

**CITY OF SAGINAW
MINUTES OF CITY COUNCIL MEETING
AND WORKSHOP
HELD AT THE SAGINAW CITY HALL
333 WEST MCLEROY BLVD.
JANUARY 7, 2020**

Present at the meeting:

Mayor	Todd Flippo
Mayor Pro-Tem	Valerie Tankersley
Councilmember	Charles Beasley
Councilmember	Patrick Farr
Councilmember	Charles Tucker
Councilmember	Cindy Bighorse
Councilmember	Mary Copeland
City Attorney	Bryn Meredith
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 Community Svcs.	Keith Rinehart
Director of Human Resources	Melanie McManus
Director of Economic Dev.	Alora Wachholz
Library Director	Ellen Ritchie
Police Officer	Joshua Gonzalez

Absent from the meeting:

None

Visitors at the meeting:

Vance Tindle	Miranda Tindle
Michelle Stewart	Kimberly Twene
Erica Rosa	Erin Rosa
Dwayne Jones	Randy Morgan
Meg Bauer	Michelle Nelson
Adalyn	Kelly Stewart
Trey Teel	Alma Z.
Sylvia Rodriguez	Doug Fox
Morgan Ryder	Joe Ryder
Tony Shuman	Chris Butler
Debbie Ortiz	Jon Drummond
Anna Drummond	

(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

Ms. Michelle Stewart of The Crossroads Church gave the invocation.

(3) Audience Participation

This item was covered on the video screen.

(4) Consent Agenda

a. Action regarding Minutes, December 3, 2019

b. Action regarding Approval of Funds for Keep Saginaw Beautiful Committee Project—Irrigation/Sprinkler System for Flower Bed at Knowles/McLeroy Blvd.

Summary: The Keep Saginaw Beautiful Committee (KSB) has a very popular Adopt-A-Spot Program that encourages citizen participation in beautification projects and litter clean-ups of designated public areas. There is currently a flower bed at the northwest corner of the Knowles/McLeroy Blvd. intersection. The only water access at this location is a water spigot/faucet. Since there is no sprinkler system, a person or group wanting to adopt this spot would have to bring their own water hose to provide water to the plants/flowers and this is a discouragement. The KSB is recommending the approval of \$1,220 for Yellowstone Landscape Company to install a sprinkler system in the flower bed on the northwest corner of the Knowles/McLeroy Blvd. intersection. (Yellowstone Landscape Company is the City's right-of-way mowing contractor.)

c. Action regarding Purchase of Badger Orion Cellular System Water Meters

Summary: The 2019-2020 Water Department budget includes funding in the amount of \$684,000 for the replacement of half of the water system meters with cellular technology. The City currently uses Badger Orion Classic transponders and water meters that allow remote reading capability for water customers. The system has performed well and has reduced or eliminated the need for manual meter reading. Unfortunately, the City has been informed that the Orion Classic System is being phased out for the next generation of meters, and Badger will no longer support the system. The recommended system is called the Badger Orion Cellular System. The new system has many advantages that will not only expedite the monthly meter reading but provide transparency by giving customers the ability to monitor their water usage. There are approximately 7,600 meters in the City. The replacement of the meters will occur over two fiscal years. The total financial impact will be \$684,000 for replacement of half the meters. Funds in the amount of \$684,000 are budgeted for this expenditure (Water & Wastewater, Account 05-7000-50-00, Capital Outlay/Special Request). The system will be purchased through Atlas Utility Supply (Badger's distributor).

d. Action regarding Acceptance of a General Warranty Deed from Mearstone Properties, L.P.

Summary: In February 2009, Mearstone Properties, L.P. conveyed approximately 4.6 acres of land on the northwest corner of Knowles Drive and Longhorn Road by General Warranty Deed. During recent survey activities in Willow Creek Park it was discovered that a twenty-foot-wide tract of land, approximately 0.3119 acres, existed along Longhorn Road that is under the ownership of Mearstone Properties, L.P. In the opinion of staff, the 0.3119 acres was intended to be part of the original conveyance to the City. Staff approached Mearstone Properties, L.P. with a request to correct the apparent error and they responded with the conveyance instrument being considered. Staff recommends acceptance of the General Warranty Deed conveying 0.3119 acres of land to the City.

e. Action regarding City Council consent to Permit for a Small Cell Node at 821 Blue Ridge Trail

