

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

On this the 14<sup>th</sup> day of May, 2018, 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 6:35 P.M. and presided.
- Councilman Jim Ward gave the invocation.
- Mayor Whitlow led the pledge of allegiance to the American and Texas flags.
- Administer Oath of Office:
  - Juan Obregon\*   New Police Officer  
    *\*(correction to error in name: "Luke Arreguin - new police officer")*
- Promotions within the Police Department:
  - Alyssa Nichols           Detective
  - Cheyenne beaver       Corporal
- Announcements by the Mayor:
  - Proclamation - Motorcycle Safety and Awareness Month
  - June 9 as "Sweep into Summer and Cleanup Beautification Day"
- Mayor asked for comments from the public and there were none.

**CANVASS RETURNS OF MAY 05, 2018 CITY OF PORT LAVACA GENERAL OFFICERS ELECTION**

Records and materials regarding the May 5<sup>th</sup> 2018 General Election were presented by City Secretary Grant, to canvass the votes.

**Mayor of the City**  
*(Alcalde de la Ciudad)*

<b><u>Jack Whitlow</u></b>	Dist. 1	Dist. 2	Dist. 3	Dist. 4	Dist. 5	Dist. 6	Total
Early Voting <i>(Votando Temprano)</i>	48	77	12	27	52	45	261
Election Day <i>(Dia de Elección)</i>	13	33	19	3	24	27	119
Total Votes <i>(Votos Total)</i>	61	110	31	30	76	72	380

<b><u>Carl Baugh</u></b>	Dist. 1	Dist. 2	Dist. 3	Dist. 4	Dist. 5	Dist. 6	Total
Early Voting <i>(Votando Temprano)</i>	15	27	10	7	18	22	99
Election Day <i>(Dia de Elección)</i>	2	19	1	6	7	11	46
Total Votes <i>(Votos Total)</i>	17	46	11	13	25	33	145

<b>Proposition: For</b> <i>(Propósito: Para)</i>	Dist. 1	Dist. 2	Dist. 3	Dist. 4	Dist. 5	Dist. 6	Total
Early Voting <i>(Votando Temprano)</i>	52	88	17	25	50	51	283
Election Day <i>(Dia de Elección)</i>	11	45	14	6	25	33	134
Total Votes <i>(Votos Total)</i>	63	133	31	31	75	84	417

<b>Proposition: Against</b> <i>(Propósito: Contra)</i>	Dist. 1	Dist. 2	Dist. 3	Dist. 4	Dist. 5	Dist. 6	Total
Early Voting <i>(Votando Temprano)</i>	9	7	4	9	12	12	53
Election Day <i>(Día de Elección)</i>	1	8	5	3	3	2	22
Total Votes <i>(Votos Total)</i>	10	15	9	12	15	14	75

#### **COUNCIL MEMBER DISTRICT NO. 2**

*(Miembro del Consejo, Distrito No. 2)*

Candidate <i>(Candidato)</i>	Early Voting <i>(Votando Temprano)</i>	Election Day <i>(Día de Elección)</i>	Total Votes <i>(Votos Total)</i>
Bill Reagan	31	14	45
Tim Dent	74	38	112
Total Votes Cast #2	105	52	157

#### **COUNCIL MEMBER DISTRICT NO. 6**

*(Miembro del Consejo, Distrito No. 6)*

Candidate <i>(Candidato)</i>	Early Voting <i>(Votando Temprano)</i>	Election Day <i>(Día de Elección)</i>	Total Votes <i>(Votos Total)</i>
Ken Barr	59	29	88
Total Ballots Cast #6	59	29	88

#### **TOTAL NUMBER OF BALLOTS CAST IN THE MAY 05, 2018 ELECTION**

*(Número total de votos emitidos en las elecciones del 5 de Mayo del 2018)*

Election Date <i>(Fecha de Elección)</i>	Early Voting <i>(Votando Temprano)</i>	Election Day <i>(Día de Elección)</i>	Total Votes <i>(Votos Total)</i>
May 05, 2018 <i>(5 de Mayo del 2018)</i>	368	166	534

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, subject to each executing the statement of Elected Official and taking the official Oath of Office as provided by the laws of the State of Texas:

- The official canvass be accepted as presented; and
- That Jack Whitlow be declared duly elected as Council Member, Mayor; and
- That Tim Dent be declared duly elected as Council Member, Single District #2; and
- That Ken Barr be declared duly elected as Council Member, Single District #6.

