and one-half ft. (48.5')
Each space has twenty ft. (20') wide pavement for the RV and vehicular parking and a five ft. (5') grass strip
- The back-in spaces are proposed to be restricted to RV's or motor homes with an overall length of no more than forty ft. (40')
- The pull thru spaces are proposed to be restricted for use by RV' or motor homes with an overall length of thirty-six ft. (36') or less, so as not to encroach near the road on either end of the space.

- The twenty ft. (20') width of pavement will provide two (2) vehicular parking spots at each RV space next to the RV.
- Parking within the access roads is forbidden by Park rules. The existing park has multiple spaces that will easily accommodate the maximum size RV's and motor homes of 45 ft. in length.

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 Lakeside RV Resort for variance to the proposed RV spaces in the Code of Ordinance Chapter 26 Manufactured Housing; Section 26-8 Recreational Vehicle Parks; (B) Exceptions; (4) minimum spaces shall be twenty (20 feet by seventy (70) feet and instead will vary as follows:

The proposed RV spaces for Phase 3 of this existing RV Park are recommended as follow:

- Along the sixty (60) degree angle of the space:
Twenty-five ft. (25') wide with a length of forty-eight and one-half ft. (48.5')
Each space has twenty ft. (20') wide pavement for the RV and vehicular parking and a five ft. (5') grass strip
- The back-in spaces are proposed to be restricted to RV's or motor homes with an overall length of no more than forty ft. (40')
- The pull thru spaces are proposed to be restricted for use by RV' or motor homes with an overall length of thirty-six ft. (36') or less, so as not to encroach near the road on either end of the space.
- The twenty ft. (20') width of pavement will provide two (2) vehicular parking spots at each RV space next to the RV.
- Parking within the access roads is forbidden by Park rules. The existing park has multiple spaces that will easily accommodate the maximum size RV's and motor homes of 45 ft. in length.

Councilman Barr seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER CITY FUND BALANCE, RESERVES, ESPENSES AND PROJECTED COST RELATED TO HURRICANE HARVEY

Interim City Manager Dilibero passed out a spreadsheet for Hurricane expenditures and reserve comparisons.

No action needed and none taken.

REVIEW REPORT AND DISCUSS OPTIONS FOR THE REPAIR OF THE BAUER COMMUNITY CENTER AND CONSIDER AUTHORIZING STAFF TO MOVE FORWARD WITH REPAIRS AS DISCUSSED

City Engineer/Director Community and Economic Development Jody Weaver and Brian Parker, Project Manager for Rawley McCoy and Associates PLLC (RMA), an Architect and Interior Designer firm, advised City Council that they had some interior renovation base budget estimates and the scope of work is approximately to six hundred eighty-eight thousand seven hundred forty -three dollars and no cents (\$688,743.00).

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 Interim City Manager Dilibero to proceed and move forward with Urban Engineering to begin the bidding process for contracting work to rebuild the Bauer Community Center within the scope of approximately six hundred eighty-eight thousand seven hundred forty -three dollars and no cents (\$688,743.00).

Councilman Barr seconded this motion.

Motion passed by the following vote:

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

NAYS: None

CONSIDER AWARDING A CONTRACT TO GRIND AND POLISH THE CONCRETE FLOOR AT THE BAUER COMMUNITY CENTER IN LIEU OF VINYL TILE

City Engineer/Director Community and Economic Development Jody Weaver advised City Council there had only been one (1) bid received and it was from Texas Concrete Effects for the purpose of grinding and polishing the concrete floor at the Bauer Community Center, in lieu of vinyl tile, in the sum of eighty-one thousand seven hundred forty -five dollars and no cents (\$81,745.00). She said staff recommends awarding this contract to Texas Concrete Effects.

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 a contract to Texas Concrete Effects for the purpose of grinding and polishing the concrete floor at the Bauer Community Center, in lieu of vinyl tile, in the sum of eighty-one thousand seven hundred forty -five dollars and no cents (\$81,745.00).

Councilman Barr seconded this 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 ECONOMIC DEVELOPMENT NEGOTIATIONS IN ACCORDANCE WITH SECTION 551.087 OF THE TEXAS GOVERNMENT CODE**

Mayor Whitlow announced that Council would retire into closed session at 7:24 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 7:41 p.m.

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 authorizes the Interim City Manager, City Attorney and City Engineer to proceed with the Ad Valorem Tax Rebate Agreement with the Developer as presented to Council.

Councilman Ward seconded this motion.

