

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

On this the 13<sup>th</sup> day of November, 2018, the City Council of the City of Port Lavaca, Texas, convened in special 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, Mayor Pro Tem
Ken Barr	Councilman, District 6

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 6:32 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 and Promotions within the Police and Fire Department:
  - Juan Luna               Promoted to Fire Capitan
  - Gary Kemper           Promoted to Fire Lieutenant
  - Milizza Lannen       Promoted to Fire Lieutenant
  - Kaw Dee               New Patrol Police Officer
- Presentations by the Mayor of Police Department promotions:
  - Proclamation that the fair housing month be April.
- Mayor asked for comments from the public and there were none.

### **CONSENT AGENDA:**

- (A) **MINUTES OF OCTOBER 08, 2018 REGULAR MEETING**
- (B) **MINUTES OF OCTOBER 22, 2018 SPECIAL & WORKSHOP SESSION**
- (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 Barr seconded said motion.

Motion passed by the following vote:

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

NAYS: None

**RECEIVE AND APPROVE PRESENTATION OF THE CALHOUN COUNTY E-9-1-1 2019 FISCAL BUDGET IN ACCORDANCE WITH THE HEALTH AND SAFETY CODE, TITLE 9 SAFETY, SUBTITLE B EMERGENCIES, CHAPTER 772 LOCAL ADMINISTRATION OF EMERGENCY COMMUNICATIONS, SEC 772.309(4) GOVERNING BODY OF PARTICIPATING JURISDICTION**

Raquel Morales, Calhoun County 9-1-1 District Manager was in attendance to present the 2019 Fiscal Year Budget. She advised the budget must be approved by the 9-1-1 Board and then presented to and approved by the Commissioner's Court of the county for which the district is established and the governing body of the principal municipality. The board shall perform an independent financial audit of the district annually and present to all participating public agencies. This is in accordance with the Health and Safety Code, Title 9 Safety, Subtitle B Emergencies, Chapter 772 Local Administration of Emergency Communications, Section 772.309(4) Governing Body of Participating Jurisdiction.

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, Council hereby receives and approves the Calhoun County 9-1-1 Board's 2019 Fiscal Year Budget, a copy in its entirety, can be found in the office of the City Secretary.

Councilwoman Regan seconded said motion

Motion passed by the following vote:

AYES: Smith, Dent, Regan, 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 ANNUAL "EUCHARISTIC PROCESSION PARADE" ON SUNDAY, NOVEMBER 25, 2018 BEGINNING AT 5:00 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 Council hereby grants the request of Our Lady of the Gulf Catholic Church to have their annual Eucharistic Procession parade on Sunday, November 25, 2018, assistance with traffic control and also waives all applicable fees in connection with this event.

Councilman Barr seconded this motion.

Motion passed by the following vote:

AYES: Smith, Dent, Regan, 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 FRIDAY, DECEMBER 07, 2018, BEGINNING AT 6:30 P.M.**

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 staff, Council hereby approves the request of the Calhoun County Chamber of Commerce to hold their annual Lighted Christmas Parade on Friday, December 07, 2018 beginning at approximately 6:30 p.m.; to close several streets during parade, assist with traffic control and also waives all applicable permit fees associated with the event.

Councilman Ward seconded said motion

Motion passed by the following vote:

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

NAYS: None



**CONSIDER APPOINTMENT OF MEMBER TO THE PLANNING BOARD TO FILL A VACANCY AND/OR START A NEW TERM**

City Engineer/Economic & Comm. Dev Official Weaver advised Council that there is a vacancy in the Planning Board. She said Mr. Wallace Chen who lives in Jade Bay Estates and works in the Chlor-Alkali Division of Formosa has submitted a letter of interest. Weaver said Planning Board and staff recommend the appointment.

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 the Planning Board and staff, Council hereby appoints Mr. Wallace Chen to the Planning Board to serve a two-year term.