Councilwoman Regan seconded said motion.

Motion passed by the following vote:

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

NAYS: None

Mayor Whitlow announced that the duly elected Council Members for Mayor, District 2 and District 6 will execute the Statement of Elected Official and take their Oath of Office at the regular City Council meeting scheduled for Monday, June 11, 2018 at 6:30 p.m. and take their respective seat at Council table.

**CONSIDER RESOLUTION NO. R-051418-1E CERTIFYING RETURNS AND DECLARING CANDIDATES DULY ELECTED**

This agenda item was passed on to the next regular council meeting scheduled for June 11, 2018.

**CONSENT AGENDA:**

- (A) **MINUTES OF APRIL 09, 2018 REGULAR MEETING**
- (B) **MINUTES OF APRIL 23, 2018 SPECIAL MEETING**
- (C) **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 Smith seconded said motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER RESOLUTION NO. R-051418 -2 OF THE CITY OF PORT LAVACA FINDING THAT AEP TEXAS CENTRAL COMPANY'S APPLICATION FOR APPROVAL OF A DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED**

Councilman Barr made a motion to pass the following:

WHEREAS, the City of Port Lavaca, Texas ("City") is an electric utility customer of AEP Texas Inc. ("AEP" or "Company"), and a regulatory authority with an interest in the rates and charges of AEP; and

WHEREAS, the City is a member of the Cities Served by AEP ("Cities"), a membership of similarly situated cities served by AEP that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in AEP's service area; and

WHEREAS, on or about April 3, 2018 AEP filed with the City an Application to Amend its Distribution Cost Recovery Factor ("DCRF"), PUC Docket No. 48222, seeking to increase electric distribution rates by approximately \$3.1 million (an approximately \$800,000 decrease for the Central Division and \$3.9 million increase for the North Division); and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, Cities are coordinating its review of AEP's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and

WHEREAS, Cities members and attorneys recommend that members deny the DCRF.

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

Section 1. That the City is authorized to participate with Cities in PUC Docket No. 47015.

Section 2. That subject to the right to terminate employment at any time, the City of Port Lavaca hereby authorizes the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

Section 3. That the rates proposed by AEP to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 4. That the Company shall continue to charge its existing rates to customers within the City.

Section 5. That the City's reasonable rate case expenses shall be reimbursed in full by AEP within 30 days of presentation of an invoice to AEP.

Section 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 7. That a copy of this Resolution shall be sent to Melissa Gage, American Electric Power Service Corporation, 400 West 15<sup>th</sup> Street, Suite 1520, Austin, Texas 78701 and to Thomas Brocato, General Counsel to the Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

Councilwoman Regan seconded said motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER APPROVAL OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017, PRESENTED BY THE AUDIT FIRM OF HARRISON, WALDROP & UHEREK, L.L.P.**

Ms. Melissa Terry, CPA of the audit firm of Harrison, Waldrop & Uherek, LLP, presented City Council with the Comprehensive Annual Financial Report (CAFR) by the for the fiscal year ending September 30, 2017 and said that the City has received a clean audit.

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 accepts the Comprehensive Annual Financial Report (CAFR) from the September 30, 2017 Fiscal Year, as presented.

Councilman Ward seconded said motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER AUDIT ENGAGEMENT LETTER FROM HARRISON, WALDROP & UHEREK, L.L.P. FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018**

Finance Director Mason advised Council this was a standard engagement letter from Harrison, Waldrop & Uherek, LLP to perform the City's audit for the fiscal year ending September 30, 2018. She said this is the 9th year this firm had done the audit and the \$30,000.00 fee is the same as previous years. Staff recommends accepting the engagement letter.

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 entering into a contract with Harrison, Waldrop & Uherek, LLP to perform the City's audit for the fiscal year ending September 30, 2018 for the sum of \$29,850 and fees for any additional services provided outside the scope of the audit, will be billed based upon firm's standard hourly rates, in accordance with the terms of the contract presented, a copy of which is on file in the office of the City Secretary.

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, Regan, Padron, Ward and Barr

NAYS: None



**CONSIDER RENEWAL OF AGREEMENT BETWEEN RBC CAPITAL MARKETS CORPORATION (ROBERT HENDERSON AND R. DUSTIN TRAYLOR) AND THE CITY OF PORT LAVACA FOR FINANCIAL ADVISORS**

Mr. Robert V. Henderson, of RBC Capital Markets, LLC ("RBC CM"), advised Council RBC would like to renew an agreement with the City as Municipal Financial Advisors which expired December 2017. He said RBC has done business with the City in that capacity since October 14, 2002. He also said it is an at-will contract and there are no changes in fees. His associate is Mr. R. Dustin Traylor.