Motion passed by the following vote:

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

NAYS: None

ADJOURN

Councilman Barr made a motion to adjourn the meeting

Councilwoman Regan seconded said motion

Motion passed by the following vote:

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

NAYS: None

Meeting adjourned at 7:45 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 SPECIAL MEETING ON MONDAY, JANUARY 22, 2018, BEGINNING AT 5:30 P.M. AT THE REGULAR MEETING PLACE IN COUNCIL CHAMBERS, AT CITY HALL, 202 N. 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 COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS MAY BE IN CONFLICT WITH 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

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

1. CONSIDER RATE INCREASE FROM ALLIED WASTE SERVICES OF TEXAS//REPUBLIC SERVICE OF CORPUS CHRISTI (AW) IN ACCORDANCE WITH SECTION 10 OF THE SOLID WASTE COLLECTION AND DISPOSAL CONTRACT WITH THE CITY OF PORT LAVACA
2. CONSIDER AND DISCUSS RED LIGHT CAMERA TRAFFIC SYSTEM
3. CONSIDER AWARD OF THE BANK DEPOSITORY CONTRACT FOR CITY FUNDS
4. CONSIDER APPROVAL OF QUARTERLY INVESTMENT REPORTS FOR QUARTER ENDING SEPTEMBER 30, 2017

5. CONSIDER RECOMMENDATION OF PLANNING BOARD FOR VARIANCE TO CODE OF ORDINANCE CHAPTER 26 MANUFACTURED HOUSING; SECTION 26-6 MANUFACTURED HOUSING PARKS; (3) NEW OR EXPANDING MANUFACTURED HOUSING PARKS CONSTRUCTION; (D) (10) REGARDING THE REQUIREMENT FOR A SIX (6) FT PERIMETER PRIVACY FENCE
6. CONSIDER RECOMMENDATION OF PLANNING BOARD FOR VARIANCE TO CODE OF ORDINANCE CHAPTER 26 MANUFACTURED HOUSING; SECTION 26-8 RECREATIONAL VEHICLE PARKS; (B) EXCEPTIONS; (4) MINIMUM SPACES SHALL BE 20 FEET BY 70 FEET
7. CONSIDER CITY FUND BALANCE, RESERVES, ESPENSES AND PROJECTED COST RELATED TO HURRICANE HARVEY
8. REVIEW REPORT AND DISCUSS OPTIONS FOR THE REPAIR OF THE BAUER COMMUNITY CENTER AND CONSIDER AUTHORIZING STAFF TO MOVE FORWARD WITH REPAIRS AS DISCUSSED
9. CONSIDER AWARDING A CONTRACT TO GRIND AND POLISH THE CONCRETE FLOOR AT THE BAUER COMMUNITY CENTER IN LIEU OF VINYL TILE

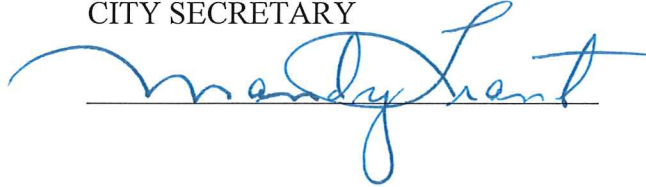
ADJOURN

JACK WHITLOW, MAYOR

CERTIFICATION OF POSTING NOTICE

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING NOTICE OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS, TO BE HELD ON MONDAY, JANUARY 22, 2018 BEGINNING AT 5:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 5:00 P.M., TUESDAY, JANUARY 16, 2018.

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.

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, JANUARY 22, 2018, BEGINNING AT 5:30 P.M., IN COUNCIL CHAMBERS AT CITY HALL, 202 NORTH VIRGINIA STREET, PORT LAVACA, TEXAS:

10. ANNOUNCEMENT BY MAYOR THAT CITY COUNCIL WILL RETIRE INTO CLOSED SESSION:
 - TO DISCUSS ECONOMIC DEVELOPMENT NEGOTIATIONS IN ACCORDANCE WITH SECTION 551.087 OF THE TEXAS GOVERNMENT CODE
11. RETURN TO OPEN SESSION AND TAKE ANY ACTION DEEMED NECESSARY WITH REGARD TO MATTERS DISCUSSED IN CLOSED SESSION

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, JANUARY 22, 2018, BEGINNING AT 5:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 3:00 P.M., FRIDAY, JANUARY 19, 2018.

MANDY GRANT,
CITY SECRETARY

