



CITY OF PORT LAVACA

202 N. VIRGINIA STREET PORT LAVACA, TX 77979

PUBLIC NOTICE OF MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT DUE TO COVID-19 CONCERNS AND IN ACCORDANCE WITH THE GOVERNOR'S ORDERS AND RECOMMENDATIONS, THE CITY OF PORT LAVACA, TEXAS, CITY COUNCIL MEETING **IS CLOSED TO THE PUBLIC.**

INSTEAD, THE CITY COUNCIL WILL BE UTILIZING **"ZOOM MEETING AND FACEBOOK LIVE TRANSMISSION"** ON THE **CITY OF PORT LAVACA'S FACEBOOK PAGE** BEGINNING AT **6:30 P.M. CENTRAL TIME ON MONDAY, MAY 11, 2020.**

YOU MAY MAKE PUBLIC COMMENTS AS YOU WOULD AT A MEETING ON ZOOM BY LOGGING ON WITH YOUR COMPUTER AND/OR SMART PHONE AS DESCRIBED IN THE ZOOM INVITATION BELOW OR ON FACEBOOK LIVE THROUGH THE COMMENT SECTION, WHICH WILL BE MONITORED AND ANSWERED. AS APPROPRIATE.

BELOW IS THE INFORMATION TO LOG ON TO THE ZOOM MEETING:

TOPIC: CITY OF PORT LAVACA REGULAR CITY COUNCIL MEETING

DATE/TIME: MONDAY, MAY 11, 2020 AT 6:30 P.M. CENTRAL TIME (US AND CANADA)

JOIN ZOOM MEETING

<https://us02web.zoom.us/j/88000957319?pwd=bmFJR25MWDJYcVNGaUhLVnFhbVpmQT09>

Meeting ID: 880 0095 7319

Password: 444959

One tap mobile

+13462487799,,88000957319#,,1#,444959# US (Houston)

Dial by your location

+1 346 248 7799 US (Houston)

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 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
- 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. CONDUCT CANVASS OF MAY 02, 2020 GENERAL ELECTION RETURNS AND ANNOUNCE OFFICIAL VOTES
2. CONSIDER RESOLUTION NO. R-051120-1E CERTIFYING RETURNS OF THE MAY 02, 2020 GENERAL ELECTION AND DECLARING CANDIDATES DULY ELECTED
3. ADMINISTER OATHS OF OFFICE AND ISSUE CERTIFICATES OF ELECTION TO NEWLY ELECTED OFFICIALS TO THE PORT LAVACA CITY COUNCIL TO-WIT:
 - MAYOR, AT-LARGE POSITION, FOR A TERM OF TWO (2) YEARS
 - COUNCIL MEMBER, SINGLE DISTRICT NO. 1, FOR A TERM OF 3 YEARS
 - COUNCIL MEMBER, SINGLE DISTRICT NO. 3, FOR A TERM OF 3 YEARS
4. CONSIDER ELECTION OF MAYOR PRO TEM BY COUNCIL MEMBERS IN ACCORDANCE WITH SECTION 3.04 OF THE CITY OF PORT LAVACA HOME RULE CHARTER
5. CONSENT AGENDA
 - (A) MINUTES OF APRIL 13, 2020 REGULAR MEETING
 - (B) PAYMENT OF INVOICES EXCEEDING \$1,500
 - (C) RATIFICATION OF THE FOLLOWING PORT COMMISSION LEASES:
 - NAUTICAL LANDINGS MARINA**

 - 1. RICK LEWIS DBA PORT LAVACA PLUMBING
SUITE 1-D (222 SQ FT)

HARBOR OF REFUGE

2. T.W. LA QUAY MARINE, LLC
TRACTS 3 (4.3 ACRES)
3. T.W. LA QUAY MARINE, LLC
TRACTS 11, 12, AND ADDITIONAL UNLABELED LAND (SOUTH OF TRACT 12) (13.5 ACRES)
4. HELENA AGRI-ENTERPRISES, LLC
TRACTS 6, 7, 8, 9 AND 18 (9.397 ACRES)
5. RLB CONTRACTING, INC.
TRACTS 16, 17, AND 17A (26 ACRES)

