

**CITY OF VIDOR  
VIDOR CITY COUNCIL  
SPECIAL MEETING  
May 2, 2024**

**MEMBERS PRESENT:**

Mayor Songe  
Councilmember Lee  
Councilmember McGowan  
Councilmember Herrera  
Councilmember Barker

**MEMBERS ABSENT:**

Councilmember Weldon  
Councilmember Thompson

**Administrative Personnel:** Robbie Hood, City Manager; Pebbles Eckhoff, Finance Director; Chris Leavins, City Attorney; Rachel Duplechain City Secretary; and Rod Carroll, Chief

**A. OPENING, PRESENTATIONS, AND CITIZENS COMMENTS**

**A -1. Call to order and the establishment of a Quorum**

A quorum was present, and the Regular Meeting of the Vidor City Council began at 6:00 p.m., Mayor Songe presiding.

**A -2. Invocation and Pledge to the United States Flag and the State of Texas Flag**

Rod Carroll, Chief, gave the Invocation and led the Pledge to the United States Flag and the State of Texas Flag.

**A -4. Citizen Comments - None**

**B. COUNCIL SPECIAL AGENDA**

**B -1. B -1. Discussion and possible action to approve a Resolution approving and authorizing the execution of an Interlocal Agreement for the Allocation of Sales Tax Revenue with Orange County Emergency Services District No. 1**

Chris Leavins, City Attorney, gave a detailed explanation of changes for the agreement presented by OCESD 1, they held a meeting on Monday, April 29, 2024, and signed their side of the agreement then. C. Leavins, made several redline edits and returned the agreement to the Attorney for OCESD 1 and spoke with him. The Attorney stated that the City of Vidor's edits were not unreasonable and that OCESD 1 would agree to them. However, they would not meet again until after the Election of said item would occur on Saturday, May 4<sup>th</sup>. C. Leavins one main change that was made was in Section 3 of said Agreement between City of Vidor and OCESD 1 was that it would be for twenty (20) years. C. Leavins requested that it automatically renew in twenty (20) years and subsequently continuously thereafter in five (5) year terms. C. Leavins made Council aware that unfortunately all we have at this time is the signed Agreement in place before the revision of our edits and there would not be a chance for OCESD 1 to revise and meet our edits and return before the May 4<sup>th</sup> Election. Leavins stated we could refuse to sign until our revisions are met, even though the Attorney for OCESD 1 stated they would be until after the Election. Leavins stated that if this occurs, as well Mayor Songe,

