

CITY COMMISSION MINUTES

May 8, 2018

9:00 A.M.

The City Commission of the City of Sweetwater, Texas met on May 8, 2018 at 9:00 a.m. in the City Commission Room at City Hall, 200 E. Fourth Street in a joint meeting with Sweetwater Enterprise for Economic Development with the following members present:

JIM MCKENZIE, Mayor

JEROD PEEK, Mayor Pro Tem

LARRY MAY, Commissioner

JIM LEE, Commissioner

DAVID A. VELA, City Manager

PETE SHERIDAN, City Attorney

PATTY TORRES, City Secretary

ABSENT: RICKY CASTRO, Commissioner

Staff Members present: City Services Director Kirk Harris, Public Works Director Russell Jones, Fire Chief Grant Madden, Utilities Director Eddy Campbell, Chief of Police Brian Frieda, Director of Administrative Services Lisa Adames and IT Director Zach Adames.

Sweetwater Enterprise for Economic Development members present: Ken Becker, Billy Whisenant, Jerod Peek and Gil Cherry

1. Mayor McKenzie called the joint meeting with Sweetwater Enterprise for Economic Development to order.

A. Motion was made by Commissioner May, seconded by Mayor Pro Tem Peek to approve Resolution and order canvassing the returns and declaring the results for the May 5, 2018, special election. The motion carried unanimously.

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF SWEETWATER TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL MUNICIPAL ELECTION HELD ON MAY 5, 2018.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGES 165-167.

B. Motion was made by Commissioner Lee, seconded by Mayor Pro Tem Peek to approve Resolution appointing members as interim through September to the Board of Directors to the Sweetwater Municipal Development District. The motion carried unanimously.

CITY COMMISSION MINUTES

May 8, 2018

Motion was made by Mayor Pro Tem Peek, seconded by Commissioner May to nominate Jason Crouch to the board and Billy Whisenant as president and keep current directors. The motion carried unanimously.

A RESOLUTION ADOPTING THE MEMBERS TO THE BOARD OF DIRECTORS TO THE SWEETWATER MUNICIPAL DEVELOPMENT. NOW THEREFORE BE IT RESOLVED I, MAYOR JIM MCKENZIE, AND THE CITY COMMISSION OF THE CITY OF SWEETWATER, TEXAS HEREBY ADOPT THIS RESOLUTION APPOINTING MEMBERS TO THE BOARD OF DIRECTORS TO THE SWEETWATER MUNICIPAL DEVELOPMENT DISTRICT ON THIS 8TH DAY OF MAY 2018.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGE 1068.

C. Motion was made by Commissioner Lee, seconded by Commissioner May to approve Resolution of Rules of Operation for the Sweetwater Municipal Development District as revised with more discussion by SEED board.

A RESOLUTION ADOPTING THE RULES OF OPERATION FOR THE SWEETWATER MUNICIPAL DEVELOPMENT DISTRICT. NOW THEREFORE, BE IT RESOLVED I, MAYOR JIM MCKENZIE AND THE CITY COMMISSION OF THE CITY OF SWEETWATER, TEXAS HEREBY ADOPT THIS RESOLUTION ADOPTING THE RULES OF OPERATION FOR THE SWEETWATER MUNICIPAL DEVELOPMENT DISTRICT ON THIS 8TH DAY OF MAY 2018.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGES 1069-1081.

D. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner Lee to approve Resolution approving Interlocal Agreement with the Sweetwater Municipal Development District as revised and with additional revisions of budget number amounts. The motion carried unanimously.

A RESOLUTION ADOPTING THE SERVICES AGREEMENT BETWEEN THE CITY OF SWEETWATER AND SWEETWATER MUNICIPAL DEVELOPMENT DISTRICT. NOW THEREFORE, BE IT RESOLVED I, MAYOR JIM MCKENZIE, AND THE CITY COMMISSION OF THE CITY OF SWEETWATER, TEXAS, HEREBY ADOPT THIS RESOLUTION

CITY COMMISSION MINUTES

May 8, 2018

ADOPTING THE SERVICES AGREEMENT BETWEEN THE CITY OF SWEETWATER AND THE SWEETWATER MUNICIPAL DEVELOPMENT DISTRICT ON THIS 8TH DAY OF MAY 2018.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGES 1083-1090.

