

**City Of Vidor
Vidor City Council
Regular Meeting
September 28, 2023**

Members Present:

Councilmember Mercedes Lee
Councilmember Nicole McGowan
Councilmember Michael Thompson
Councilmember Jessica Barker
Councilmember Gary Herrera
Councilmember Kathryn Weldon

MEMBERS ABSENT:

Administrative Personnel: Misty Torres, City Secretary; Katrina Jones, Finance Director; Chris Leavins, City Attorney; Rod Carroll, Police Chief/Interim City Manager

A. OPENING, PRESENTATIONS AND CITIZEN COMMENTS

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

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

A -3. Citizen Comments

At this time, members of the audience may comment on any city-related subject not on the agenda. Anyone wishing to speak shall complete the appropriate form and deliver it to City staff prior to the meeting. Comments are limited to three minutes. The Texas Open Meetings Act prohibits the Council from discussing items not listed on the agenda. A speaker may be directed to the appropriate department head for an answer to his or her question, or his or her concern may be placed on a future agenda for the Council's consideration.

A member of the audience that desires to speak during the City Council's consideration of any specific agenda item is requested to notify City staff prior to the start of the meeting.

B. COUNCIL CONSENT AGENDA

B -1. Approval of Accounts Paid:

Paid Invoices:	General Fund - \$438,994.53
	MCBSF - \$462.77
	Hotel Occupancy Tax Fund - \$16,512.18
	Juvenile Case Manager Fund – 529.01
	Proprietary Fund - \$66,321.00

B -2. Approval of Minutes: Special Called Meeting August 28, 2023

B -3. Approval of Minutes: Special Called Meeting September 1, 2023

B -4. Approval of Minutes: Regular Meeting September 14, 2023

B -5. Ratification of the payment of the monthly sales tax in the amount of \$6,450.42 for August out of
General Account/Pooled Cash.

Motions were made by Councilmember McGowan to approve items B-2 through B-5. The motion was seconded by Councilmember Herrera. Motion unanimously carried 6 to 0.

C. COUNCIL REGULAR AGENDA

C -1. EXECUTIVE SESSIONS:

- a. **EXECUTIVE SESSION pursuant to Section 551.071 of the Texas Government Code – Consultation with Attorney, to seek or receive legal advice regarding pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.**
- b. **EXECUTIVE SESSION pursuant to Section 551.074 of the Texas Local Government Code – Personnel Matters, regarding payroll and human resources specialist**

Mayor Songe convened the regular meeting to an Executive Session at 7:02pm and reconvened the regular meeting at 8:43pm to discuss items **C -1.a and/or C -1.b**

C -2. **Consideration and possible action arising out of or related to Executive Sessions C -1.a and/or C -1.b.**

No actions or public discussions were taken by Council on agenda items **C -1.a and/or C -1.b**.

C -3. **Consideration and possible action to approve the transfer of a drilling permit from Kaiser-Francis Oil Company to OLIPDP II, LLC., including issuance of the permit upon completion of all ordinance requirements (640 acres of land, more or less, out of the James Lewis Survey No. 6, Abstract No. 383, and the Elijah Lewis Survey, Abstract No. 385, Orange County, Texas)**

City Attorney Chris Leavins explained the transfer details of this permit, citing actions back to 2010 with the issuance of the original permit. Leavins said approval of the transfer was contingent on OLIPDP providing proof of correct insurance to Council. Councilmember Barker made a motion to approve the **transfer of a drilling permit from Kaiser-Francis Oil Company to OLIPDP II, LLC**, contingent upon OLIPDP's provision of the requested documents. Motion seconded by Councilmember Weldon. All voted in favor. Motion carried 6 to 0.

Mayor Songe did not sign the permit transfer yet, pending proper documentation from OLIPDP.

C -4. **Consideration and possible action to approve Final Change Order No. 1 for the West Davis Loop and Jennings Road Improvement Project.**

A representative from LEAD discussed the details of the **West Davis Loop and Jennings Road Improvement Project**. Motion to approve **Final Change Order No. 1 for the West Davis Loop and Jennings Road Improvement Project** made by Councilmember McGowan, seconded by Councilmember Barker. All voted in favor. Motion carried unanimously.

- C -5. **Consideration and possible action to approve Final Pay Request (Release of Retainage) for the West Davis Loop and Jennings Road Improvement Project.**

A motion to **approve Final Pay Request (Release of Retainage) for the West Davis Loop and Jennings Road Improvement Project** made by Councilmember McGowan, seconded by Councilmember Thompson. All voted in favor. Motion carried unanimously.

- C -6. **Consideration and possible action to approve the Certificate of Construction Completion for the West Davis Loop and Jennings Road Improvement Project.**

A motion to **approve the Certificate of Construction Completion for the West Davis Loop and Jennings Road Improvement Project** made by Councilmember Weldon, seconded by Councilmember Thompson. All voted in favor. Motion carried unanimously.

