



CITY COUNCIL REGULAR MEETING

Monday, December 12, 2022 at 6:30 PM

City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

MINUTES

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

On this the 12th day of December, 2022, the City Council of the City of Port Lavaca, Texas, convened in a regular 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:

I. ROLL CALL

Jack Whitlow	Mayor
Jerry Smith	Councilman, District 1
Tim Dent	Councilman, District 2
Allen Tippit	Councilman, District 3
Rosie G. Padron	Councilwoman, District 4, Mayor Pro Tem
Jim Ward	Councilman, District 5
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:

II. CALL TO ORDER

- Mayor Whitlow called the meeting to order at 6:32 p.m. and presided.

III. INVOCATION

- Councilman Ward gave the invocation.

IV. PLEDGE OF ALLEGIANCE

- Mayor Whitlow – Pledge of Allegiance.

V. **PRESENTATION(S)** Public Works Director Shaffer recognized Michael Valle for receiving a Class C Water Distribution License.

VI. **PROCLAMATION(S)** None

VII. COMMENTS FROM THE PUBLIC

(Limited to 3 minutes per individual unless permission to speak longer is received in advance)

- Mayor asked for comments from the public and there were none.

VIII. CONSENT AGENDA - (Council will consider/discuss the following items and take any action deemed necessary)

- A. Minutes of November 14, 2022 Regular Meeting
- B. Review of the Credit Card Statement
- C. Receive monthly Financial Highlight Report
- D. Ratify GLO Contract #20-065-071-C198 CDBG-DR Amendment No. 1 for Phase 2 Construction contract to Lester Contracting, Inc.
- E. Ratify Agreement between City and Chamber of Commerce for Event Management and Marketing Services for FY 2021 through FY 2023 that was discussed at the June 20, 2020 Council Workshop.

Motion made by Councilman District 6 Barr

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.

Seconded by Councilman District 5 Ward

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

VIII. ACTION ITEMS - (Council will consider/discuss the following items and take any action deemed necessary)

1. **The City of Port Lavaca will hold a Public Hearing regarding the submission of an application to the Texas Department of Agriculture for one or more Texas Community Development Block Grant Program (TxCDBG) grants for Program Year 2023. Presenter is GrantWorks Rep**

Mayor opened Public Hearing at 6:36 p.m.

Roxy Sandoval of GrantWorks addressed Council regarding the submission of an application to the Texas Department of Agriculture for one or more Texas Community Development Block Grant Program (TxCDBG) grants for Program Year 2023.

Mayor closed Public Hearing at 6:50 p.m.

No action necessary and none taken.

2. **Review results of Cyber Security assessment from VC3, Inc. Presenter is Susan Lang**

Finance Director Lang advised Council there is always room for improvement and/or confirmation of our current ability to detect, prevent and respond to cyber threats. VC3 was at the TML Conference and offered a cyber security assessment to the city, at no cost. Scans of the City's network infrastructure were performed in October and November and detailed questionnaires were filled out by our IT Managed Services Provider and city staff to complete the assessment. Mr. A. J. Siebert, Account Executive with VC3 was in attendance to discuss the results.

No action necessary and none taken.

3. **Consider award of a Professional Services Agreement between the City of Port Lavaca and VC3, Inc. for Information Technology (IT) Manage Services; associated Budget Amendment to fund additional services for FY 2023 and authorize Interim City Manager to electronically execute. Presenter is Susan Lang**

Finance Director Lang advised Council that the results of the recent Cyber Security Assessment performed by VC3, Inc. were shared with the Finance Committee on November 22, 2022. At this meeting, staff also discussed the Managed Services that could be provided to the City by VC3, Inc. and an in-depth question and answer session was held.

The Finance Committee unanimously agrees with staff's recommendation to change Managed Services Providers for the city's information technology needs. Staff recommend waiting until the January, 2023 to provide the required 30-day notice as per city contract and the coordination will be handled between VC3, Inc. and our current Managed Services Provider.

The Finance Committee did a great job in pointing out that the city contract will bring more clients to VC3, Inc. and for that consideration, they agreed to delay the first two months billing, which amounted to almost \$30,000.00 savings for the first year. The overall net increase for managed services will be \$50,130.00 for Fiscal Year (FY) 2023. The increase to Managed Services for FY 2024 will be another \$20,603.00; however, as servers are decommissioned, and efficiencies realized, city may see this amount decrease.