2. Motion was made by Commissioner May, seconded by Commissioner Lee to adjourn. There being no further business, the joint meeting adjourned at 10:52 a.m. The motion carried unanimously.
1. Mayor McKenzie called the City Commission meeting to order.
2. Jerry Hendrix from First Baptist Church gave the invocation.
3. Mayor Pro Tem Peek led the Pledge of Allegiance and the Texas Flag.
4. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner May, to approve the minutes for the meeting held on April 10, 2018. The motion carried unanimously.
5. Action Items
 - A. Pete Sheridan, City Attorney administered the Oath of Office to Jim Lee, City Commissioner Precinct 2, and Jerod Peek, Commissioner Precinct 4.

COPY OF OATH AND STATEMENT OF OFFICER IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGES 1091-1094.

- B. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner Lee to adopt Resolution regarding appointment of Commissioner Larry May to Mayor Pro-Tem for the City of Sweetwater and prescribing the term thereof. The motion carried unanimously.

ON THE 8TH DAY OF MAY, 2018, THE CITY COMMISSION OF THE CITY OF SWEETWATER, TEXAS, PURSUANT TO THE PROVISIONS OF ARTICLE 4, PARAGRAPH 11 OF THE CHARTER OF THE CITY OF SWEETWATER, TEXAS, CONSIDERED THE APPOINTMENT OF MAYOR PRO-TEM FOR THE PERIOD OF MAY 8, 2018 TO MAY 14, 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SWEETWATER, TEXAS, THAT LARRY MAY, AS A DULY ELECTED MEMBER OF THE CITY COMMISSION SHALL

CITY COMMISSION MINUTES

May 8, 2018

SERVE AS MAYOR PRO-TEM DURING THE PERIOD MAY 8, 2018 TO THE REGULARLY SCHEDULED MAY 2019 CITY COMMISSION MEETING:

READ, PASSED AND ADOPTED THIS 8TH DAY OF MAY, 2018.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGE 1095.

- C. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner Lee to approve the water contract amendment with the City of Roby. City Manager Jack Brown of City of Roby spoke to the need of the amendment. The motion carried unanimously.
- D. Motion was made by Commissioner May, seconded by Mayor Pro Tem Peek to approve First Reading of Ordinance of FY 18 budget amendment. The motion carried unanimously.
- E. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner Lee to award bid for AC10 Asphalt to be used for the 2018 streets seal coating project and to reject Grade 4 crushed rock single bid by Vulcan due to mistaken bid. The motion carried unanimously.

The winning bid for:

AC10 asphalt was Ergon Asphalts and Emulsions - \$2.2125 per gallon

COPY OF BID SHEET IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGE 1096.

- F. Motion was made by Commissioner Lee, seconded by Commissioner May to add a position for a part-time Animal Control Officer in Animal Services. Chief of Police, Brian Frieda spoke to the need. The motion carried unanimously.
- G. Motion was made by Commissioner Lee, seconded by Mayor Pro Tem Peek to enter into an energy services contract with Schneider Electric to provide and perform energy conservation measures and to pay for project with reserved funds in savings. Charlie Davis with Schneider Electric made presentation. Andrew Friedman with SAMCO Capital spoke about the financing. The motion carried unanimously.
- H. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner Lee to authorize city staff to utilize resources to build a dog park as a public/private partnership. The motion carried unanimously.