- C -7. **Consideration and possible action to approve a temporary increase in pay for Rod Carroll while acting as Interim City Manager.**

A motion to **approve a temporary increase in pay for Rod Carroll in an undisclosed amount while acting as Interim City Manager** was made by Councilmember Herrera, seconded by Councilmember McGowan. All voted in favor. Motion carried unanimously.

- C -8. **Consideration and possible action to approve a temporary increase in pay for Edward Marin while acting as Interim Chief of Police.**

A motion to **approve a temporary increase in pay for Edward Martin in the amount of \$500 per month while acting as Interim Chief of Police** was made by Councilmember McGowan, seconded by Councilmember Thompson. All voted in favor. Motion carried unanimously.

- C -9. **Consideration and possible action to approve a Resolution authorizing the execution of a Memorandum of Understanding/Agreement between the Southeast Texas Regional Planning Commission (SETRPC) and the City regarding the City's use of the Southeast Texas Emergency Alerting Network under the FY 2023 Port Security Grant Program (PSGP).**

A motion to **approve a Resolution authorizing the execution of a Memorandum of Understanding/Agreement between the Southeast Texas Regional Planning Commission (SETRPC) and the City regarding the City's use of the Southeast Texas Emergency Alerting Network under the FY 2023 Port Security Grant Program (PSGP)** was made by Councilmember Barker, seconded by Councilmember Thompson. All voted in favor. Motion carried unanimously.

- C -10. **Discussion and possible action to approve temporary use of American Rescue Plan Act Funds (ARPA) to pay the JSWA invoice for administrative fees for services rendered under the FMA Grant for work completed on 360 Clairmont, 387 Roselawn, and 450 Melrose in the amount of \$4,500.00. This amount will be reimbursed by the FMA Reimbursement and Acquisition grant.**

A motion to **approve temporary use of American Rescue Plan Act Funds (ARPA) to pay the JSWA invoice for administrative fees for services rendered under the FMA Grant for work completed on 360 Clairmont, 387 Roselawn, and 450 Melrose in the amount of \$4,500.00** was made by Councilmember McGowan, seconded by Councilmember Thompson. All voted in favor. Motion carried unanimously.

- C -11. **Discussion and possible action to approve temporary use of American Rescue Plan Act Funds (ARPA) to pay the Cypress Point Invoice number COV-38 for asbestos removal, demolition, and haul off of the structure located at 360 Clairmont. This amount will be reimbursed by the FMA Reimbursement and Acquisition grant.**

A motion to **approve temporary use of American Rescue Plan Act Funds (ARPA) to pay the Cypress Point Invoice number COV-38 for asbestos removal, demolition, and haul off of the structure located at 360 Clairmont. This amount will be reimbursed by the FMA Reimbursement and Acquisition grant** was made by Councilmember McGowan, seconded by Councilmember Thompson. Five voted in favor. None opposed. One abstained. Motion carried 5-0-1.

C- 12. **Consideration of Adjournment**

A motion for **Consideration of Adjournment** was made by Councilmember McGowan, seconded by Councilmember Barker. All voted in favor. Motion carried unanimously. Meeting was adjourned at 8:57pm.

If, during the course of the meeting covered by this Notice, the City Council should determine that a closed meeting or executive session of the City Council should be held or is required in relation to any agenda item included in this Notice, then such closed or executive session, as authorized by the Texas Open Meetings Act, will be held by the City Council at the date, hour, and place given in this Notice concerning any and all subjects for any and all purposes permitted by Sections 551.071 – 551.084 of the Texas Government Code and the Texas Open Meetings Act, including, but not limited to, Section 551.071 – for the purpose of a private consultation with the City Attorney on any or all subjects or matters authorized by law. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in an open meeting.

ATTEST:

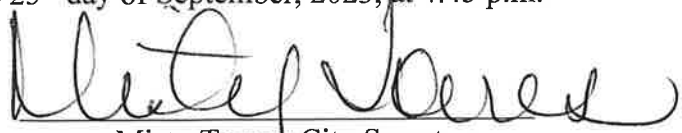
Misty Torres, City Secretary

MISTY SONGE, MAYOR



CERTIFICATE

I, the undersigned authority, do hereby certify that this notice of meeting is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the Public Bulletin Boards in the Vidor City Hall, 1395 North Main Street, Vidor, Texas, which are convenient and readily available to the general public, and said Notice was posted on Monday, the 25th day of September, 2023, at 4:45 p.m.


Misty Torres, City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 24 hours prior to this meeting. Please contact the City Secretary's office at (409) 769-5473 or FAX (409) 769-8853 for further information.
