

September 5, 2023

REGULAR CITY COMMISSION MEETING OF THE CITY OF BRECKENRIDGE, TEXAS, HELD ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT.

PRESENT

MAYOR
COMMISSIONER, PLACE 1
MAYOR PRO TEM, PLACE 2

BOB SIMS
BLAKE HAMILTON
ROB DURHAM

CITY MANAGER
CITY SECRETARY
FINANCE DIRECTOR
PUBLIC SERVICES DIRECTOR

CYNTHIA NORTHROP
JESSICA SUTTER
DIANE LATHAM
STACY HARRISON

NOT PRESENT

COMMISSIONER, PLACE 3
COMMISSIONER, PLACE 4

VINCE MOORE
GARY MERCER

CALL TO ORDER

Mayor called the meeting to order at 5:30 p.m.

Invocation led by Stacy Harrison

OPEN FORUM

This is an opportunity for the public to address the City Commission on any matter of public business, except public hearings. Comments related to public hearings will be heard when the specific hearing begins.

No speakers.

STAFF REPORT

(Staff Reports are for discussion only. No action may be taken on items listed under this portion of the agenda, other than to provide general direction to staff or to direct staff to place such items of a future agenda for action.)

City Manager

1. Department Head Reports
BEDC Restoration of Murals
National Night Out October 3rd

Reschedule October Commission Meeting

Vehicle Auction update

Street improvement update

TABC Applications

2. Upcoming Events

September 9th 911 First Responders Benefit

September 9th Sips of Summer

September 21st Bulk Pick up

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

(Mayoral proclamations, presentations of awards and certificates, and other acknowledgements of significant accomplishments or service to the community.)

3. Receive update from Will Thompson with Stephens County Appraisal District.

No Action Taken

CONSENT AGENDA

Any commission member may request an item on the Consent Agenda to be taken up for individual consideration.

4. Consider approval of the August 1, 2023, Regular Commission Meeting minutes as recorded.
5. Consider approval of the August 15, 2023, Special Commission Meeting minutes as recorded.
6. Consider approval of the August 29, 2023, Special Commission Meeting minutes as recorded.
7. Discussion and any necessary action on approving Resolution 23-22 confirming and accepting securities pledged for municipal funds while acting as City Depository.
8. Consider approval of Resolution 23-24 authorizing the conveyance of property known as 306 N. Veale and authorizing the mayor to execute necessary documents.

Commissioner Hamilton made a motion to approve Consent agenda items 4-8 as presented. Commissioner Durham seconded the motion. The motion passed unanimously.

PUBLIC HEARING ITEMS

9. Public Hearing on proposed FY 2023-2024 City of Breckenridge budget

No Speakers

ACTION ITEMS

10. Discussion and any necessary action on approving the Stephens County Appraisal District FY 2023-2024 Budget

Will Thompson from the Stephens County Appraisal District presented the SCAD FY Budget to commissioners during special presentation.

Commissioner Durham made a motion to approve the Stephens County Appraisal District FY 2023-2024 budget as presented. Commissioner Hamilton seconded the motion. The motion passed unanimously.

11. Discussion and any necessary action on approving the Bi-annual report of the Breckenridge Economic Development Corporation.

David Miller, Executive Director of the Breckenridge Economic Development Corporation, presented the Biannual report from May 1, 2022, through August 30, 2023.

Commissioner Hamilton made a motion to approve the biannual report of the Breckenridge Economic Development Corporation as presented. Commissioner Durham seconded the motion. The motion passed unanimously.

12. Discussion and any necessary action on approving the FY 2023-2024 Breckenridge Economic Development Corporation Budget

David Miller presented commissioners with the BEDC FY 2023-2024 Budget.

Commissioner Durham moved to approve the FY 2023-2024 Breckenridge Economic Development Corporation budget as presented. Commissioner Hamilton seconded the motion. The motion passed unanimously.

13. Discussion and any necessary action approving BEDC Contract renewal with the Breckenridge Chamber of Commerce

City Manager Cynthia Northrop stated that this is the annual renewal for the BEDC contract with the Breckenridge Chamber of Commerce to provide personnel funding for administrative assistance as well as personnel to manage the Convention and Visitors Bureau. The current contract ends September 30, 2023. The new contract period will begin October 1, 2023, and go through September 30, 2024.

Commissioner Hamilton made a motion to approve the BEDC contract renewal with the Breckenridge Chamber of Commerce as presented. Commissioner Durham seconded the motion. The motion passed unanimously.

14. Discussion and any necessary action on approving BEDC Board Director as Recommended by BEDC

Cynthia Northrop explained that the BECD is recommending the re-appointment of Mike Griffith and the appointment of Sid Curry, who will replace Kevin Simmons, to a two-year term on the BEDC Board of Directors. The term will expire September 30, 2025.

