

**CITY OF SAGINAW
MINUTES OF CITY COUNCIL MEETING
AND WORKSHOP
HELD AT THE SAGINAW CITY HALL
333 WEST MCLEROY BLVD.
JUNE 18, 2019**

Present at the meeting:

Mayor	Todd Flippo
Mayor Pro-Tem	David Flory
Councilmember	Patrick Farr
Councilmember	Valerie Tankersley
Councilmember	Charles Tucker
Councilmember	Cindy Bighorse
Councilmember	Mary Copeland
City Attorney	Bradley Anderle
City Engineer	Andrew Simonsen, P.E.
City Manager	Gabe Reaume
Asst. City Manager	Dolph Johnson
Finance Director	Kim Quin
City Secretary	Janice England
Police Chief	Lee Howell
Fire Chief	Doug Spears
Director of Public Works	Rick Trice, P.E.
Director of Comm. Services	Keith Rinehart
Director of Human Resources	Melanie McManus
Director of Economic Dev.	Alora Wachholz
Library Director	Ellen Ritchie
Management Analyst	Stacy Lomeli
Police Officer	Douglas Schultz

Absent from the meeting:

None

Visitors at the meeting:

Jose Murillo	Michael P. Holland
Glen Reeves	Dennis Hudson
Jan Young	Kune Kyser
Terry Flory	Debbie Raindl
Faye Flory	Cora Tompkins
Jill Kite	Amanda Renfro
Lane Renfro	Randy Edwards
Charles Beasley	Jarrod Coursey
Larry Little	Michael Clark
Richard Kang	Kevin Cho
Farooq Wazirali	

(1) Call to Order

Mayor Flippo called the meeting to order at 6:00 p.m. with a quorum present.

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

(2) Invocation

Pastor Dennis Hudson of the Saginaw Park Baptist Church gave the invocation.

(3) Audience Participation

This item was covered on the video screen.

(4) Consent Agenda

a. Action regarding Approval of Minutes, June 4, 2019

b. Action regarding Agreement to Provide Professional Services related to Building Inspections with Jimmy Ross/Ross Inspection Service

Summary: Earlier this year an Agreement to Provide Professional Services related to Building Inspections with Kevin McMillin was approved. The proposed agreement with Jimmy Ross/Ross Inspection Service replaces that agreement. There is no change to the services to be provided. However, it is estimated that there will be an annual cost savings of \$35,000 over the previous agreement. The financial impact of the agreement will be \$49,000 annually which will be covered by the revenue generated from the Rental Inspection Program and the reorganization of the Inspections Department earlier this year.

c. Action regarding Community Link Building Improvement Grant Agreement

Summary: On May 7, 2019, the City Council reviewed an application for a Building Improvement Grant (BIG) Program that was submitted by a local non-profit partner, Community Link Mission. This foodbank, which services a wide area and is located in Saginaw, requested assistance funding for a variety of projects including the demolition of a residential structure located next door to their food pantry facility; the expansion of their facility to the neighboring site; and replacement of a broken door. Although Community Link Mission is an exception circumstance, as a tax-exempt entity in the City with a request over and above the BIG Policy cap of \$5,000, Council approved moving forward with a matching grant of funds in an amount not to exceed \$7,500 in reimbursable dollars for improvements as listed in their original application. In keeping with the terms of the policy, not more than \$5,000 of the total award may be used on a single category of enhancement. Therefore, Community Link intends to request a reimbursement of \$5,000 at the completion of the old house demolition and another \$2,500 upon replacement of the door. The financial impact is up to \$7,500 in reimbursable grant dollars from the Building Improvement Grant Account (01-6142-13). This agreement is addressed in the proposed Chapter 380 Economic Incentive Agreement with Community Link.

d. Action regarding recommendation from Advisory Recreation and Parks Board to purchase one "Gingerbread House", "Santa Roping a Reindeer", and Group of Four Self-Standing LED Trees

Summary: On June 10, 2019, the Recreation and Parks Advisory Board held a special meeting. The agenda included an item to consider the selection of Christmas decorations to be used to supplement and enhance the City's annual light displays. The Beautification Committee has agreed to commit up to \$15,000 in matching funds towards this purchase. The Board chose four displays and voted to recommend approval of \$25,000 to purchase one "Gingerbread House", one "Santa Roping a Reindeer", and a group of four self-standing LED trees. The total financial impact will be \$39,592.24. Funding in the amount of \$24,592.24 will come from the Park Donation Fund which has an available balance of \$94,078.61. Funding in the amount of \$15,000 will come from the Beautification Donation Fund which has an available balance of \$72,805.65.

Councilmember Bighorse requested that Item 4b and Item 4c be pulled from the Consent Agenda for discussion.

