



WEST COLUMBIA CITY COUNCIL REGULAR MEETING AND SUPPLEMENTAL TELEPHONE CONFERENCE

Council Chambers, 512 E. Brazos
Monday, November 14, 2022 at 7:00 PM

AGENDA

The City Council of the City of West Columbia will conduct its regular meeting scheduled for **Monday, November 14, 2022 at 7:00 PM in person. The public may participate by telephone / video conference.** This Notice, the meeting agenda, and the agenda packet can be found online at:

www.westcolumbiatx.org

The public will be permitted to offer public comments telephonically as provided below and as permitted by the Mayor during the meeting. A recording of the telephonic meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

If you require accommodation to participate in this meeting, contact the City Secretary at 979-345-3123 or citysecretary@westcolumbiatx.org at least 6 hours prior to the meeting start time.

THE PUBLIC TOLL-FREE DIAL-IN NUMBER TO PARTICIPATE IN THE TELEPHONIC MEETING IS:

1 (346) 248-7799

ONCE YOU ARE CONNECTED, YOU MUST ENTER THE FOLLOWING INFORMATION:

MEETING ID NUMBER: 890 7349 8114

PASSCODE: 075604

You may also connect to the meeting on your phone or on your laptop by going to the following internet address:

<https://us02web.zoom.us/j/89073498114?pwd=VEZ3VWtPamNPM041aGxrUTdwbmE5Zz09>

Once you are on the website, you may need to enter the following:

MEETING ID NUMBER: 890 7349 8114

The Agenda for this November 14th meeting will be as follows:

INVOCATION & PLEDGES.

ROLL CALL OF COUNCIL.

MAYOR AND CITY COUNCIL GREETINGS.

PRESENTATION(S).

1. Patrick Bourne - Public Improvement District Update

CITIZEN'S COMMENTS.

Members of the public wishing to address Council should seek recognition by raising their hand, and when acknowledged, move to the podium and state their name and address. Specific factual information or a recitation of existing policy may be furnished in response to an inquiry made by a member of the general public but any deliberation, discussion or decision with respect to any subject about which the inquiry was made that is not on the agenda shall be limited to a proposal to place such subject on the agenda of a future meeting for which notice is provided in compliance with the Texas Open Meetings Act. The public is requested to limit presentation of comments regarding agenda and non-agenda items to five (5) minutes.

CITY MANAGER'S REPORT.

2. Public Works * Municode * Grants * Parks * Housing * BCAD * Upcoming Meetings & Events *
Citizen's Comments from Last Month

CONSENT AGENDA.

3. Approval of Minutes from Previous Meeting(s)
4. Treasurer's Report
5. Police Department Report
6. Municipal Court Report
7. Code Enforcement Report
8. Public Works Report
9. Consider HOT Advisory Board Funding Recommendations

ITEMS REMOVED FROM CONSENT AGENDA.

PUBLIC HEARINGS.

10. Public Hearing: Ordinance Violations - (1) Ordinance 289, Section 13-107 Junked Vehicles, (2) Ordinance 619 Section 13-32 Accumulation of Weeds, Rubbish, Etc., and (3) 2015 International Property Management Code - Section 304.1 - Unsafe Conditions
11. Application for Wine Only Packaging Store for Stellar 3, 704 W. Brazos Ave., West Columbia TX

OLD BUSINESS.

NEW BUSINESS.

12. Discuss and Consider Resolution to Abate Junk Vehicles - 223 W. Jackson, 211 Dow St., 109 Prewitt St.
13. Discuss and Consider Resolution to Abate Junk Vehicles - 110 Carver St.
14. Consider Application for Wine Only Package Store Permit for Stellar 3, 704 W. Brazos Ave., West Columbia, TX
15. Consider Replat of Property at Austin St. - Willie Johnson

16. Discuss and Consider Approving a Contingent Fee Contract with Perdue Brandon Fielder Collins and Mott, LLP Pursuant to Section 552.001(b) of the Local Government Code, said contract being for the collection of delinquent utility accounts owed to the City of West Columbia and notice of said contract is posted with the agenda in accordance with Section 2254 of the Government Code
17. Second Reading of the Resolution No. 579 - Discovery Days Learning Center LLC
18. First Reading of Resolution Approving EDC Development Agreement with Republic BBQ
19. Discuss and Consider Drainage Update by John G. Phillips III, West Brazos Drainage District #11 - Wayne Patterson Property
20. Discuss and Consider Ordinance on Admin Fee for Violate Promise to Appear and Failure to Appear Citations
21. Discuss and Consider Seeking Proposal for GIS Mapping of the City's Utilities
22. Discuss and Consider Amendment to Chapter 13 "Nuisances" of the Code of Ordinances
23. Consider Resolution Authorizing Submission of Bullet-Resistant Shield Grant Program Application - Ballistic Rifle Shields
24. Consider Vacation Leave Buyback for Police Department

EXECUTIVE SESSION.