CITY COMMISSION MINUTES

May 8, 2018

- I. Motion was made by Commissioner Lee, seconded by Mayor Pro Tem Peek to authorize the city manager to enter into a contract services agreement with TCG to identify, evaluate and create a plan for administration for addressing abandoned property, dilapidated structures, and property foreclosures within the taxing jurisdiction of the City of Sweetwater, and other similar services as outlined in the agreement and fees will be paid by Municipal Development District. Danny Barrett with Texas Communities made presentation. The motion carried unanimously.
- J. Motion was made by Commissioner Lee, seconded by Mayor Pro Tem Peek, to approve municipal flag resolution and accept revised flag #2 with larger star. The motion carried unanimously.

A RESOLUTION ADOPTING THE OFFICIAL FLAG FOR THE CITY OF SWEETWATER, TEXAS. NOW THEREFORE, BE IT RESOLVED I, JIM MCKENZIE, AND THE CITY COMMISSION OF THE CITY OF SWEETWATER, TEXAS HEREBY ADOPT, ATTACHED TO, AS THE OFFICIAL FLAG OF THE CITY OF SWEETWATER ON THIS 8TH DAY OF MAY, 2018.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGES 1097-1098.

- K. Motion was made by Commissioner May, seconded by Mayor Pro Tem Peek, to approve Mid-Year Agreed Upon Procedures Report for the period ended March 31, 2018, as prepared by Catherine Wilks, Certified Public Accountant. The motion carried unanimously.

COPY OF REPORT IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGES 1099-1101.

- L. Motion was made by Mayor Pro Tem Peek, seconded by Commissioner May, to adopt resolution authorizing Mayor Jim McKenzie to execute contracts with the Texas Department of Health and Human Services.

BE IT RESOLVED THAT THE GOVERNING AUTHORITY OF THE ABOVE LOCAL GOVERNMENTAL ENTITY DOES HEREBY AUTHORIZE JIM MCKENZIE, MAYOR AND HIS SUCCESSORS TO NEGOTIATE, ON TERMS AND CONDITIONS THAT HE MAY DEEM ADVISABLE, A CONTRACT OR CONTRACTS WITH THE HEALTH AND HUMAN SERVICES COMMISSION, AND TO EXECUTE THE CONTRACT OR CONTRACTS ON BEHALF OF THE LOCAL GOVERNMENT ENTITY, AND FURTHER WE DO HEREBY GIVE HIM THE POWER AND AUTHORITY TO DO ALL THINGS NECESSARY TO IMPLEMENT, MAINTAIN, AMEND, RENEW OR REQUEST CLOSURE

CITY COMMISSION MINUTES

May 8, 2018

OF THE CONTRACT. ALTHOUGH THE AUTHORITY OF THE SUCCESSORS IS BINDING ON THIS ENTITY, IT IS ACKNOWLEDGED THAT THIS ENTITY MUST SPECIFICALLY AUTHORIZE ANOTHER PARTY BY NAME IN A RESOLUTION WITHIN 30 DAYS OF THE CHANGE IN AUTHORIZATION, OR WHEN SPECIFICALLY REQUIRED BY HEALTH AND HUMAN SERVICES COMMISSION, WHICHEVER IS SOONER.

COPY OF RESOLUTION IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XIV PAGE 1102.

- M. Motion was made by Commissioner May, seconded by Commissioner Lee to approve final project acceptance and release of retainage on the construction contract with Dowtech Specialty Contractors, Inc., for the Texas Water Development Board Contract No. 62699 – Water Treatment Plant Membrane Replacement Project (CID 02), contingent upon Agency concurrence. The motion carried unanimously.
6. City Manager’s Report
- A. Charter Workshop – Friday June 1st
 - B. Nixle Alerts – 79556 to 888-777
 - C. Budget Workshop
 - D. Water Availability Report
7. Public Input. None
8. Commissioner Lee made a motion, seconded by Mayor Pro Tem Peek to adjourn. There being no further business, the meeting adjourned at 12:06 p.m. The motion carried unanimously.

Jim McKenzie, Mayor

ATTEST:

Patty Torres, City Secretary

Persons signing register: Cathy Wilks, Danny Barrett, Brenda Klepper, Sage Diller, Andrew Friedman and Charlie Davis