Additionally, it was discovered during staff's review of the budget, that city has not been distributing the cost of Managed Service fees to the Public Utility Fund (PUF); therefore, the proposed budget amendment captures the entire cost of Managed Services that should be recognized in the PUF, and the net increase required to the General Fund (GF).

Staff recommends approval of the Managed Services agreement with VC3, Inc. and associated budget amendment to fund the additional services for FY 2023, and authorize the Interim City Manager to execute the electronic agreement.

Motion made by Councilman District 1 Smith

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 award of a Professional Services Agreement between the City of Port Lavaca and VC3, Inc. for Information Technology (IT) Managed Services, with the provision that a Financial Clause be added to the contract, as recommended by City Attorney.

BE IT FURTHER RESOLVED, that the associated Budget Amendment to fund additional services for Fiscal Year 2023 is hereby authorized.

BE IT ALSO RESOLVED, that the Interim City Manager is hereby authorized to electronically execute all instruments necessary to effect such agreement.

Seconded by Councilman District 5 Ward

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

4. **Consider termination of Fiscal Year-End (FYE) 2021-2023 Chamber of Commerce Events/Marketing Agreement and approve a new Fiscal Year (FY) 2022-2023 Chamber of Commerce Events/Marketing Agreement, which adds a Communications Services Clause. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that for the last year of the 3-year agreement with the Chamber of Commerce, the following additions/changes are proposed:

- Provide a description of the make-up of the Events Committee as follows:
 - Events Coordinator - Chair
 - City Finance Director – Vice Chair
 - Chamber of Commerce Representative
 - Local Hotel/Motel Representative – City of Port Lavaca at Large
 - Commercial Business Representative – City of Port Lavaca at Large
 - Commercial Business Representative – Main Street
- Event Manager will assist in the coordination between the City staff/resources and other entities, for events where the City has agreed to participate such as Main Street, Inc. events and Juneteenth celebration.
- In the list of events, add “Movies in the Park” and “Monster Mile Mash”
- In addition to “Events Management” and “Marketing,” add a third category “Communications for an additional \$15,000.” The agreement will terminate on September 30, 2023 before which time we will evaluate and decide whether to continue with these services and if so, at what level of compensation.

Motion made by Councilman District 5 Ward

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 termination of Fiscal Year-End (FYE) 2021-2023 Chamber of Commerce Events/Marketing Agreement and approve a new Fiscal Year (FY) 2022-2023 Chamber of Commerce Events/Marketing Agreement, which adds a Communications Services Clause, a copy which is on file in the Office of the City Secretary, in its entirety.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all instruments necessary to effect such agreement.

Seconded by Councilman District 2 Dent

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

5. **Consider cost savings to provide a chain-link fence instead of a 3-rail aluminum fence at the Skate Park. Presenter is Jody Weaver**

Interim City Manager Weaver reminded Council that at the October 10, 2022 Council meeting, Council awarded a contract to Sylva Construction for the Parking Lot improvements project which included 225 LF of 48" high aluminum fencing along Seadrift Street. Council directed staff to investigate the price difference between a Cyclone fence (Chain-link) and the Aluminum fence.

- The Aluminum fencing (48") as bid is \$77.70/LF or \$17,482.50 total.
- A Black Chain-link fence (48") would be \$49.96/LF or \$11,240.00 (\$6,242.50 savings). For perspective, \$6,242.50 will buy 144 LF of 5 ft sidewalk.

During the planning phases of this project, the Parks Board advised they preferred the look and durability of the Aluminum Fence. A Change Order would need to be provided for whatever type of fence is approved by Council.

Motion made by Councilman District 3 Tippit

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

THAT, Council hereby approves the cost savings of a Black Chain-link Fence, in the amount of \$6,242.50, instead of a 3-rail Aluminum at the Skate Park.

