

**City Of Vidor
Vidor City Council
Regular Meeting
February 24, 2022**

MEMBERS PRESENT:

Mayor Misty Songe
Councilmember Nicole McGowan
Councilmember Jerry Aldridge
Councilmember Jessica Barker
Councilmember Gary Herrera
Councilmember Jane Hill

MEMBERS ABSENT:

Councilmember Kelly Carder

Administrative Personnel: Robbie Hood, City Manager; Chris Leavins City Attorney; Betty Strong, City Secretary; Cheryl Ray, Supervisor of Finance & Accounting; and, Rod Carroll, Police 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 7:00 p.m., Mayor Songe presiding.

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

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

A -3. Citizen Comments

April Garcia, 225 Merlin St. owns Vidor Nutrition. Ms. Garcia stated she is passionate about the kids in Vidor and wants a park safe for the kids to play. She homeschools her children and informed council that she and other homeschool parents, about a group of three hundred (300) people park hop between Lumberton and Orange. They will not come to Vidor due to the unsafe parks in our area. She also explained the park in Rose City has signage issues and states this makes you want to turn around and not visit. Ms. Garcia stated she is a member of the Rotary Club, and they are possibly willing to donate equipment to build a park. Ms. Garcia asked that if there are any clubs she can join to help, she would like to be a part of it. She mentioned how she feels Conn Park will be a good option for a public park with it being easy access from the freeway.

B. COUNCIL CONSENT AGENDA

B -1. Approval of Accounts Paid:

Paid Invoices:	General Fund - \$177,561.51
	MCBSF - \$57.92
	Emergency Management - \$3,109.35
	CDBG Fund - \$48,370.50
	Disaster Fund - \$10,132.86
	Juvenile Case Manager Fund - \$39.54
	Judicial Efficiency Fee – \$50.14

B -2. Approval of Minutes: Regular Meeting – February 10, 2022

B -3. Ratification of the transfer of funds from Interest & Sinking 2013 General Obligation Refunding Bonds-Capital One Bank account to Interest & Sinking 2008/2016 General Obligation Refunding Bonds-TexPool account in the following amounts:

February 11, 2022:	\$ 33,181.18
February 17, 2022:	\$ 44,998.43

B -4. Ratification of the payment of the monthly sales tax in the amount of \$6,346.37 for January 2022 out of General Account/Pooled Cash

B -5. Ratification of the payment in the amount of \$75,400.00 for the City of Vidor, Texas General Obligation Refunding Bonds, Series 2016 - Interest Payment – TexPool account

B -6. Ratification of the payment in the amount of \$1,629.10 for the City of Vidor, Texas General Obligation Refunding Bonds, Series 2013 - Interest Payment – First Financial Bank account

B -7. Ratification of the payment in the amount of \$236,760.00 for the purchase of the new sanitation truck. Money was wired in the total amount of the truck and loan proceeds (\$158,064.00) were received for the difference between the total and the insurance proceeds (\$78,696.00) we received for the totaled vehicle.

A motion was made by Councilmember McGowan, seconded by Councilmember Aldridge, to **APPROVE THE COUNCIL CONSENT AGENDA AS PRESENTED**. The Council voted five (5) for and none (0) opposed. The motion carried.

C. COUNCIL REGULAR AGENDA

C -1. Consideration of the possible acceptance and approval of the annual auditors' report and related communications required under generally accepted auditing standards for the fiscal year ended September 30, 2021, as completed by BrooksWatson & Co., CPAs

Mike Brooks with BrooksWatson & Co., CPAs, presented Council with the annual audit report for fiscal year which ended September 30, 2021. He gave an overview of the audit process and explained how it is broken in three general phases which include planning and risk assessment, audit fieldwork, and conclusion and reporting. Mr. Brooks pointed out the City prepared an Annual Comprehensive Financial Report opposed to a standard report and received the GFOA Certificate of Achievement for Excellence in Financial Reporting for the third consecutive year. Council congratulated Cheryl Ray, Supervisor of Finance & Accounting.

Mr. Brooks reviewed the components of the annual financial report and explained the most important part within an audit report is the independent auditor's report. Mr. Brooks stated the City of Vidor has received a clean, unmodified opinion, which is the highest possible level of assurance.

Mr. Brooks discussed the financial highlights and stated the total assets exceeded total liabilities by \$18,169,182; the City's governmental funds reported combined ending fund balances of \$7,840,053, an increase of \$2,104,121; the unassigned fund balance in the general fund was \$3,608,274 or 49% of annual general fund expenditures; and the City had an overall increase in net position of \$2,328,456 for the year.

Mr. Brooks reviewed the City's revenues, expenditures, budget variances, and changes in net position for the year for the General and Proprietary Funds and thanked Chery Ray, Supervisor of Finance & Accounting, for her help.

A motion was made by Councilmember Aldridge, seconded by Councilmember McGowan, to **accept and approve the annual audit for fiscal year ended September 30, 2021**. The Council voted five (5) for and none (0) opposed. The motion carried.

C -2. Consideration and possible action to approve a Resolution authorizing the TEVA Subdivision and Special District Election and Release Form

Chris Leavins, City Attorney, explained the next four items are what were previously approved for global and the Johnson and Johnson Opioid settlement. This covers two more manufacturers TEVA and ENDO to the Opioid settlement. C-2 and C- 3 are to approve entry in the settlement.

A motion was made by Councilmember McGowan, seconded by Councilmember Aldridge, to **APPROVE THE Resolution authorizing the TEVA Subdivision and Special District Election and Release Form**. The Council voted five (5) for and none (0) opposed. The motion carried.