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 entering into an agreement with RBC Capital Markets, LLC ("RBC CM") as Municipal Advisors for the City of Port Lavaca, in accordance with the terms of the contract presented, a copy of which is on file in the office of the City Secretary.

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

Councilwoman Padron seconded said motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER REQUEST OF CALHOUN COUNTY CITIZENS IN ACTION (CCIA) FOR USE OF GEORGE ADAMS PARK ON JUNE 15, 16 AND JUNE 17, 2018 (FRIDAY-SUNDAY) FOR THE ANNUAL JUNETEENTH CELEBRATION, WAIVER OF FEES ASSOCIATED WITH THE EVENT; WITH THE EXCEPTION OF ALCOHOL IN PARK FEE**

Ms. Barbara Jean Williams, President of the Calhoun Citizens in Action (CCIA), sent a letter to the Council requesting use of the George Adams Park for the Juneteenth Celebration, to be held on June 15, 16, 17 and 18, 2018. Ms. Williams also asked to waive all applicable fees in connection with this event.

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 grants the request of the Calhoun Citizens in Action (CCIA) to utilize George Adams Park on June 15, 16, 17 and 18, 2018, to conduct the annual Juneteenth celebration and waives all applicable fees in connection with this event, with the exception of permit for Alcohol in the Park.

Councilwoman Padron 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 (G-4-18) TO MAKE AMENDMENTS TO THE ORDINANCE DESCRIBED IN THE CITY OF PORT LAVACA CODE OF ORDINANCES AS APPENDIX "A" – FEES, RATES AND CHARGES; CHAPTER 50 UTILITIES, SEC. 50-67, LARGE COMMERCIAL; AND ESTABLISHING AN EFFECTIVE DATE**

Mayor Whitlow read for the second and final reading:

CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (G-4-18) TO MAKE AMENDMENTS TO THE ORDINANCE DESCRIBED IN THE CITY OF PORT LAVACA CODE OF ORDINANCES AS APPENDIX "A" – FEES, RATES AND CHARGES; CHAPTER 50 UTILITIES, SEC. 50-67, LARGE COMMERCIAL; AND ESTABLISHING AN EFFECTIVE DATE

Councilman Dent made a motion

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

THAT Council hereby approves said ordinance (G-4-18) on this its 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

**REVIEW STAFF SCORES OF PROPOSALS RECEIVED AND CONSIDER A CONTRACT AWARD FOR COMMUNITY DEVELOPMENT BLOCK, GRANT (CDBG) - DISASTER RECOVERY GRANT ADMINISTRATION SERVICES**

Jody Weaver, City Engineer/Community & Economic Development, advised Council that she had advertised a Request for Proposals for Application and Administration Services for Disaster Recovery Community Development Block Grants (CDBG-DR). She said two proposals were received and they were scored and ranked by a committee comprised of herself, Bill Dilibero and Sandra Mason. Weaver said Grantworks does not charge application fees and no payment will be due them unless a grant award is made to the City. Staff recommends awarding the contract to Grantworks. The average scores for the two respondents are as follows:

Grantworks	Austin,	Texas	99.6
Traylor & Associates	Tyler,	Texas	86.0

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 an Administrative Services contract for these Community Development Block Grant Disaster Recovery (CDBG-DR), in accordance with the Request for Proposals, to Grantworks, once agreement is approved by City Attorney.

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

Councilwoman Padron seconded said motion.

Motion passed by the following vote:

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

NAYS: None

**REVIEW STAFF SCORES OF PROPOSALS RECEIVED AND CONSIDER A CONTRACT AWARD FOR HAZARD MITIGATION GRANT MANAGEMENT SERVICES**

Jody Weaver, City Engineer/Community & Economic Development, advised Council that she had advertised a Request for Proposals for Hazard Mitigation Assistance (HMA) Grants. She said two proposals were received and they were scored and ranked by a committee comprised of herself, Bill Dilibero and Sandra Mason.