Councilman Barr seconded said motion

Motion passed by the following vote:

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

NAYS: None

**CONSIDER ENTERING INTO A CONTRACT BETWEEN THE CITY OF PORT LAVACA AND CHRIS TAYLOR MARVELOUS GARDENS, INC. FOR MEDIAN SERVICES NOT TO EXCEED \$36,120 FOR ONE YEAR AND ALSO CONSIDER TRASH PICKUP SERVICES AT A RATE OF \$35.00 PER MAN HOURS**

Councilman Tim 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 for a two-year period between the City of Port Lavaca and Chris Taylor Marvelous Gardens, Inc. for median services not to exceed \$36,120.00 per year and for trash pick-up services at a rate of \$35.00 per man hours not to exceed \$1,200.00 per mowing.

BE IT FURTHER RESOLVED, that City Manager monitor contract closely and 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, Padron, Ward and Barr

NAYS: Regan

**CONSIDER RESOLUTION NO. R-111318-1 TO DESIGNATE AUTHORIZED SIGNATORS FOR THE 2018 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TCDBG) FUND CONTRACT #7218379 FOR SEWER IMPROVEMENTS**

Councilman Smith made a motion to pass the following:

WHEREAS the City of Port Lavaca has received a 2018 Texas Community Development Block Grant award to provide Sewer Improvements; and

WHEREAS it is necessary to appoint persons to execute contractual documents and documents requesting funds from the Texas Department of Agriculture, and;

WHEREAS an original signed copy of the TxCDBG Depository/Authorized Signatories Designation Form (Form A202) is to be submitted with a copy of this Resolution, and;

WHEREAS the City of Port Lavaca acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.) the City must provide TxCDBG with the following:

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised TxCDBG Depository/ Authorized Signatories Designation Form (Form A202).

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

The Mayor, Mayor Pro Tem, and City Manager are authorized to execute contractual documents between the Texas Department of Agriculture and the City for the 2018 Texas Community Development Block Grant Program

The Mayor, Mayor Pro Tem, City Manager, and Finance Director are authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the 2018 Texas Community Development Block Grant Program.

Councilwoman Padron seconded said motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER RESOLUTION NO. R-111318-2 TO ADOPT REQUIRED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CIVIL RIGHT POLICIES**

Councilwoman Regan made a motion to pass the following:

WHEREAS the City of Port Lavaca, Texas, (hereinafter referred to as “City of Port Lavaca”) has been awarded TxCDBG funding through a TxCDBG grant from the Texas Department of Agriculture (hereinafter referred to as “TDA”);

WHEREAS the City of Port Lavaca, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability;

WHEREAS the City of Port Lavaca, in consideration for the receipt and acceptance of federal funding for the Contract, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections;

WHEREAS the City of Port Lavaca, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the TxCDBG project area;

WHEREAS the City of Port Lavaca, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State’s certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;

WHEREAS the City of Port Lavaca, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each TxCDBG project;

WHEREAS the City of Port Lavaca, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds;



WHEREAS the City of Port Lavaca, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period to affirmatively further fair housing; and

WHEREAS the City of Port Lavaca, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

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

1. Citizen Participation Plan and Grievance Procedures (Form A1013);
2. Section 3 Policy (Form A1002);
3. Excessive Force Policy (Form A1003);
4. Section 504 Policy and Grievance Procedures (Form A1004);
5. Limited English Proficiency (LEP) Standards (Form A1010);
6. Fair Housing Policy (Form 1015); and
7. Code of Conduct Policy.

Councilwoman Padron seconded said motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER RESOLUTION NO. R-111318-3 COMMITTING THE CITY OF PORT LAVACA TO TWENTY-FIVE PERCENT (25%) MATCH IF COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RELIEF (CDBG-DR) FUNDS DO NOT BECOME AVAILABLE AND WHERE THE FUNDS WILL BE ALLOCATED FROM**

Councilman Dent made a motion to pass the following:

WHEREAS, the City is applying for FEMA Hazard Mitigation Assistance funds to provide the City with funding for critical facility generators; and

WHEREAS, the City has been allocated funds for Harvey CDBG-DR Infrastructure projects through the regional Method of Distribution process for which certain generators are an eligible activity; and

WHEREAS, the City anticipates receiving its CDBG-DR allocation in the first quarter of 2019;

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

1. The City commits to providing the 25% local share for the FEMA Hazard Mitigation Assistance critical facility generators grant project.
2. The local share will be paid from the City's Harvey CDBG-DR Infrastructure distribution if and when such funds become available to the City, pending the required citizen participation requirements.
3. Should these funds not be available for whatever reason, the City will pay its local share from the general fund.