Summary: On September 5, 2017, Ordinance No. 2017-10 regulating the use, occupancy and maintenance of City right-of-ways by wireless network providers was adopted. AT&T has submitted an application for a new network node installation at

821 Blue Ridge Trail. The installation will include replacement of an existing Oncor pole. The application complies with the provisions of Ordinance No. 2017-10 except that the location at 821 Blue Ridge Trail is adjacent to single family residential lots and is on a street right-of-way of not more than fifty (50) feet which requires consent from the City Council.

f. Action regarding Rejection of Bids for Police Parking Lot Expansion and Authorization to Rebid
Summary: Bids for the Police Parking Lot Expansion were received on December 4, 2019. A total of two bids were received and both were significantly over the \$65,000 appropriated for the project. The bids have been evaluated and Staff believes that a rebid of the project may result in savings by removing some of the items in the bid proposal and performing them with City personnel or by other contracts.

g. Action regarding Hazard Mitigation Action Plan Resolution Adoption (Resolution No. 2020-01)
Summary: Approximately every five years the Tarrant County Emergency Plan is reviewed and any appropriate revisions are made. The City of Saginaw is a participating entity. The HazMAP is part of the Emergency Management Plan and is ultimately submitted to FEMA for approval. FEMA has reviewed and approved the plan. The final step is for all participating entities to adopt the plan by resolution. Resolution No. 2020-01 adopts the Tarrant County Hazard Mitigation Action Plan.

h. Action regarding Economic Development Agreement
Summary: Director of Economic Development Wachholz has submitted a proposal to serve as the City's Economic Development Director via contract instead of as a city employee. This arrangement will allow the City to retain her for projects that she is involved in currently as well as present a cost savings to the City. The proposed agreement has been reviewed by the City Attorney. The financial impact will be \$45,000 for consultant services for the period of January 7, 2020 through September 30, 2020.

i. Action regarding a Supplemental Agreement with Union Pacific Railroad for Fairmount Sanitary Crossing
Summary: The Fairmount Sanitary Sewer Rehabilitation Phase 1 Project includes a new pipeline crossing of the Union Pacific Railroad. A sanitary sewer crossing across the railroad exists today and will be abandoned in place when the new pipeline is constructed. On November 6, 2018, the City Council authorized an agreement with the Union Pacific Road for the abandonment and replacement of the sanitary sewer crossing. On September 3, 2019, the City Council authorized the award of the contract to Atkins Brothers Equipment Co. in the amount of \$2,113,145 for construction of the project. Subsequent to the award, Atkins Brothers Equipment Co. requested that the installation be performed by hand tunneling. The City doesn't object to hand tunneling as a means and methods to be utilized by the contractor to best accomplish the work. The contractor will pay for all extra administrative costs associated with the change, including the cost of \$2,000 for the Supplemental Agreement with the railroad. Staff recommends approval of the Supplemental Agreement with Union Pacific Railroad.

Mayor Flippo stated that Item No. 4e and Item No. 4h will be pulled from the Consent Agenda for discussion.

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Tankersley to approve Items 4a, 4b, 4c, 4d, 4f, 4g, and 4i of the Consent Agenda. Motion carried unanimously. 7-0-0

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

Against: None

Abstain: None

Absent: None

The Council briefly discussed Item 4e, Action regarding City Council consent to Permit for a Small Cell Node at 821 Blue Ridge Trail.

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Tankersley to approve Item 4e.
Motion carried unanimously. 7-0-0-0

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

Against: None

Abstain: None

Absent: None

Mayor Flippo declared the meeting recessed into Executive Session at 6:11 p.m.

Mayor Flippo declared the meeting back in Regular Session at 6:17 p.m.

The Council briefly discussed Item 4h, Action regarding Economic Development Agreement.

Motion was made by Councilmember Farr with a second by Councilmember Beasley to approve Item 4h.
Motion carried. 4-3-0-0

For: Mayor Flippo, Councilmembers Beasley, Farr, and Copeland

Against: Mayor Pro-Tem Tankersley, Councilmembers Tucker and Bighorse

Abstain: None

Absent: None

(5) It's Time Texas Community Challenge 2020

City Secretary England explained that *It's Time Texas Community Challenge* is the annual program sponsored by HEB Grocery. The purpose of the program is to challenge and encourage residents to live healthy. The program began January 6th and ends on March 1st. Details and sign up information is available at <https://ittcommunitychallenge.com>
Mayor Flippo encouraged everyone to participate.