Motion was made by Mayor Pro Tem Flory with a second by Councilmember Tucker to approve Item 4a and Item 4d of the consent agenda as presented. Motion carried. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

Item 4b Action regarding Agreement to Provide Professional Services related to Building Inspections with Jimmy Ross/Ross Inspection Service

City Manager Reaume explained a previous agreement for building inspections with Kevin McMillin will be replaced by an agreement with Jimmy Ross/Ross Inspection Service. This agreement will result in substantial monetary savings. City Manager Reaume explained that contracting with a private contractor will supplement the current inspection staff as they manage the increased amount of inspections through the current building boom.

Motion was made by Mayor Pro-Tem Flory with a second by Councilmember Tankersley to approve Item 4b, Agreement to Provide Professional Services related to Building Inspections with Jimmy Ross/Ross Inspection Service. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

Item 4c Action regarding Community Link Building Improvement Grant Agreement

City Manager Reaume provided an update from Community Link regarding their Building Improvement Grant (BIG). This agreement is addressed in the proposed Chapter 380 Economic Incentive Agreement. City Manager Reaume stated that he encouraged Community Link Mission to apply for the BIG Program. He explained they are an exception circumstance, as a tax-exempt entity in the City with a request over and above the BIG Policy cap of \$5,000. He added that the on May 7, 2019 the Council voted to overlook the requirement that applicants must be a tax-paying entity, and approved moving forward with a matching grant of funds in an amount not to exceed \$7,500 in reimbursable dollars for improvements as listed in their original application. Councilmember Bighorse commented that she has no questions regarding this item but does not feel this is the right mechanism to assist Community Link.

Motion was made by Mayor Pro-Tem Flory with a second by Councilmember Farr to approve Item 4c, action regarding Community Link Building Improvement Grant Agreement. Motion carried. 5-2-0-0

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr,

Tucker, and Copeland

Against: Councilmembers Tankersley and Bighorse

Abstain: None

Absent: None

- (5) Consideration and Action regarding Resolution No. 2019-14, Canvassing Returns and Declaring Results of Runoff Election for Council Place 1 held on June 8, 2019

City Secretary England explained that Resolution No. 2019-14 canvasses the Runoff Election for Council Place 1 held on June 8th. She stated that Tarrant County has released the official results. There were a total of 135 voters that participated in the election with Shawn Morrison receiving 67 votes and Charles Beasley receiving 68 votes. She added that Mr. Beasley will be sworn into office at the July 2nd City Council Meeting.

Motion was made by Mayor Pro-Tem Flory with a second by Councilmember Tankersley to approve Resolution No. 2019-14 as presented. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

- (6) Recognition of Councilmember Flory, Mayor Pro-Tem/Councilmember Place 1

Mayor Flippo and the members of the Council expressed their appreciation to Mayor Pro-Tem Flory for his 26 years of service on the City Council. Mayor Flippo presented Mayor Pro-Tem Flory with a belt buckle commemorating his service. Mayor Pro-Tem Flory expressed his appreciation for the opportunity to serve.

Items 7-9 are regarding The Square Development. The City Council discussed all three items then took action on each one separately.

- (7) Consideration and Action regarding a Development Agreement with AM & JK Development, LLC Related to Public Infrastructure Installation for Old Decatur Road adjacent to The Square Development

- (8) Consideration and Action regarding Chapter 380 Economic Development Agreement: AM & JK Development, LLC (The Square)

- (9) Consideration and Action regarding Resolution No. 2019-13 Authorizing Best Value Competitive Bidding and Delegating Authority for Contract Award for The Square Through-Road Project

City Manager Reaume briefly outlined the proposed development agreement for The Square with AM & JK Development, LLC. The Square is a proposed mixed use development that includes residential, commercial, and open space uses. The proposed development has 598.34 feet of frontage along Old Decatur Road which makes a

development agreement necessary. The agreement requires the developer to escrow funds in the amount of \$549,573.20, the estimated cost of Old Decatur Road along the frontage of The Square. The escrow amount will be due to the City upon final platting of either Tract 3, 4, or 5 as depicted in the Development Plan approved by the City Council on April 16, 2019.

City Manager Reaume explained the proposed Chapter 380 Economic Development Agreement. He stated that the agreement includes a total contribution of \$2,000,000 paid as follows: first payment of \$1,000,000 reimbursement for actual costs paid in construction of the roadway and associated utilities; second payment of \$500,000 paid within 90 days of full completion and acceptance of the road and associated utilities; third and final payment of \$500,000 paid after the third restaurant Certificate of Occupancy has been issued on the property, with a minimum of two of the restaurants offering full table service to customers, which must occur by December 31, 2026. He added that in the long term, this development will create more taxable value for the City and bring sit down restaurants to the City.