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-111318-4 TO AUTHORIZE SUBMISSION OF ONE OR MORE APPLICATIONS FOR HAZARD MITIGATION ASSISTANCE GRANT FUNDING AND DESIGNATE THE MAYOR AS THE AUTHORIZED REPRESENTATIVE T ACT ON BEHALF OF THE HAZARD MITIGATION PROJECTS**

Councilwoman Regan made a motion to pass the following:

WHEREAS, The City is considering the submission of FEMA Hazard Mitigation Assistance grant applications for funds for Critical Facility Generators and a Breakwater at Nautical Landings Boat Harbor; and

WHEREAS, FEMA Mitigation Fund applicants are required to appoint an official to act as the Authorized Representative in all matters in connection with the Mitigation Grants.

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

- Section 1. That the City is authorizing the submission of multiple applications for FEMA's Hazard Mitigation Assistance Grant Program; and
- Section 2. That the Mayor be appointed the Chief Executive Officer and Authorized Representative to act on behalf of the City in all matters in connection with the FEMA Mitigation Grants.



Councilman Ward 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 FOR A VARIANCE REQUEST FROM MR. CHARLES SAMAHA REGARDING BUILDING SETBACK LINES AT 1821 ALGEE STREET**

City Engineer/Community and Economic Development, Jody Weaver, advised Council that Mr. Charles Samaha has made two requests for variances.

1. A variance request to Section 12-24 — Building setbacks to construct a new 10'x16' portable metal building on a concrete slab and locate it 2 ft from the property line along 7th street and 2 ft from the utility easement in the rear. (*Ordinance requires 5 ft in both instances*)
2. A variance request to Section 12-24 — Building setbacks to construct a new 12' x 20' concrete slab positioned 2 ft from the rear utility easement and 2 ft from the northeast property line and move an existing portable building in his yard to this new slab. (*Ordinance requires 5 ft in both instances*)

City Code references:

Sec. 12-24 — Building setbacks:

(2) *Rear setback lines.* Minimum rear setback lines shall be **five feet from the edge of a utility easement** or no less than five feet in case where no utility easement exists.

(3) *Side setback line.* Minimum side setback line shall be five feet from the edge of a utility easement or **no less than five feet in cases where no utility easement exists**, except on corner lots which require a ten-foot setback on the side street.

Existing conditions:

- There is a 6 ft wide utility easement along his rear property line;
- There is an existing 8" sewer line in the utility easement, located approximately 3 ft from the fence, and the gas line is another 2 feet +/- from the sewer line (away from fence);
- The existing power lines run right along the rear fence line (note location of power poles).

Things to consider for approval:

- The City has allowed a building to be placed closer than 5 feet from an easement, only IF the slab was already existing and it was determined that utility maintenance would not be hindered.
- The building code would require that the 12'x20' building have a 1-hr fire rated wall on the side that is closer than 5 ft to a property line. The 10'x16' is under 200 sf and would not trigger this requirement.

Planning Board Recommendations:

- APPROVE variance to side building setback line along 7<sup>th</sup> Street to allow a 2 ft. setback instead of 5 ft.;
- DENY variance to side building setback line along the common property line with the neighbor to the northeast.
- DENY variance to the rear building setback line for construction of a concrete slab, HOWEVER;
- APPROVE variance to rear building setback line to allow a 2 ft. setback instead of 5 ft. IF, the buildings are placed as temporary on **beams or a limestone/caliche pad**.