C-3. Consideration and possible action to approve a Resolution authorizing the ENDO Subdivision and Special District Election and Release Form

A motion was made by Councilmember McGowan, seconded by Councilmember Barker, to **APPROVE The Resolution authorizing the ENDO Subdivision and Special District Election and Release Form**. The Council voted five (5) for and none (0) opposed. The motion carried.

C-4. Consideration and possible action to approve a Resolution approving the TEVA Texas Settlement Term Sheet

Chris Leavins, City Attorney, explained C-4 and C-5 resolutions outline what will be distributed to each participant of the settlement.

A motion was made by Councilmember McGowan, seconded by Councilmember Aldridge, to **APPROVE the Resolution approving the TEVA Texas Settlement Term Sheet**. The Council voted five (5) for and none (0) opposed. The motion carried.

C-5. Consideration and possible action to approve a Resolution approving the ENDO Texas Settlement Term Sheet

A motion was made by Councilmember McGowan, seconded by Councilmember Aldridge, to **APPROVE the Resolution approving the ENDO Texas Settlement Term Sheet**. The Council voted five (5) for and none (0) opposed. The motion carried.

C -6. Consideration and possible approval of a Resolution permitting Orange County Mosquito Control to fly at low altitudes in territory under their jurisdiction to abate mosquitos

A motion was made by Councilmember McGowan, seconded by Councilmember Barker, to **APPROVE THE Resolution permitting Orange County Mosquito Control to fly at low altitudes in territory under their jurisdiction to abate mosquitos**. The Council voted five (5) for and none (0) opposed. The motion carried.

C -7. Discussion and possible action to approve the Advanced Funding Agreement for bridge replacement and rehabilitation in the TX Department of Transportation Highway State Bridge Program

Robbie Hood, City Manager, explained the State of Texas released old bridges for cities to maintain forever. Mr. Hood explained there is a Federal Highway Grant program for the Highway 90 bridge that the city did a temporary fix for earlier this month. The cost to fix this bridge is about \$400,000. Our cost will be 6% or \$33,000 of this. Mr. Hood gave an overview of a semitruck accident that happened several months ago by Claiborne Street in which the city received \$17,000 from the insurance company. Mr. Hood states this will help offset some of the costs. Mr. Hood explained another project in the scope due to insurance proceeds from another truck going down a “no truck route” road and informed council this project is set for Spring of 2023. Mr. Hood informed council we need to sign this agreement before we start any repairs. Mr. Hood explained we will do an in-house project for the bridge on Tram Road past Wal-Mart.

Gary Herrera, Councilmember Ward 5, asked if the state must approve repairs after our engineers approve the repairs. Mr. Hood stated the State will do their own inspections and confirmed the State must approve the repairs even if the city is responsible for the cost.

A motion was made by Councilmember McGowan, seconded by Councilmember Aldridge, to **APPROVE the AFA for bridge replacement and rehabilitation**. The Council voted five (5) for and none (0) opposed. The motion carried.

C -8. Consideration and possible approval of a Resolution on AFA for Old Hwy 90 @ Terry Gully

Chris Leavins, City Attorney, explained this is the same at C-7, only approving the resolution specific to the advanced funding agreement specifically for Old Highway 90 at Terry Gully.

A motion was made by Councilmember McGowan, seconded by Councilmember Barker, to **APPROVE the Resolution for the AFA for Old Hwy 90**. The Council voted five (5) for and none (0) opposed. The motion carried.

C -9. Consideration and possible action to approve a Resolution approving the recommendation of the Selection Review Committee for administration services in conjunction with the submittal of an application for funding through the 2022 Hazard Mitigation Grant Program for DR-4485 COVID-19 Pandemic to prove application preparation, project administration, and project-related management services, if awarded

Chery Ray, Supervisor of Finance & Accounting, explained we went out for RFPs in search of a grant administrator specific to HMGP DR-4485 COVID-19. Traylor & Associates and H2O responded. Ms. Ray informed council we had a scoring committee made up of herself, Betty Strong, and Robbie Hood. The committee recommends Traylor & Associates for grant administrator for HMGP DR-4485 COVID-19.

Mayor Songe commented we never had any issues with Traylor & Associates.

A motion was made by Councilmember McGowan, seconded by Councilmember Aldridge, to **APPROVE the Resolution approving the recommendation of the Selection Review Committee for administration services with Traylor & Associates**. The Council voted five (5) for and none (0) opposed. The motion carried.

C-10. Consideration and possible action to approve AN ORDINANCE OF THE CITY OF VIDOR, TEXAS AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 6 – ANIMALS – REGULATIONS OF, ARTICLE IV. – DOGS AND CATS, REGARDING DEFENSE TO PROSECUTION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE

Mayor Songe stated there will be no action on this agenda item tonight.

C -11. EXECUTIVE SESSION pursuant to Section 551.071 of the Texas Government Code – Consultation with Attorney, regarding pending or threatened litigation, and other related matters regarding the city

Mayor Songe recessed the regular meeting to go into **EXECUTIVE SESSION** at 7:23 p.m. - **Deliberation pursuant to Texas Government Code, Section 551.071 – Consultation with Attorney**

Mayor Songe reconvened the regular meeting at 8:21 p.m.

C-12. Consideration and possible action arising out of Executive Session under C-11.

No action

C -13. Consideration of Adjournment

A motion was made by Councilmember McGowan, seconded by Councilmember Barker, for **Consideration of Adjournment**. The Council voted five (5) for and none (0) opposed. The motion carried, and the Regular Meeting of the Vidor City Council adjourned at 8:21 p.m.

These minutes approved March 10, 2022.



Misty Songe, Mayor

ATTEST:



Betty Strong, City Secretary