Weaver said depending upon the scope and projected cost of the work of the application, Pre-Award fees for projects worth under \$2 million typically run from \$3,000 - \$7,000. Payment for Pre-Award services are due upon grant application submission to the State. Grantworks will assist the City in requesting reimbursement of the Pre-Award Services fee if the project is funded, though reimbursement is not guaranteed. No post award services will be charged unless a grant award is made to the City. Staff recommends awarding the contract to Grantworks. The average scores for the two respondents are as follows:

Grantworks	Austin,	Texas	99.0
Traylor & Associates	Tyler,	Texas	77.7

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 an Administrative Services contract for Hazard Mitigation Assistance (HMA) Grants, in accordance with the Request for Proposals, to Grantworks, once agreement is approved by City Attorney.

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

**REVIEW COST ESTIMATES PREPARED BY CIVILCORP, INC. FOR VARIOUS REPAIR/UPGRADE PROJECTS AT LIGHTHOUSE BEACH PARK AND CONSIDER AUTHORIZING ENGINEERING AND BIDDING PHASES FOR THE WORK**

Jody Weaver, City Engineer/Community & Economic Development, advised Council that last fall, the City solicited Qualifications for Engineers to perform engineering services associated with Hurricane Harvey Recovery projects. She said that as a result of that solicitation, CivilCorp was awarded a professional services contract for various projects including repairs and upgrades necessary at Lighthouse Beach Park. She gave Council a list of various repair projects required at Lighthouse Beach as a result of Hurricane Harvey, along with estimated costs for those repairs as well as a scope and estimated costs for consideration of additional upgrades. Also attached were photographs taken of some of these scope items.



She said staff is requesting authorization to issue Task Order No. 1 to CivilCorp to prepare a bid package for these needed repairs and upgrades.

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 issuance of Task Order No. 1 to CivilCorp to prepare a bid package for these needed repairs and upgrades at Lighthouse Beach Park, as presented.

Councilwoman Regan seconded said motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER REPEAL OF RESOLUTION NO. R-040918-2 TO SUPPORT AN APPLICATION FOR 2018-2019 ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) GRANT FUNDS; WHEREBY, SECTION 3 IS IN ERROR ON \$250,000 BEING SPECIFIED AMOUNT OF MINIMUM MATCHING FUNDS**

City Secretary Grant advised City Council there had been an error within Resolution No. R-040918-2 to support an application for 2018-2019 Economic Development Administration EDA) Grant funds; whereby, is as follows:

*Section 3. That minimum matching funds in the amount of \$250,000 in cash are committed by the City of Port Lavaca from the Port Commission Reserve fund should match funds not be committed toward the application activities; and*

The correct amount for minimum matching funds committed by the City should be **\$300,000 in cash** instead. Staff is recommending Resolution No. R-040918-2 be repealed in its entirety and a new resolution take its place, stating the correct amount.

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 repeals Resolution No. R-040918-2 in its entirety, because the minimum matching funds in the amount of \$250,000 in cash, shown in the resolution, are in error.

Councilman Ward seconded said motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER RESOLUTION NO. R-051418-3 TO SUPPORT AN APPLICATION FOR 2018-2019 ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) GRANT FUNDS; WHEREBY, SECTION 3 HAS \$300,000 BEING SPECIFIED AMOUNT OF MINIMUM MATCHING FUNDS**

Councilman Barr made a motion to pass the following:

WHEREAS, the City of Port Lavaca desires to maintain the Bulkhead at the Harbor of Refuge and expand economic opportunities; and

WHEREAS, certain grant funds are available as a result of impacts from Hurricane Harvey to facilitate the much-needed repairs of the Bulkhead at the Harbor of Refuge; and

WHEREAS, it is necessary and in the best interests of the City of Port Lavaca to apply for funding under the 2018 Economic Development Administration Grant Program.

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

Section 1. That a 2018 Economic Development Administration Grant Program application is hereby authorized to be filed with the Economic Development Administration in conjunction with the Golden Crescent Regional Planning Council for funding consideration under the 2018 Economic Development Administration Grant Program; and

Section 2. That the application be for up to \$1,250,000 of grant funds to repair the Bulkhead at the Harbor of Refuge in the City of Port Lavaca; and

Section 3. That minimum matching funds in the amount of \$300,000 in cash are committed by the City of Port Lavaca from the Port Commission Reserve fund should match funds not be committed toward the application activities; and

Section 4. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.

Section 5. That the Mayor is designated as the Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and participation in the Community Development Block Grant Program.

Councilman Smith seconded said motion.