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 Staff and the Planning Board, Council hereby:

- APPROVE variance to side building setback line along 7<sup>th</sup> Street to allow a 2 ft. setback instead of 5 ft.;
- DENY variance to side building setback line along the common property line with the neighbor to the northeast.
- DENY variance to the rear building setback line for construction of a concrete slab, HOWEVER;
- APPROVE variance to rear building setback line to allow a 2 ft. setback instead of 5 ft. IF, the buildings are placed as temporary on **beams or a limestone/caliche pad**.

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 PLANNING BOARD FOR APPROVAL OF  
FINAL PLAT OF THE COTHORON SUBDIVISION (COASTAL NAIL & TOOL)**

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 recommendation of Staff, Council hereby approves final plat  
of the Cothoron Subdivision (Coastal Nail & Tool) located at 747 W. Main Street in Port Lavaca,  
Texas in Calhoun County, Texas.

Councilman Barr seconded said motion.

Motion passed by the following vote:

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

NAYS: None

**CONSIDER ENTERING INTO AN INTERLOCAL COOPERATION CONTRACT  
BETWEEN THE CITY OF PORT LAVACA AND THE CALHOUN COUNTY  
INDEPENDENT SCHOOL DISTRICT (CCISD) FOR THE PURPOSE OF  
PERFORMING CERTAIN GOVERNMENTAL FUNCTIONS AND SERVICES FOR  
MAINTENANCE OR REPAIRS TO ANY CITY PUBLIC PROPERTY OR  
IMPROVEMENTS WITHIN CORPORATE LIMITS OR EXTRATERRITORIAL  
JURISDICTION**

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 recommendation of staff, Council hereby approves entering  
into an Interlocal Cooperation Contract between the Calhoun County Independent School  
District (CCISD) and the City of Port Lavaca, for the purpose of performing certain  
governmental functions and services for maintenance or repairs to any city public property or  
improvements within corporate limit or extraterritorial jurisdiction.

Councilman Barr seconded said motion.

Motion passed by the following vote:

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

NAYS: None



**CONSIDER APPROVAL OF A PORT LAVACA PRIDE INCENTIVE GRANT FROM OUR LADY OF THE GULF CATHOLIC CHURCH IN THE AMOUNT OF FIFTEEN HUNDRED DOLLARS (\$1,500) FOR A SIDEWALK EXPANSION PROJECT**

City Engineer/Community and Economic Development, Jody Weaver, advised Council to consider an application from Our Lady of the Gulf Catholic Church (OLG) for a Port Lavaca PRIDE Incentive Grant to assist with Property Improvement to construct a sidewalk along the church property on the north side of Austin Street for about 120 feet west of S. Nueces. She said the proposed project would construct a 5 feet sidewalk behind the curb and transition to about 5 feet from the curb as the walk neared the mid-block point. She said that way they can easily extend the walk to S. Trinity in the future and minimize reconstruction of existing driveways. She said the amount requested is one thousand five hundred dollars and no cents (\$1,500.00) and recommends authorizing the request.

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 staff, Council hereby authorizes application from Our Lady of the Gulf Catholic Church for a Port Lavaca PRIDE Incentive Grant, in the amount of one thousand five hundred dollars and no cents (\$1,500.00), to assist in Property Improvements to construct a sidewalk along church property on the north side of Austin Street for about 120 feet west of S. Nueces.

Councilman Ward seconded said motion

Motion passed by the following vote:

AYES: Smith, Regan, Ward and Barr

NAYS: None

ABSTAIN: Padron and Dent (They are employed by OLG)

**CONSIDER APPOINTMENT/RE-APPOINTMENT OF MEMBER(S) TO THE PORT COMMISSION BOARD**

City Manager Bill DiLibero advised Council that there is a vacancy in the Port Commission Board. He said Mr. David Robert's term is coming close to expiring and he has expressed a desire to be reappointed to serve another two-year term. DiLibero said Port Commission Board and staff recommends the reappointment.

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 Port Commission Board and staff, Council hereby reappoints Mr. David Roberts to the Port Commission Board to serve another two-year term.