Seconded by Councilman District 6 Barr

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 6 Barr

Voting Nay:
Councilman District 5 Ward

6. **Consider award of Buyboard Contract No. 581-19 to Brown and Root for the City of Port Lavaca Animal Shelter. Presenter is Jody Weaver**

Interim City Manager Weaver reminded Council that in November, staff was considering a Job Order Contract with Brown & Root to renovate and make various required improvements to the Animal Shelter. The cost for the proposed scope of work was \$440,142.00.

Taking into account discussions during the Council meeting, staff asked Brown & Root to revisit the project design and remove the roll up doors in the CMU walls and install louvers in their place. With this design, the CMU block is reduced from 12" to 8" and all the new steel work needed to bird proof the building is removed since the building would now be fully enclosed. The revised cost is \$306,672.00.

The State did come inspect the shelter a couple weeks ago and held off on taking any action against the shelter since this project was projected to begin after the first of the year. Staff is to notify the inspector once the work begins so he can come inspect and verify that the work is in fact underway.

Staff has budgeted \$250,197.00, so \$56,475 is needed from General Fund Reserves. It is staff's recommendation to award Buy Board Contract #581-19 to Brown & Root for the Base Bid amount of \$306,672.00.

Motion made by Councilman District 5 Ward

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 awards Buy Board Contract #581-19 to Brown & Root, for the City of Port Lavaca Animal Shelter Renovation Project, for the Base Bid amount of \$306,672.00 a copy which is on file in the Office of the City Secretary, in its entirety.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all instruments necessary to effect such agreement.

Seconded by Councilman District 3 Tippit

Voting Yea:
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

7. **Consider approval of AECOM Task Order No. 5 for the following Scope of Work: City of Port Lavaca Lynn's Bayou Wastewater Treatment Plant Expansion; Basic Services Items 1, 2, 3, in the total amount of \$494,588.00; authorize Budget Amendment for loan to Public Utility Fund from General Fund in the same amount and authorize a Notice to Proceed on December 13, 2022. Presenter is Wayne Shaffer**

Public Works Director Shaffer advised Council that the City's Wastewater Treatment Plant (WWTP) has exceeded 75% capacity for 3 or more consecutive months and Texas Commission on Environmental Quality (TCEQ) has mandated that engineering design must begin to expand the WWTP capacity. The initial step down this road was to perform some needed improvements to the plant which were identified in the study performed by AECOM a year ago. That project is currently in the bid phase and is scheduled to bid on December 14, 2022. Staff must now take the next step to begin the engineering for the construction of the WWTP Plant Expansion, which will provide additional capacity.

AECOM has submitted a proposal for a Task Order No. 5 which includes design work up to 30% complete and assistance as needed to apply for a Texas Water Development Loan for funding for the project if that is the direction we want to go. The total engineering fee for this scope is \$494,588.00.

The Finance Committee has reviewed the financial impact for this contract and has agreed that the Public Utility Fund will borrow funds from the General Fund that will be paid back at a later date. It is staff's recommendation to award to AECOM Task Order No. 5 to AECOM's Master Engineering Services Agreement, dated May 10, 2022 in the amount of \$494,588 to include Basic Services 1, 2 and 3 as outlined in the proposal dated 10/21/2022.

Motion made by Councilman District 6 Barr

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 AECOM Task Order No. 5 for the following Scope of Work: City of Port Lavaca Lynn's Bayou Wastewater Treatment Plant Expansion; Basic Services Items 1, 2, 3, in the total amount of \$494,588.00; and also authorizes a Notice to Proceed on December 13, 2022.

BE IT FURTHER RESOLVED, that a Budget Amendment for a loan to the Public Utility Fund from the General Fund, in the amount of \$494,588.00, is hereby authorized.

BE IT ALSO RESOLVED, that the Mayor is hereby authorized to execute all instruments necessary to effect such agreement.

Seconded by Councilman District 5 Ward

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippet, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

8. **Consider approval of AECOM Task Order No. 6 for Bid and Construction Phase Services for the Lynn's Bayou Wastewater Treatment Plant Improvement project, in the amount of \$127,317.00. Presenter is Wayne Shaffer**

Interim City Manager Weaver advised Council that AECOM Task Order No. 4, approved on May 10, 2021, covered the design and preparation of the Bid Package.

