



CITY OF CUERO COUNCIL MEETING WORK SESSION JANUARY 4, 2023 12:00 PM

Notice is hereby given for a meeting and work session of City Council of the City of Cuero to be held on January 4 at 12:00 Noon located at City Hall Council Chambers, for the purpose of discussion of the following items. The City Council of the City of Cuero will meet, consider, deliberate but take no action on items.

- 1. Call To Order And Announce A Quorum Is Present**
- 2. First Reading Of An Ordinance**

2.1. Discuss, Consider And Possible Action On First Reading Of Ordinance No. 2023-01, Amending Rates On The Texas Disposal Contract.

Documents:

[Ordinance 2023-01 TDS Rates.pdf](#)
[Exhibit A.pdf](#)

- 3. Update On Present Status Of The Airport Property**
- 4. Discussion:**
 - * Stay the Course
 - * Close the current airport
 - * Remodel Current Airport

In compliance with the Americans with Disabilities Act, the City of Cuero will provide reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact Jennifer Zufelt, City Secretary, at 361-275-3476.

CERTIFICATION

I certify that a copy of the January 4, 2023, agenda of items to be considered by the City of Cuero Council was posted on the City Hall windows on Wednesday December 29, 2022 before 5:00 P.M.

Jennifer Zufelt
City Secretary

ORDINANCE NO. 2023-_01

AN ORDINANCE OF THE CITY COUNCIL OF THE CUERO, TEXAS THAT AMENDS A CONTRACT FOR MUNICIPAL SOLID WASTE COLLECTION SERVICES BETWEEN THE CITY OF CUERO AND TEXAS DISPOSAL SERVICES, INC. BY INCREASING THE RATE IN SAID CONTRACT FOR COLLECTION SERVICES PROVIDED TO THE CITY OF CUERO BY 6% AND REMOVING ANY RATE INCREASE PROVIDED IN SAID CONTRACT PREVIOUSLY SET TO TAKE EFFECT IN FEBRUARY OF 2023; PROVIDING FOR CONSTRUCTION OF THIS ORDINANCE UPON THE INVALIDITY OF ANY PART THEREOF; PROVIDING FOR AN EFFECTIVE DATE THEREOF; REPEALING ALL OTHER ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND PRESCRIBING AN EFFECTIVE DATE.

WHEREAS, the City of Cuero and Texas Disposal Systems, Inc. entered into a contact with an effective date of October 1, 2015 for Texas Disposal Systems, Inc. (“Contract”) to provide the City of Cuero with solid waste collection and disposal services; and

WHEREAS, by the terms of said Contract, Texas Disposal Systems, Inc. charges the City of Cuero those rates for solid waste collection as provided in the Contract, to which the City of Cuero pays to Texas Disposal Systems, Inc and then the City of Cuero charges and collects for solid waste disposal from its customers; and

WHEREAS, the City of Cuero and Texas Disposal Systems, Inc. agree to amend said Contract to allow Texas Disposal System, Inc. an increase in the rate charged by the Texas Disposal Services, Inc. to the City of Cuero for solid waste collection and disposal services; and

WHEREAS, this City Council does hereby approve the amendment to the Contract by increasing the rate by 6% as depicted in the form attached hereto as Exhibit “A”, with said increase in rates depicted on the attachment “A” to Exhibit “A” attached hereto and those terms and conditions as contained therein; and

WHEREAS, the City of Cuero and Texas Disposal Systems, Inc. also agree to amend the Contract to provide no such rate increase shall take place in February, 2023, as previously indicated in the Contract; and

WHEREAS, this City Council does hereby approve the amendment to the Contract by providing that there will be no rate increase on October 1, 2023 as provided in the form attached hereto as Exhibit “A”, depicted on the attachment “A” to Exhibit “A” attached hereto and those terms and conditions as contained therein; and

WHEREAS, all other terms and conditions of said Contract thereto shall remain valid and unchanged; and

WHEREAS, this City Council does hereby authorize and direct the Mayor of the City of Cuero to execute the amendment to the Contract hereto as Exhibit “A” and all documents associated therewith; and

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

SECTION ONE. The matters and facts recited in the preamble hereof are hereby found and determined to be true and correct and incorporated herein by reference as if fully set forth herein.

