

CITY COMMISSION MINUTES

April 12, 2016

9:00 A.M.

The City Commission of the City of Sweetwater, Texas met in regular session on April 12, 2016 at 9:00 a.m. in the City Commission Room at City Hall, 200 E. Fourth Street with the following members present:

JIM MCKENZIE, Mayor

LARRY MAY, Commissioner

JIM LEE, Commissioner

JEROD PEEK, Mayor Pro-Tem

PETE SHERIDAN, City Attorney

EDWARD BROWN, City Manager

PATTY TORRES, City Secretary

Absent: RICKY CASTRO, Commissioner

Staff members present: City Services Director Kirk Harris, Public Works Director Russell Jones, Utilities Director Eddy Campbell, Chief of Police Brian Frieda, Emergency Services Director Grant Madden, Human Resource Director Lisa Adames and CITO Benny Cornett.

1. Mayor McKenzie called the meeting to order.
2. Commissioner Lee gave the invocation.
3. Mayor Pro-Tem Peek led the pledge of allegiance.
4.
 - A. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner May to approve minutes for the meeting held on March 8, 2016. The motion carried unanimously.
 - B. Mayor McKenzie read Governor Greg Abbott's proclamation declaring April 10-16, 2016 as Public Safety Telecommunicators Week and recognized Police Department 911 and dispatch personnel.
5. Action Items:
 - A. Motion was made by Commissioner May, seconded by Mayor Pro-Tem Peek, to consider assignment of F-BAR Farms (Fullwood) leases to Scott and Lisa Fullwood Farms:
 1. 2012 Sewer Farm Lease Agreement

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2. Grazing Lease Agreement

The motion carried unanimously.

- B. Motion was made by Commissioner May, seconded by Mayor Pro-Tem Peek to table the course of action on a Funding Soundness Restoration Plan for the Sweetwater Firemen's Relief and Retirement Fund and the 2% City/1% Firefighter contribution increase as requested by the Sweetwater Firemen's Relief and Retirement Fund Board. The motion carried unanimously.
- C. Motion was made by Commissioner Lee, seconded by Mayor Pro-Tem Peek to approve second and final reading of an Ordinance amending Chapter 21 of the Code of Ordinance of the City of Sweetwater entitled "Nuisances" by amending Article II weeds/vegetation by amending Section 21-27 entitled "Notice to Property Owners to Abate" by amending Section 21-27 (b); by amending Section 21-28 (c); by amending Section 21-29 entitled "Penalty; Action by City" by adding Section 21-29 (c). The motion carried unanimously.

COPY OF ORDINANCE 2016-6 IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 403-406.

- D. Motion was made by Commissioner Lee, seconded by Commissioner May to approve the Employment Agreements for Department Heads; establishing "Good Cause" employment status; providing a 2-year initial term with annual renewal thereafter. The motion carried unanimously.

COPY OF AGREEMENT IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIII PAGES 419-442.

- E. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner Lee to ratify TCAP Contract as signed by City Manager. The motion carried unanimously.
- F. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner May to approve Quarterly Investment Report. The motion carried unanimously.

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- G. Motion was made by Commissioner May, seconded by Commissioner Lee to consider adoption of Resolution authorizing continued participation with the Steering Committee of Cities served by Oncor; and authorizing a per capita payment to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC. The motion carried unanimously.

COPY OF RESOLUTION IN FULL IS LOCATED IN ORDINANCE AND CONTRACT BOOK XIII PAGES 443-447.

- H. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner May for City Commission to enter into Executive Session pursuant to provisions of 551.071 of the Texas Government to discuss status regarding pending or threatened litigation and 551.074, personnel matters; status of SGR search for City Manager. The motion carried unanimously.
- I. Motion was made by Mayor Pro-Tem Peek, seconded by Commissioner May to enter into Regular Session. Motion carried unanimously.
- J. Motion was made by Commissioner May, seconded by Mayor Pro-Tem Peek to consider any action necessary from the Executive Session. The Motion carried unanimously.
- K. Motion was made by Commissioner Lee, seconded by Mayor Pro-Tem Peek to consider adoption of Resolution Directing Oncor Electric Delivery Company, LLC to file certain information with the City of Sweetwater; setting a procedural schedule for the gathering and review of necessary information in connection therewith; setting dates for the filing of the City's analysis of the company's filing and the company's rebuttal to such analysis; ratifying the hiring of legal counsel and consultants; reserving the right to require the reimbursement of the City of Sweetwater's rate case expenses; setting a public hearing for the purposes of determining if the existing rates of Oncor Electric Delivery Company are unreasonable or in any way in violation of any provision of law and the determination by the City of Sweetwater of just and reasonable rates to be charged by Oncor Electric Delivery Company, LLC. The motion carried unanimously.

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**COPY OF RESOLUTION IN FULL IS LOCATED IN ORDINANCE AND
CONTRACT BOOK XIII PAGES 448-450.**

6. City Manager's Report.
 - A. Sales tax revenue for March 2016 was \$834,277.93 compared to March 2015 allocation of \$308,883.37, a difference of \$525,394.56. The increase is due to a one-time payment of \$597,001.26.
 - B. Received Dam Inspection Reports from Enprotec/Hibbs and Todd.
 - C. SNAP earned \$4,359.00 parking cars for Rattlesnake Round-Up.
 - D. SNAP's Taste of Sweetwater was held April 11, 2016.
 - E. Budget Retreat should be rescheduled from May 12, 2016 to May 24, 2016.
7. Public Input.

Brad Payne, chairperson of Sweetwater Firemen's Relief and Retirement Fund Board, spoke about long term solutions for fund stability and reason for request of a 2%/1% City to Firefighters increase regarding Funding Soundness Restoration Plan for the Sweetwater Firemen's Relief and Retirement Fund.
8. Motion was made by Commissioner May, seconded by Mayor Pro-Tem Peek to adjourn. There being no further business, the meeting adjourned at 10:47 a.m. The motion carried unanimously.

Jim McKenzie, Mayor

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ATTEST:

Patty Torres, City Secretary

Persons signing register: Cindy Hanna, Ron Hatfield, Preston Peacock, Brad Payne and Lance Campbell.