AECOM Task Order No. 6 covers the Bid Phase and Construction Phase Services. Staff has actually already started the bidding phase. A Mandatory Prebid conference was held on Wednesday, December 7, 2022 with 5 General Contractors in attendance. Bids are due on December 14, 2022.

This projected fee of \$118,519 for Bidding and Construction Phase plus \$8,798.00 for materials testing, totaling \$127,317.00 will come from the Series 2022 CO Bonds.

Staff recommends approval of AECOM Task Order No. 6 to AECOM's Master Engineering Services Agreement, dated May 10, 2022 in the amount of \$127,317.00.

Motion made by Councilman District 2 Dent

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 AECOM Task Order No. 6 for Bid and Construction Phase Services for the Lynn's Bayou Wastewater Treatment Plant Improvement project, in the amount of \$127,317.00, to come from the Series 2022 CO Bonds.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all instruments necessary to effect such agreement.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

9. **Consider Second and Final Reading of an Ordinance (G-9-22) of the City of Port Lavaca amending the Code of Ordinances, Chapter 12 Buildings and Building Regulations, Sec. 12-21, to provide a Temporary Housing Permit to allow placement of a Recreational Vehicle (RV) on site of an active residential permit for up to 180 days; providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith**

Motion made by Councilman District 5 Ward

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

THAT, in accordance with recommendation of staff, Council hereby approves the Second and Final Reading of an Ordinance (G-9-22) of the City of Port Lavaca amending the Code of Ordinances, Chapter 12 Buildings and Building Regulations, Sec. 12-21, to provide a Temporary Housing Permit to allow placement of a Recreational Vehicle (RV) on site of an active residential permit for up to 180 days; providing for severability; providing a repealing clause; and providing an effective date.

Seconded by Councilman District 1 Smith

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

10. **Consider Second and Final Reading of an Ordinance (G-10-22) of the City of Port Lavaca repealing Chapter 26 of the City of Port Lavaca Code of Ordinances and adopting a New Chapter 26 of the City of Port Lavaca, Texas Code of Ordinances, Regulating Manufactured Housing and Recreational Vehicles (RV), Manufactured Housing Subdivisions, Manufactured Housing Parks, Recreational Vehicle Parks; Providing for Permits; Setting Fees; Establishing an Appeals Process; Setting Penalties for Violations; Providing a Repealing Clause; Providing a Severability Clause; and Setting an effective date. Presenter is Derrick Smith**

Motion made by Councilman District 2 Dent

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

THAT, in accordance with recommendation of staff, Council hereby approves the Second and Final Reading of an Ordinance (G-10-22) of the City of Port Lavaca repealing Chapter 26 of the City of Port Lavaca Code of Ordinances and adopting a New Chapter 26 of the City of Port Lavaca, Texas Code of Ordinances, Regulating Manufactured Housing and Recreational Vehicles (RV), Manufactured Housing Subdivisions, Manufactured Housing Parks, Recreational Vehicle Parks; Providing for Permits; Setting Fees; Establishing an Appeals Process; Setting Penalties for Violations; Providing a Repealing Clause; Providing a Severability Clause; and Setting an effective date of January 01, 2023.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

11. **Consider First Reading of an Ordinance (G-11-22) of the City of Port Lavaca amending the Code of Ordinances, Part II, Appendix A – Fees, Rates and Charges (Chapter 12 – Buildings and Building Regulations, Sec. 12-1 Construction Code Services: Fee Table 3 – Construction or Improvement of a Residential Dwelling) (Chapter 26 – Manufactured Housing and Recreational Vehicle Parks, Sec. 26-9 and 26-26) and providing an effective date. Presenter is Derrick Smith**

Motion made by Councilman District 5 Ward

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

THAT, in accordance with recommendation of staff, Council hereby approves the First Reading of an Ordinance (G-11-22) of the City of Port Lavaca amending the Code of Ordinances, Part II, Appendix A – Fees, Rates and Charges (Chapter 12 – Buildings and Building Regulations, Sec. 12-1 Construction Code Services: Fee Table 3 – Construction or Improvement of a Residential Dwelling) (Chapter 26 – Manufactured Housing and Recreational Vehicle Parks, Sec. 26-9 and 26-26) and providing an effective date.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

12. **Receive Budget Report from Undine for the Treatment of Raw Water within City of Port Lavaca jurisdiction for the 2023 Fiscal Year. Presenter is Jody Weaver**

City Councilmembers received a Budget Report from Undine for the Treatment of Raw Water within City of Port Lavaca jurisdiction for the 2023 Fiscal Year.