(6) Consideration and Action regarding Recommendation for Approval of Public Visual Art Policy and Procedures

Director of Community Services Rinehart explained the proposed Public Visual Art Policy and Procedures. The purpose of the policy is to encourage the display of public visual art within the City and provide a mechanism for the inclusion of public art throughout the City in specific parks and outdoor public open spaces. Councilmember Farr expressed concern about the potential for controversial art pieces.

Ms. Erica Rosa, a local artist, addressed the Council. She stated that a sense of community results from various types of art. She explained that she is part of Art Place, a non-profit group in Saginaw and the group is ready to assist in the promotion of art in Saginaw.

Motion was made by Mayor Pro-Tem Tankersley with a second by Councilmember Tucker to approve the Public Visual Art Policy and Procedures as presented. Motion carried unanimously. 7-0-0-0

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

Against: None

Abstain: None

Absent: None

(7) Consideration and Action regarding Acceptance of a Right-of-Way Dedication Deed and Temporary Construction Easement from Wal-Mart Real Estate Business Trust

Director of Public Works Trice explained that Bailey Boswell Overpass Project includes the construction of a westbound turn lane and driveway reconstruction on Wal-Mart property. Acquisition of right-of-way and a temporary construction easement are required to facilitate the work. Wal-Mart officials have consented to both at no cost to the City.

Motion was made by Councilmember Farr with a second by Councilmember Tankersley to approve the acceptance of the Right-of-Way Dedication Deed and Temporary Construction Easement from Wal-Mart Real Estate Business Trust. Motion carried unanimously. 7-0-0-0

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

Against: None

Abstain: None

Absent: None

(8) Recess into Workshop

Mayor Flipppo declared the meeting recessed into Workshop at 6:50 p.m.

Mayor Flipppo declared the meeting recessed into Executive Session at 6:50 p.m.

Mayor Flipppo declared the meeting back in Workshop at 6:59 p.m.

(9) Discussion regarding Recommendation from Citizens' Bond Committee

The recommendation from the Citizens' Bond Committee was considered. The Council concurred to remove Project 8 from the list of recommended projects. The remaining seven projects were considered as well as possible dates and timing for a Bond Election. A proposal for partnering with the YMCA and the Eagle Mountain-Saginaw Independent School District was discussed. After much consideration, the consensus of the Council was to delay a bond election until November 2020 to allow time to gather more information on the proposed natatorium.

Ms. Kelly Stewart addressed the Council and commented that she has past experience in managing a large pool and would encourage serious consideration of the natatorium by the City if the YMCA would be managing the pool.

(10) Reconvene Back into Regular Session

Mayor Flippo declared the meeting back in Regular Session at 8:14 p.m.

(11) 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 § 551.087. Texas Government Code. Deliberation regarding Economic Development Negotiations. The City Council may convene in executive session to discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect described above, including:

- a. Building Improvement Grant Application—201 N. Saginaw Blvd.
- b. Building Improvement Grant Application—1029 N. Saginaw Blvd., Suite F
- c. Building Improvement Grant Application—1137 N. Saginaw Blvd.
- d. Application for Chapter 380 Agreement—Southwest Corner of S. Saginaw Blvd. and Palomino Dr.

Mayor Flippo declared the meeting recessed into Executive Session at 8:14 p.m.

Mayor Flippo declared the meeting back in Regular Session at 8:59 p.m.

Motion was made by Mayor Pro-Tem Tankersley with a second by Councilmember Tucker to approve the three Building Improvement Grant Applications (201 N. Saginaw Blvd.; 1029 N. Saginaw Blvd., Suite F; and 1137 N. Saginaw Blvd.) as discussed in Executive Session. Motion carried unanimously. 7-0-0-0

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

Against: None

Abstain: None

Absent: None

(12) Adjournment

Motion was made by Mayor Pro-Tem Tankersley with a second by Councilmember Tucker to adjourn the meeting. Motion carried unanimously. 7-0-0-0

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

Against: None

Abstain: None

Absent: None

Mayor Flippo declared the City Council Meeting of January 7, 2020 adjourned at 9:00 p.m.

ATTEST:

APPROVED:

City Secretary Janice England

Mayor Todd Flippo