City Manager Reaume explained that Resolution No. 2019-13 allows the through road to be advertised and awarded in accordance with the “best value” method set forth in Chapter 2269 of the Local Government Code which requires the project be awarded to the lowest responsible bidder who provides the best value for the City. The resolution also authorizes the City to delegate its authority for the bidding process and award of the bid for the through road to the developer.

Discussion followed regarding the three items. Mr. Michael Clark, representing the developer, explained the construction sequence of the development will start on the east and go west. Director of Public Works Trice added that the through road will be constructed at one time. The road will not be constructed in phases. Councilmember Farr expressed his concern about access on the east side of the property. Mr. Clark explained that the developer has been working with TxDOT regarding the additional of a traffic signal at the intersection of the through road and Saginaw Boulevard. He added they are currently addressing comments they received from TxDOT. Mr. Farooq Wazirali, the developer, addressed the Council. Mr. Wazirali explained that if TxDOT does give approval for the signal and access to the property they will not proceed with the project.

Item 7

Motion was made by Councilmember Flory with a second by Councilmember Tucker to the Development Agreement with AM & JK Development, LLC related to public infrastructure installation for Old Decatur Road adjacent to The Square Development. Motion carried unanimously. 7-0-0-0

For: Mayor Flipppo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

Item 8

Motion was made by Councilmember Tankersley with a second by Mayor Pro-Tem Flory to approve a Chapter 380 Economic Development Agreement between the City of Saginaw, Texas and AM & JK Development, LLC, with the additional requirement that the third and final incentive payment of \$500,000 be additionally conditioned upon the developer securing TxDOT final approval and completing construction of a signalized intersection, a median opening, and turn lanes at the intersection of the through road and Highway 287; and authorize the Mayor to execute the same on behalf of the City. Motion carried unanimously.

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

Item 9

Motion was made by Councilmember Copeland with a second by Councilmember Bighorse to approve Resolution No. 2019-13, authorizing best value competitive bidding and delegating authority for contract award for The Square Through-Road Project. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(10) Consideration and Action regarding award of bid for Professional Audit Services

Finance Director Quin explained five proposals were received for professional audit services. Finance Director Quin explained the analysis process used to review each proposal and recommended the Council approve the proposal from Weaver & Tidwell for auditing services. The proposed agreement is for a period of two years with three optional one year extensions.

Motion was made by Mayor Pro-Tem Flory with second by Councilmember Tankersley to approve the proposal from Weaver and Tidwell as presented. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(11) Consideration and Action regarding Resolution No. 2019-15, Opposing HB 2439 relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction or renovation of residential or commercial buildings

Mayor Flippo explained that Governor Abbott has already signed HB 2439 into law. Therefore, action on this item is not necessary.

(12) Consideration and Action regarding Proposal for Radio Marketing Partnership with 95.9 The Ranch and

92.1 Hank FM for the 2019 Saginaw Train & Grain Festival

City Secretary England explained the proposal for a marketing partnership with 95.9 The Ranch and 92.1 Hank FM for promotion of the Train & Grain Festival. She stated that the total cost is \$9,500 which includes on promotion of the festival on both stations, social media, and two hour broadcasts from the festival by each station.

Motion was made by Councilmember Tankersley with a second by Councilmember Bighorse to approve the Proposal for Radio Marketing Partnership with 95.9 The Ranch and 92.1 Hank FM for the 2019 Saginaw Train & Grain Festival.

Motion carried unanimously. 7-0-0-0

For: Mayor Flipppo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(13) Recess into Workshop

Mayor Flipppo declared the meeting recessed into workshop at 7:05 p.m.

- (14) FY19/20 Budget Workshop:
- a. Crime Control and Prevention District Fund
 - b. Street Maintenance Fund

Finance Director Quin gave a power point presentation regarding the Crime Control and Prevention District Fund, and the Street Maintenance Fund. She explained both funds and their anticipated revenues and expenses for the fiscal year 2019-2020.

(15) Reconvene back in Regular Session

Mayor Flipppo declared the meeting back in regular session at 7:16 PM.

(16) Executive Session

1 § 551.071. Texas Government Code. Consultation with Attorney. The City Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

- a. Any Posted Item

1 § 551.072. Texas Government Code. Deliberations Regarding Real Property. The City Council may convene in executive session to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person, including the following matters:

a. Property Acquisition

1 § 551.074. Texas Government Code. Personnel Matters. The City Council may convene in executive session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee, including deliberation regarding the following officers or employees:

a. City Manager

Mayor Flippo declared the meeting recessed into Executive Session at 7:16 p.m.

Mayor Flippo declared the meeting back in regular session at 9:36 p.m.

(17) Adjournment

Motion was made by Councilmember Tankersley with a second by Councilmember Bighorse to adjourn the meeting. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

Mayor Flippo declared the City Council Meeting of June 18, 2019 adjourned at 9:41 p.m.

ATTEST:

APPROVED:

City Secretary Janice England

Mayor Todd Flippo