Councilwoman Regan seconded said motion

Motion passed by the following vote:

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

NAYS: None

**ADJOURN**

Councilman Dent made a motion to adjourn the meeting

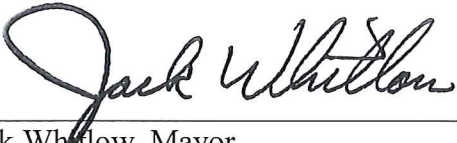
Councilwoman Padron seconded said motion.

Motion passed by the following vote:

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

NAYS: None

Meeting adjourned at 7:45 P.M.

  
\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:

  
\_\_\_\_\_  
Lorena Perez-Diaz, Assistant City Secretary

PUBLIC NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS, WILL HOLD A SPECIAL MEETING TUESDAY, NOVEMBER 13, 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 OATHS OF OFFICE TO FIRE AND POLICE PERSONNEL:
  - JUAN LUNA PROMOTED TO FIRE CAPTAIN
  - GARY KEMPER PROMOTED TO FIRE LIEUTENANT
  - MILIZZA LANNEN PROMOTED TO FIRE LIEUTENANT
  - KAW DEE NEW POLICE PATROL OFFICER
- MAYOR'S PRESENTATIONS:
  - PROCLAMATION THAT THE FAIR HOUSING MONTH WILL BE APRIL
- 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 8, 2018 REGULAR MEETING
  - (B) MINUTES OF OCTOBER 22, 2018 SPECIAL & WORKSHOP SESSION
  - (C) PAYMENT OF INVOICES EXCEEDING \$1,500
2. RECEIVE AND APPROVE PRESENTATION OF THE CALHOUN COUNTY E-9-1-1 2019 FISCAL BUDGET IN ACCORDANCE WITH THE HEALTH AND SAFETY CODE, TITLE 9 SAFETY, SUBTITLE B EMERGENCIES, CHAPTER 772 LOCAL ADMINISTRATION OF EMERGENCY COMMUNICATIONS, SEC 772.309(4) GOVERNING BODY OF PARTICIPATING JURISDICTION
3. CONSIDER REQUEST OF OUR LADY OF THE GULF CATHOLIC CHURCH FOR TRAFFIC CONTROL AND WAIVER OF FEES FOR THEIR ANNUAL "EUCCHARISTIC PROCESSION PARADE" ON SUNDAY, NOVEMBER 25, 2018 BEGINNING AT 5:00 P.M.
4. 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 FRIDAY, DECEMBER 07, 2018, BEGINNING AT 6:30 P.M.
5. CONSIDER AMENDMENT(S) TO THE CITY OF PORT LAVACA HR AND WORKPLACE POLICIES, SPECIFICALLY, APPENDIX: SUPPLEMENTAL DOCUMENTS; HEALTH AND SAFETY COMMITTEE / INCENTIVE PROGRAM
6. CONSIDER A CUSTOMER SERVICE AGREEMENT BETWEEN CITY OF PORT LAVACA AND UNIFIRST CORPORATION FOR JANITORIAL SUPPLIES AND MAINTENANCE FOR SOME CITY-OWNED BUILDINGS FOR A PERIOD OF 36 MONTHS THROUGH BUYBOARD
7. CONSIDER LEASE AGREEMENT BETWEEN CITY OF PORT LAVACA AND HOUSTON PIPE LINE COMPANY LP ON TRACT OF LAND AT WESTERLUND SUBDIVISION
8. CONSIDER RECOMMENDATION OF THE PLANNING BOARD TO APPROVE THE REPLAT OF LOT 11 AND PART OF 12 & 9 OF THE GEORGETOWN ADDITION, PROPERTY OWNED BY NASHMIA LILLO AT THE CORNER OF BENAVIDES AND MAHAN STREETS

**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 TUESDAY, NOVEMBER 13, 2018, BEGINNING AT 6:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 3:00 P.M. FRIDAY, NOVEMBER 09, 2018.

LORENA PEREZ-DIAZ,  
ASSISTANT 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.*