No action necessary and none taken.

13. **Consider First Reading of an Ordinance (G-12-22) of the City of Port Lavaca amending the Code of Ordinances, Part II, Appendix A – Fees, Rates and Charges (Chapter 50 – Utilities, Sec. 50-67 Water User Rates; Sec. 50-122 to Sec. 50-123 Sewer Table Rates) and providing an effective date. Presenter is Susan Lang**

Motion made by Councilman District 5 Ward

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

THAT, in accordance with recommendation of staff, Council hereby approves the First Reading of an Ordinance (G-12-22) of the City of Port Lavaca amending the Code of Ordinances, Part II, Appendix A – Fees, Rates and Charges (Chapter 50 – Utilities, Sec. 50-67 Water User Rates; Sec. 50-122 to Sec. 50-123 Sewer Table Rates) and providing an effective date.

Seconded by Councilman District 1 Smith

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

14. **Consider request of Martin Perez of 1317 Burkedale Dr. for a variance request to City Code of Ordinance Chapter 12 Building and Building Regulation, Article II Building Trade Codes, Section 12-24 Building Setbacks. Presenter is Derrick Smith**

Development Services Director Smith advised Council that this Variance request is for a home addition to be built with a rear lot setback of 18-foot 6-inches. This dwelling is located in the Burkshire subdivision which has a rear lot setback of 25 feet. This request is 6-feet 4-inches less than the minimum code requirement; therefore, the following code requirements are not feasible to be met, and the home expansion project requires a variance approval to such code.

Motion made by Councilwoman District 4 (Mayor Pro Tem) Padron

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 request of Martin Perez of 1317 Burkedale Dr. for a variance request to City Code of Ordinance Chapter 12 Building and Building Regulation, Article II Building Trade Codes, Section 12-24 Building Setbacks.

Seconded by Councilman District 1 Smith

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

15. **Receive notification in accordance with Item 2 of the Fourth Amendment to the Municipal Contract between BFI Waste Services of Texas, LP d/b/a Republic Services of Corpus Christi and the City of Port Lavaca, submission of annual letter reflecting a 4.00% increase in the Base Rate for commercial services only to become effective February 1, 2023. Presenter is Jody Weaver**

Interim City Manager Weaver submitted Council with the following letter:

In accordance with Item 2 of the Fourth Amendment to the Municipal Contract between BFI Waste Services of Texas, LP d/b/a Republic Services of Corpus Christi and the City of Port Lavaca, we hereby submit our annual letter reflecting a 4.00% increase in the Base Rate for commercial services only to become effective February 1, 2023.

The Base Residential Contract Rate as of May 1, 2022, was \$19.53 and will remain flat until February 1, 2024. The commercial rate sheet is attached for review. Should you have any questions concerning the price increase or our service, please do not hesitate to call me.

No action needed and none taken.

16. **Announcement by Mayor that City 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). Presenter is Mayor Whitlow**

Mayor Whitlow announced a Recess at 8:09 p.m.

Mayor Whitlow announced return from Recess at 8:26 p.m.

Mayor Whitlow announced that Council would retire into closed session at 8:26 p.m.

17. **Return to Open Session and take any action deemed necessary with regard to matters in closed session. Presenter is Mayor Whitlow**

Mayor Whitlow announced that Council was back in open session at 9:17 p.m. and there would be no action necessary with regard to matters in closed session

IX. ADJOURNMENT

Mayor asked for motion to adjourn.

Motion made by Councilman District 3 Tippit

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

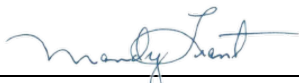
Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

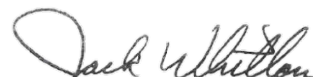
Meeting adjourned at 9:19 p.m.

These minutes were approved on January 09, 2023.

ATTEST:



Mandy Grant, City Secretary



Jack Whitlow, Mayor