Motion passed by the following vote:

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

NAYS: None

**PRESENTATION AND DISCUSSION OF PRELIMINARY FACILITY ANALYSIS BY GEXA ENERGY SOLUTIONS**

Mr. Marcus F. Johnson, Senior Solutions Consultant with Gexa Energy Solution made a presentation to the Council of a preliminary facility audit required to identify and quantify specific energy and facility conservation measures designed to reduce utility consumption at the City of Port Lavaca.

No action needed and none taken.

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

- **TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY, IN ACCORDANCE WITH CHAPTER 551, TITLE 5, SECTION 551.072 OF THE TEXAS GOVERNMENT CODE**
- **TO DELIBERATE REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS, 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 9:11 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 9:38 p.m. and there would be no action taken with regard to matters discussed in closed session over economic development negotiations.

Mayor Whitlow announced there would be action taken on closed session over Real Estate.

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, the City Attorney is hereby authorized to proceed with the intent to purchase real estate, as discussed in closed session.

Councilman Dent seconded said motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER PURCHASE OF ELECTRICAL EQUIPMENT AND SERVICES FOR NAUTICAL LANDINGS MARINA**

Building Official Byron Smith advised Council that the electrical breaker panels for Nautical Landings Marina Boat Docks A and B are in need of repair. He said that he has a quote from a licensed electrician, Jimmy Ramirez, to do the repairs for \$40,000 for labor and materials.

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, the repairs to the electrical breaker panels for Nautical Landings Marina Boat Docks A and B be awarded to licensed electrician, Jimmy Ramirez, for \$40,000 for labor and materials.

Councilwoman Regan seconded said motion.

There was further discussion among council members. It was brought up that the docks themselves were in need of repairs and anything done at this point would probably be undone when work on that project began. Suggestion was then made to purchase materials and labor to only repair the electrical breaker panels, in an amount not to exceed fifteen thousand dollars and no cents (\$15,000), at Nautical Landings Marina.

Councilman Barr rescinded his previous motion.

Councilwoman Regan also rescinded her previous second.

Previous Motion died.

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, staff is authorized in purchasing materials and labor to only repair the electrical breaker panels, in an amount not to exceed fifteen thousand dollars and no cents (\$15,000), at Nautical Landings Marina.

Councilman Dent seconded said 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

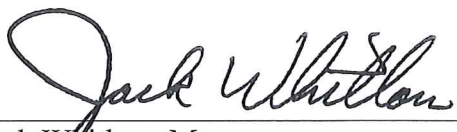
Councilwoman Padron seconded said motion.

Motion passed by the following vote:

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

NAYS: None

Meeting adjourned at 9:42 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, MAY 14, 2018 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
  
- ADMINISTER OATH OF OFFICE:
  - JUAN OBREGON\* NEW POLICE OFFICER
  - \*(Correction to error in name: "Luke Arreguin-New Police Officer")
  
- PROMOTIONS WITHIN THE POLICE DEPARTMENT:
  - ALYSSA NICHOLS DETECTIVE
  - CHEYENNE BEAVER CORPORAL
  
- PROCLAMATIONS AND ANNOUNCEMENTS BY THE MAYOR:
  - MOTORCYCLE SAFETY AND AWARENESS MONTH
  - JUNE 9 AS "SWEEP INTO SUMMER CLEANUP BEAUTIFICATION DAY"
  
