

**AGENDA
NOTICE OF MEETING OF THE CITY COUNCIL OF
SHAVANO PARK, TEXAS**

This notice is posted pursuant to the Texas Open Meetings Act. Notice hereby given that the City Council of the CoSP, Texas will conduct a Special Meeting on Monday, January 30, 2023 6:00 p.m. at 900 Saddletree Court, Shavano Park City Council Chambers.

The meeting agenda and agenda packet are posted online at www.shavanopark.org.

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. CITIZENS TO BE HEARD

The City Council welcomes “Citizens to be Heard.” If you wish to speak, you must follow these guidelines. **As a courtesy to your fellow citizens and out of respect to our fellow citizens, we request that if you wish to speak that you follow these guidelines.**

- The Mayor will recognize those citizens who have signed up prior to the start of the meeting.
- Pursuant to Resolution No. R-2019-011 citizens are given three minutes (3:00) to speak during “Citizens to be Heard.”
- Members of the public may only speak once and cannot pass the individual’s time allotment to someone else
- Direct your comments to the entire Council, not to an individual member
- Show the Council members the same respect and courtesy that you expect to be shown to you

The Mayor will rule any disruptive behavior, including shouting or derogatory statements or comments, out of order. Continuation of this type of behavior could result in a request by the Mayor that the individual leave the meeting, and if refused, an order of removal. In compliance with the Texas Open Meetings Act, no member of City Council may deliberate on citizen comments for items not on the agenda. (Attorney General Opinion – JC 0169)

4. CITY COUNCIL COMMENTS

Pursuant to TEX. GOV’T CODE §551.0415(b), the Mayor and each City Council member may announce city events/community interests and request that items be placed on future City Council agendas. “Items of Community Interest” include:

- expressions of thanks, congratulations, or condolences;
- information regarding holiday schedules;
- an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in status of a person’s public office or public employment is not honorary or salutary recognition for purposes of this subdivision;
- a reminder about an upcoming event organized or sponsored by the governing body;

- information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality or county; and
- announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after posting of the agenda.

5. REGULAR AGENDA ITEMS

- 5.1. Discussion / Action – Resolution R-2023-002 adopting rules to ensure the identification, security, and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time – City Manager / City Engineer**

6. ADJOURNMENT

Executive Sessions Authorized: This agenda has been reviewed and approved by the City’s legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of TEX. GOV’T CODE CHAPTER 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy TEX. GOV’T CODE §551.144(c) and the meeting is conducted by all participants in reliance on this opinion. The Council may vote and/or act upon each of the items set out in this agenda. In addition, the City Council for the City of Shavano Park has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter authorized by Texas Government Code Sections 551.071 (Consultation with Attorney); 551.072 (Deliberations related to Real Property); and Section 551.074 (Personnel Matters).

Attendance by Other Elected or Appointed Officials – NOTICE OF POTENTIAL QUORUM:

It is anticipated that members of City Council or other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

The facility is wheelchair accessible and accessible parking spaces are also available in the front and sides of the building. The entry ramp is located in the front of the building. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the City Secretary at 210-581-1116 or TDD 1-800-735-2989.

CERTIFICATE:

I hereby certify that the above Notice of Meeting was posted on the City Hall bulletin board on the 27th day of January 2023 at 5:33 p.m. at a place convenient and readily accessible to the general public at all times, and to the City's website, www.shavanopark.org, in compliance with Chapter 551, Texas Government Code.

Trish Nichols
City Secretary

CITY COUNCIL STAFF SUMMARY

Meeting Date: January 30, 2023

Agenda item: 5.1

Prepared by: Bill Hill

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION: Discussion/Action - Resolution R-2023-002 adopting rules to ensure the identification, security, and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time – City Manager / City Engineer

Attachments for Reference: 1) N/A

BACKGROUND / HISTORY: State law provides that cities may receive bids or proposals through electronic transmission, provided the city council adopts rules to ensure the identification, security and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time.

DISCUSSION: The City adopted rules for budget adjustments and purchasing policy in 2007 and have revised from time to time with the last revision in 2018. The Budget Adjustments and Purchasing policy is the appropriate means to authorize the City to receive electronic bids or proposals.

This resolution proposes that the City Council authorizes the City Manager to amend the Budget Adjustments and Purchasing Policy Manual of the City of Shavano Park to receive bids or proposals through electronic transmission including Civcast USA, or equivalent, and finds that Civcast USA sufficiently ensures the identification, security and confidentiality of electronic bids or proposals and ensures that the electronic bids or proposals remain effectively unopened until the proper time, in conformance with Local Government Code 252.0415.

The City Manager will revise the purchasing policy in coordination with the City Attorney to ensure that the identification, security and confidentiality of electronic bids or proposals and ensures that the electronic bids or proposals remain effectively unopened until the proper time, in conformance with Local Government Code 252.0415.

After City Manager approval, the policy will be brought before the City Council for formal adoption into the Code of Ordinances at the February 27th City Council meeting.

COURSES OF ACTION: Approve the resolution as presented; approve with amendments; or disapprove with further guidance to staff

FINANCIAL IMPACT: N/A

MOTION REQUESTED: To approve Resolution R-2023-002 authorizing the City Manager to amend the Budget Amendment and Purchasing policy to adopt rules to ensure the identification, security, and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time

RESOLUTION No. R-2023-002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHAVANO PARK, TEXAS, AUTHORIZING AMENDMENTS TO THE CITY OF SHAVANO PARK PURCHASING POLICY MANUAL; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City desires to provide options for the acceptance of electronic bids within its procurement and bidding processes; and,

WHEREAS, state law provides that cities may receive bids or proposals through electronic transmission, provided the city council adopts rules to ensure the identification, security and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time; and,

WHEREAS, the City's design engineer utilizes an electronic bid service known as Civcast USA that meets the requirements of Local Government Code 252.0415 and when utilized, allows for the submission of electronic bids through a link on the City's website or through www.civcastusa.com; and,

WHEREAS, the City Manager and City Engineer recommend that the City Council approve the acceptance of electronic bids through Civcast USA and equivalent electronic bid services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHAVANO PARK, TEXAS:

SECTION 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council of the City of Shavano Park, Texas and made a part of this Resolution for all purposes as findings of fact.

SECTION 2. The City Council hereby authorizes the City Manager to amend the Purchasing Policy Manual of the City of Shavano Park to receive bids or proposals through electronic transmission including Civcast USA, or equivalent, and finds that Civcast USA sufficiently ensures the identification, security and confidentiality of electronic bids or proposals and ensures that the electronic bids or proposals remain effectively unopened until the proper time, in conformance with Local Government Code 252.0415.

SECTION 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

SECTION 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 30th day of January, 2023.

Robert Werner
Mayor

ATTEST: _____
Trish Nichols
City Secretary