stated that then OCESD 1 is then under no obligation to sign the Agreement and if the Sales Tax item on the Election passed the City of Vidor would get nothing. Mayor Songe was not comfortable with that she stated and said twenty (20) years was better than nothing. Robbie Hood, City Manager, asked Councilmember Jessica Barker if she was aware as to what was going on. Councilmember Barker stated no she was not. Hood asked Mayor Songe for permission to bring her up to speed. Mayor agreed to. Hood, gave a detailed explanation surrounding the Sales Tax not being claimed by either the County nor the City of Vidor in our surrounding ETJ area, so the OCESD 1 is trying to pass a bill that would make this come into effect therefore raising the Sales Tax in those areas to 8.25% of that the OCESD 1 would agree to split the said 2% increase in Sales Tax Revenue 50-50 between OCESD 1 and the City of Vidor for the next twenty (20) years per their agreement. Hood also stated that if the Sales Tax item did pass on Election Day and the City of Vidor did not have an executed agreement with OCESD 1 on the Sales Tax our ability to annex anyone into the Vidor City limits would be done away with if we (City of Vidor) can not get any of the Sales Tax. Hood stated like the Mayor said the Election is on May 4<sup>th</sup> and if this passes and we (City of Vidor) do not sign said agreement before us now (OCESD 1's version w/o City of Vidor edits), they (OCESD 1) will not come back and ask us (City of Vidor) to sign. They (OCESD 1) will take it (2% Sales Tax increase) all for OCESD 1. Councilmember Herrera, stated the bad thing about is they (OCESD 1) got over on us (City of Vidor) again, concerning the twenty (20) year term. A brief discussion ensued between Herrera, Councilmember McGowan, Songe, and Hood over the terms associated with the twenty (20) year term details. Hood explained that if we (City of Vidor) wanted to edit the terms of the twenty (20) year term and the 50-50 split. They (OCESD 1) would have to post an Agenda wait 72 hours and then hold a meeting on Tuesday, May 7<sup>th</sup> to approve or disapprove the City of Vidor's edits. The election is on May 4<sup>th</sup>. Councilmember Lee, well they aren't in a hurry, Mayor uh-huh. Hood so the ball is totally in their court (OCESD 1), they are willing to do a 50-50 split and twenty (20) years in our ETJ, except the Road Ranger it is all ours. Mayor 50-50 split and twenty (20) years is better than nothing. Herrera, well when we (Herrera, Hood, and Mayor) were there (OCESD 1's meeting) they (OCESD 1) said nothing about twenty (20) years, they just said 50-50 split. They (OCESD 1) didn't say anything about no time frame or nothing, that's why I say they (OCESD 1) got over on us again. Councilmember McGowan, yeah, they did. Hood, right and now they (OCESD 1) threw that (20) years in there on us. Herrera, yeah, they (OCESD 1) did throw that in there on us, because they never said that. We (Herrera, Hood, and Mayor) left that and then they (OCESD 1) said they would give us (City of Vidor) a 50-50 split, after calling their (OCESD 1's) Attorney on the phone for an Executive Session. Mayor supposedly (towards Executive Session). Herrera then they came back and said yeah, we're (OCESD 1) came back and said we will give you (City of Vidor) a 50-50 split, again nothing about a time frame. Now OCESD 1 throws in the time frame on us (City of Vidor) again, and they wonder why there is bad blood between the City and OCESD 1, because they are never honest with us. Councilmember Barker, so you're saying they (OCESD 1) don't have to give it to us (City of Vidor), why? Hood, well because it's in our (City of Vidor) ETJ, outside the City limits, so that cent and half I am talking about is being captured at kept at the State Comptroller's office now, and it looks good on paper, but when you start looking into it, if this items passes on Election Day for OCESD 1 to start capturing that cent and half then it will stop our ability to annex into the City limits. Herrera it just happened to Nome, Jefferson County their ETJ3 did it and when it passed, Nome went to get a convenience store, Jefferson County said sorry not going to happen. Mayor, like the convenience store at Caney Creek wants to be annexed in, but if we don't sign this now, we get nothing, if we do sign this then we will get half of the Sales Tax Revenue, and that's better than nothing. Herrera, yeah, your right that is the only choice we have right is to sign or get nothing. Leavins, yeah if you do nothing then and no future agreements are reached and the City annexes something say three (3) months down the road the City gets nothing, well not the Sales Tax. Hood, yeah, we will get the Property Tax, but not the Sales Tax. Leavins, right. Councilmember Barker so if we annex them doesn't that make them a part of the City? Herrera, yes. Mayor, but it doesn't matter they are still part of the ESD District, and the County gets a half percent and there is percent and half that is not being captured all your cities are capturing it, they want that other percent and half. So, they will claim it and they will not give it back unless we sign this agreement and if we do sign then we only get half back. Herrera, but we can keep it and the only way we can keep that 1.5 is to have to say we provide Fire Services to our Citizens. Hood, no you're partly right, we have to provide Fire Services to the place we annexed not the entire City, it's just

annexed area, correct? Leavins, yes. Councilmember Lee, the City would have to provide the Fire Service? Mayor and Hood together yes. Lee, but the City of Vidor does not have a Fire Service. Mayor, right which we don't have so. Herrera, I know that would just be one way we could keep the 1.5. Lee, oh okay you're saying that is an option. McGowan, but if this doesn't pass in the voting then this doesn't matter. Hood, right it doesn't affect the City limits. Mayor, so basically we need to approve this cause it's worse case scenario right now because if they try to bring back in next Election we can get it to where they bring it back and exclude our ETJ on the ballot in the Election process and we don't have to worry about any of this and we can support because they aren't effecting any our money for real, but this is the only option we have right now.

A motion was made by Councilmember McGowan, seconded by Councilmember Lee **to approve authorization of execution for the Interlocal Agreement between the City of Vidor and OCESD 1 the Allocation of Sales Tax Revenue.** The Council voted four (4) for and none opposed. **The motion carried.**

**B -2. Consideration of Adjournment**

A motion was made by Councilmember McGowan, seconded by Councilmember Herrera. The Council voted unanimously. The meeting is adjourned at 6:12pm. **The motion carried.**

*These minutes were approved on May 9, 2024.*

ATTEST:



Rachel Duplechain, City Secretary

  
Misty Songe, Mayor