- 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. CANVASS RETURNS OF MAY 05, 2018 CITY OF PORT LAVACA GENERAL OFFICERS ELECTION
2. CONSIDER RESOLUTION NO. R-051418-1E CERTIFYING RETURNS AND DECLARING CANDIDATES DULY ELECTED
3. CONSENT AGENDA:
  - (A) MINUTES OF APRIL 09, 2018 REGULAR MEETING
  - (B) MINUTES OF APRIL 23, 2018 SPECIAL MEETING
  - (C) PAYMENT OF INVOICES EXCEEDING \$1,500
4. CONSIDER RESOLUTION NO. R-051418 -2 OF THE CITY OF PORT LAVACA FINDING THAT AEP TEXAS CENTRAL COMPANY'S APPLICATION FOR APPROVAL OF A DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED
5. CONSIDER APPROVAL OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017, PRESENTED BY THE AUDIT FIRM OF HARRISON, WALDROP & UHEREK, L.L.P.
6. CONSIDER AUDIT ENGAGEMENT LETTER FROM HARRISON, WALDROP & UHEREK, L.L.P. FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018
7. CONSIDER RENEWAL OF AGREEMENT BETWEEN RBC CAPITAL MARKETS CORPORATION (ROBERT HENDERSON AND R. DUSTIN TRAYLOR) AND THE CITY OF PORT LAVACA FOR FINANCIAL ADVISORS
8. CONSIDER REQUEST OF CALHOUN COUNTY CITIZENS IN ACTION (CCIA) FOR USE OF GEORGE ADAMS PARK ON JUNE 15, 16 AND JUNE 17, 2018 (FRIDAY-SUNDAY) FOR THE ANNUAL JUNETEENTH CELEBRATION, WAIVER OF FEES ASSOCIATED WITH THE EVENT; WITH THE EXCEPTION OF ALCOHOL IN PARK FEE
9. CONSIDER SECOND AND FINAL READING OF AN ORDINANCE (G-4-18) TO MAKE AMENDMENTS TO THE ORDINANCE DESCRIBED IN THE CITY OF PORT LAVACA CODE OF ORDINANCES AS APPENDIX "A" – FEES, RATES AND CHARGES; CHAPTER 50 UTILITIES, SEC. 50-67, LARGE COMMERCIAL; AND ESTABLISHING AN EFFECTIVE DATE

10. REVIEW STAFF SCORES OF PROPOSALS RECEIVED AND CONSIDER A CONTRACT AWARD FOR COMMUNITY DEVELOPMENT BLOCK, GRANT (CDBG) - DISASTER RECOVERY GRANT ADMINISTRATION SERVICES
11. REVIEW STAFF SCORES OF PROPOSALS RECEIVED AND CONSIDER A CONTRACT AWARD FOR HAZARD MITIGATION GRANT MANAGEMENT SERVICES
12. REVIEW COST ESTIMATES PREPARED BY CIVILCORP, INC. FOR VARIOUS REPAIR/UPGRADE PROJECTS AT LIGHTHOUSE BEACH PARK AND CONSIDER AUTHORIZING ENGINEERING AND BIDDING PHASES FOR THE WORK
13. CONSIDER REPEAL OF RESOLUTION NO. R-040918-2 TO SUPPORT AN APPLICATION FOR 2018-2019 ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) GRANT FUNDS; WHEREBY, SECTION 3 IS IN ERROR ON \$250,000 BEING SPECIFIED AMOUNT OF MINIMUM MATCHING FUNDS
14. CONSIDER RESOLUTION NO. R-051418-3 TO SUPPORT AN APPLICATION FOR 2018-2019 ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) GRANT FUNDS; WHEREBY, SECTION 3 HAS \$300,000 BEING SPECIFIED AMOUNT OF MINIMUM MATCHING FUNDS
15. PRESENTATION AND DISCUSSION OF PRELIMINARY FACILITY ANALYSIS BY GEXA ENERGY SOLUTIONS
16. ANNOUNCEMENT BY MAYOR THAT CITY COUNCIL WILL RETIRE INTO CLOSED SESSION:
  - TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY, IN ACCORDANCE WITH CHAPTER 551, TITLE 5, SECTION 551.072 OF THE TEXAS GOVERNMENT CODE
  - TO DELIBERATE REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS, IN ACCORDANCE WITH CHAPTER 551, TITLE 5, SECTION 551.087 OF THE TEXAS GOVERNMENT CODE
17. RETURN TO OPEN SESSION AND TAKE ANY ACTION DEEMED NECESSARY WITH REGARD TO MATTERS DISCUSSED IN CLOSED SESSION
18. CONSIDER PURCHASE OF ELECTRICAL EQUIPMENT AND SERVICES FOR NAUTICAL LANDINGS MARINA

ADJOURN

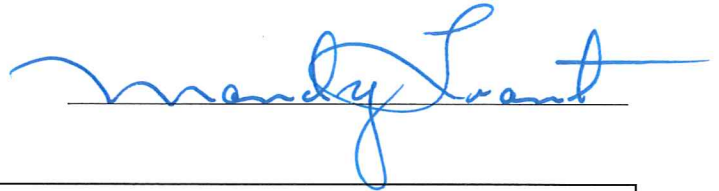
JACK WHITLOW, MAYOR



### 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, MAY 14, 2018, BEGINNING AT 6:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 5:00 P.M. THURSDAY, MAY 10, 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.*