The West Columbia City Council may convene in a closed meeting pursuant to Texas Government Code Section 551.071 (Consultation with Attorney), Section 551.072 (Deliberation regarding Real Property and/or Section 551.074 (Personnel Matters)

25. Administration Salaries
26. Action as Result of Executive Session

ADJOURN.

I certify that I did on the 10th day of November 2022 post this notice of meeting at 512 E. Brazos.

Kaili M Avirett

Kaili Avirett, City Secretary

Public Notice:

NOTICE PURSUANT TO GOVERNMENT CODE SEC. 2254.1036

WHEREAS, the City of West Columbia will consider approving a contingent fee contract with the law firm of Perdue, Brandon, Fielder, Collins & Mott, L.L.P. ("Firm") and hereby posts this notice pursuant to Sec. 2254.1036 of the Government Code.

WHEREAS, this notice shall be posted before or at the time of giving the written notice required by Government Code Sec. 551.041 for a meeting described by Sec. 2254.1036(2) of the Government Code and shall announce the following:

A. The City of West Columbia is pursuing a contract with the Firm for the collection of delinquent utility accounts owed to the City of West Columbia. Through this contract the City of West Columbia seeks to increase recovery of its delinquent debts in as expeditious a manner as possible. GOVT. CODE § 2254.1036(1)(A).

B. The City of West Columbia believes the Firm has the competency, qualifications, and experience necessary to fulfill this contract. GOVT. CODE § 2254.1036(1)(B). The Firm has collected delinquent government receivables for over 50 years, including the collection of delinquent utility accounts. The Firm currently has 14 primary offices and multiple satellite offices throughout Texas, Oklahoma and Florida. It employs almost 400 individuals, including 59 attorneys. It uses a multi-office, fully integrated team approach allowing the City of West Columbia access to all its offices and resources. Its collection team consists of long-term Firm employees, including attorneys, call center associates, paralegals, law clerks, legal secretaries, collection support personnel and information technology experts. The Firm utilizes a proprietary collection software that can be tailored to meet any special need the City of West Columbia may have. This proprietary software also automates many aspects of the collection process, such as: account/debtor research, mailings and phone calls, return mail and address updates, payment notification and processing and workflow.

C. The nature of any relationship between City of West Columbia and the Firm is as follows. GOVT. CODE § 2254.1036(1)(C). The Firm currently represents the City of West Columbia in the collection of both delinquent ad valorem property taxes and delinquent criminal court fees and fines.

D. The City of West Columbia is unable to collect its own delinquent utility accounts. GOVT. CODE § 2254.1036(1)(D). The City of West Columbia currently does not have adequate support staff, computer software/programming, or experience to internally conduct these collection services and acquiring these will result in substantial expense to the City of West Columbia.

E. These collection services cannot be provided for an hourly fee. GOVT. CODE § 2254.1036(1)(E). The Texas Local Government Code allows the assessment of a percentage-based fee to recover the costs of collecting delinquent utility accounts. This percentage-based fee is assessed only against the debtor and not the City of West Columbia or taxpayers of the City of West Columbia. The collection of delinquent utility accounts is a high-volume practice, requiring a significant amount of research, mailing, and handling of outbound/inbound calls. An hourly fee for such work will likely exceed amount of the delinquent utility accounts due. Moreover, the City of West Columbia will bear the cost of these hourly fees and not the debtor, because Texas law does not expressly authorize the City of West Columbia to pay for collection services based on an hourly fee.

F. The City of West Columbia believes this contingent fee contract is in its best interest. GOVT. CODE § 2254.1036(1)(F). Under the contingent fee contract, the Firm will be paid the amount of the percentage-based collection fee, regardless the number of hours the Firm spends researching, contacting and mailing to collect the delinquent utility account. Additionally, the percentage-based collection penalty is a pass-through expense to the debtor and not an expense to the City of West Columbia or its taxpayers.