SECTION TWO. The City of Cuero and Texas Disposal Systems, Inc. agree to amend the Contract for solid waste collection and disposal services by increasing the rate charged by Texas Disposal Systems, Inc to the City of Cuero to 6%.

SECTION THREE. The City of Cuero and Texas Disposal Systems, Inc. agree to amend the Contract for solid waste collection and disposal services by removing any rate increase for October 1, 2023.

SECTION FOUR. If any clause, sentence, or section of this Ordinance shall be held to be invalid, it shall not affect the remaining portions of this Ordinance, which shall remain valid and effective as if such invalid provision did not exist, although the parties shall be entitled to a judicial interpretation or construction of this Ordinance to address the validation of such provision by minimal amendment thereof.

SECTION FIVE. This ordinance shall take effect and be in full force immediately from and after thirty (30) days after the date of its final passage after the required three (3) readings and publications, as provided by the Statutes of the State of Texas and the Home Rule Charter of the City of Cuero, Texas.

SECTION SIX. Full text of Ordinance shall be published once, within fifteen (15) days following the first reading, in a newspaper of general circulation in the City.

SECTION SEVEN. Each and every other ordinance or part thereof which is directly in conflict with any provision herein is hereby repealed.

SECTION EIGHT. That it is hereby declared that the sections, articles, subsections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph, subsection, article, or section of this ordinance shall be declared void, ineffective, or unconstitutional by a valid judgment or final decree of a court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not effect any of the remaining phrases, clauses, sentences, paragraphs, subsections, articles, or sections of this ordinance since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective, or unconstitutional phrase, clause, sentence, paragraph, subsection, article, or section.

FIRST READING

UPON MOTION OF COUNCILMEMBER _____, SECONDED BY COUNCILMEMBER _____, THAT THE ORDINANCE BE ADOPTED: AYES: _____ NAYES: _____ MOTION CARRIED THIS _____ DAY OF _____, 2023.

SECOND READING

UPON MOTION OF COUNCILMEMBER _____, SECONDED BY COUNCILMEMBER _____, THAT THE ORDINANCE BE ADOPTED: AYES: _____ NAYES: _____ MOTION CARRIED THIS _____ DAY OF _____, 2023.

THIRD READING

UPON MOTION OF COUNCILMEMBER _____, SECONDED BY COUNCILMEMBER _____, THAT THE ORDINANCE BE ADOPTED: AYES: _____ NAYES: _____ MOTION CARRIED THIS _____ DAY OF _____, 2023.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CUERO, TEXAS, THIS _____ DAY OF _____, 2023.

Sara Post Meyer
Mayor

ATTEST:

Jennifer Zufelt
City Secretary

APPROVED AS TO LEGALITY:

James K. Crain, III
City Attorney

City of Cuero
Garbage Rates

	<u>10/1/2022</u>	<u>2/1/2023</u>
	CURRENT RATE	NEW RATE
Residential - Inside	25.74	26.92
Residential - Outside	35.95	37.60
Extra Cart	10.95	11.49
Commercial Cart	44.43	46.96
Commercial Cart Recycle - EOW	11.39	24.37
Commercial Cart Recycle - 1X	26.24	49.73
Commercial 1.5 CY - 1X	97.70	103.44
Commercial 3 CY - 1X	119.70	126.76
Commercial 3 CY - 2X	215.40	228.20
Commercial 3 CY - 3X	312.20	330.81
Commercial 3 CY - 4X	409.00	433.42
Commercial 3 CY - 5X	504.70	534.86
Commercial 4 CY - 1X	138.40	146.58
Commercial 4 CY - 2X	250.60	265.52
Commercial 4 CY - 3X	363.90	385.60
Commercial 4 CY - 4X	478.30	506.88
Commercial 4 CY - 5X	590.50	625.81
Commercial Recycle 3 CY - EOW	87.80	92.95
Commercial Recycle 3 CY - 1X	114.20	120.93
Commercial Recycle 4 CY - EOW	136.20	144.25
Commercial Recycle 4 CY - 1X	129.60	137.26