CITY HARBOR

6. MILLER SEAFOOD CO., INC.
CITY HARBOR TRACTS 3, 4, 5, 6, 12 PLUS 50 FT OF DOCKAGE
ALONG THE SW SECTION OF BULKHEAD AT TRACT 11
7. RAFAEL BRISENO
CITY HARBOR DOCK 2A
8. JOHN TESVICH DBA WILD REEF SEAFOOD, LLC
CITY HARBOR TRACTS 7, 8, AND 11
9. PRESTIGE OYSTERS, INC.
CITY HARBOR TRACT 10
10. BIG BEAR SHRIMP AND SEAFOOD
CITY HARBOR SLIP NO. 1
11. GORDON MC ELVANY DBA POOR BOYS BAIT
0.15 ACRE OF PORT LAVACA

6. RECEIVE PRESENTATION OF THE FINAL TECHNICAL MEMORANDUM REPORT FROM RON CASS, OF AECOM, REGARDING THE PORT LAVACA TREATMENT PLANT EVALUATION
7. RECEIVE UPDATED REPORT ON CITY COMPUTER STATUS SINCE CYBER ATTACK
8. CONSIDER RESOLUTION NO. R-051120-2 OF THE CITY OF PORT LAVACA, TEXAS FINDING THAT AEP TEXAS INC.'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTORS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE CITIES SERVED BY AEP TEXAS; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL
9. CONSIDER RESOLUTION NO. R-051120-3 OF THE CITY OF PORT LAVACA, TEXAS TO SUBMIT APPLICATION FOR GRANT FUNDS FROM THE OFFICE OF THE GOVERNOR REGARDING THE COVID-19 RESPONSE EFFORT

10. CONSIDER PURCHASE OF AN EMERGENCY GENERATOR, 48KW GENERAC PROTECTOR MODEL NO. RG04845, FOR FIRE STATION NO. 1 AT 1501 W. AUSTIN
11. CONSIDER APPOINTMENT OF MEMBER(S) TO THE PORT COMMISSION TO FILL A VACANCY AND SERVE A TERM OF TWO (2) YEARS
12. CONSIDER RECOMMENDATION OF THE PLANNING BOARD FOR APPROVAL OF THE PRELIMINARY AND FINAL PLAT OF THE A1 STORAGE SUBDIVISION
13. CONSIDER RECOMMENDATION OF THE PLANNING BOARD FOR APPROVAL OF THE PRELIMINARY AND FINAL PLAT OF THE CARRERA SUBDIVISION
14. CONSIDER RECOMMENDATION OF THE PLANNING BOARD FOR APPROVAL OF THE PRELIMINARY AND FINAL PLAT OF THE MARIO DESILOS SUBDIVISION
15. CONSIDER RECOMMENDATION OF THE PLANNING BOARD FOR APPROVAL OF THE PRELIMINARY AND FINAL PLAT OF THE JANAV SUBDIVISION
16. CONSIDER HIRING THREE (3) ADDITIONAL TEMPORARY PART-TIME EMPLOYEES AT LIGHTHOUSE BEACH FOR 2019-2020 FISCAL YEAR
17. ANNOUNCEMENT BY MAYOR THAT CITY COUNCIL WILL RETIRE INTO CLOSED SESSION:
 - FOR CONSULTATION WITH THE CITY ATTORNEY IN ACCORDANCE WITH TITLE 5, SECTION 551.071 (1) OF THE TEXAS GOVERNMENT CODE REGARDING THE FOLLOWING LITIGATION: CAUSE NO. 2020-CV-3947-DC, CITY OF PORT LAVACA, TEXAS VS. KEVIN NEVAREZ, IN THE 24TH JUDICIAL DISTRICT COURT OF CALHOUN COUNTY, TEXAS.
18. RETURN TO OPEN SESSION AND TAKE ANY ACTION DEEMED NECESSARY WITH REGARD TO MATTERS 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, MAY 11, 2020, BEGINNING AT 6:30 P.M., WAS POSTED AT CITY HALL, EASILY ACCESSIBLE TO THE PUBLIC, AS OF 6:00 P.M. FRIDAY, MAY 08, 2020.

MANDY GRANT,
CITY SECRETARY