Commissioner Durham moved to approve Resolution 23-23 appointing members to the BEDC Board of Directors as presented. Commissioner Hamilton seconded the motion. The motion passed unanimously.

15. Discussion and any necessary action on approving Ordinance 23-15 adopting a budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024, in accordance with the Laws of the State of Texas, appropriating the various amounts thereof, and repealing all Ordinances in conflict therewith; and providing for an effective date.

City Manager Cynthia Northrop reviewed the proposed FY 2023-2024 budget with commissioners. The budget is available for review in the agenda packet or with the City Secretary Jessica Sutter.

Commissioner Durham made a motion to approve Ordinance No. 23-15 and to set and approve the Municipal budget for the 2023-2024 Fiscal Year. Commissioner Hamilton seconded the motion. City Secretary Jessica Sutter took a roll call vote. Mayor Sims Aye, Commissioner Hamilton Aye, Commissioner Durham, Aye, Commissioner Moore not present, Mayor Pro Tem Mercer not present. The motion passed 3-0.

16. Discuss and consider approval of Resolution 23-21 ratifying the tax revenue for the tax year 2023 (FY 2023-2024) for the City of Breckenridge.

City Manager Northrop reviewed the tax rate for the 2023 Tax year including a No New Revenue Rate of \$.91750, Voter approval Rate M&O of \$.84599, debt rate of \$.25510, Voter approval rate adjusted for sales tax of \$.97818 and a DeMinimis Rate of \$1.16224. By using the DeMinimis rate rules the proposed tax rate is \$1.05471.

Commissioner Hamilton made a motion to approve ratifying the property tax increase reflected in the adopted annual budget for Fiscal Year 2023-2024. Commissioner Durham Seconded the motion. City Secretary Jessica Sutter took a roll call vote. Mayor Sims Aye, Commissioner Hamilton Aye, Commissioner Durham, Aye, Commissioner Moore not present, Mayor Pro Tem Mercer not present. The motion passed 3-0.

17. Discuss and Consider Ordinance 23-13 Levying Ad Valorem Taxes for the Use and Support of the Municipal Government of the City of Breckenridge, Texas, and Providing for the Interest and Sinking Fund for the Fiscal Year 2023-2024; Directing the Collection Thereof;

and Providing for the Time of Paying the Ad Valorem Taxes Levied and Providing that Taxes become Delinquent If Not Paid.

Commissioner Durham moved to approve Ordinance 23-13 and that the property tax rate be increased by the adoption of a tax rate of \$1.05471 which is effectively a 3.40 percent increase in the tax rate. This would be a Debt Service of \$0.25510 and a maintenance and Operations rate of \$0.79961. Commissioner Hamilton seconded the motion. City Secretary Jessica Sutter took a roll call vote. Mayor Sims Aye, Commissioner Hamilton Aye, Commissioner Durham, Aye, Commissioner Moore not present, Mayor Pro Tem Mercer not present. The motion passed 3-0.

18. Discussion and any necessary action on approving Water Treatment Plant Project.

City Manager Cynthia Northrop stated that this project includes an operational change as well as a reduction in a WTP Full-time employee. It is a complement to our current SCADA system that provides remote notifications and access. It will allow the city to reduce one Full-time employee from five to four and allow us to operate more efficiently. The Full-time employee will be transferred to an open position in another public works department. The cost of the project is a one-time cost of \$48,325. The savings from the reduction of the Full-time employee is approximately \$52,000 and will provide ongoing savings in operations.

Commissioner Hamilton made a motion to approve the water treatment plan as presented and allow the City Manager to execute the documents. Commissioner Durham seconded the motion. The motion passed unanimously.

19. Discussion and any necessary action regarding approval of purchase and installation of new Playground equipment and Canopy for the Breckenridge City Park.

City Manager Northrop explained that one of the planned expenditures for the Certificates of Obligation were park improvements. One of these improvements is new playground equipment and canopy purchased through the Texas Buyboard from Playground Solutions of Texas. They will remove the existing playground equipment and pea gravel, and install new equipment, including canopy and new surface.

Commissioner Hamilton moved to approve the purchase and installation of new playground equipment and canopy for the Breckenridge City Park and allow the City Manager to execute the documents. Commissioner Durham seconded the motion. The motion passed unanimously.

20. Discussion and any necessary action on FM 3099 Utility Relocation Contract Change Order

Northrop addressed commissioners stating that the requested change order for the FM 3099 Utility Relocation Project will decrease the original contract price of \$521,775 by \$12,289 to \$509,466 and increase the time for completion by 30 days to September 19, 2023.

Commissioner Durham moved to approve FM 3099 Utility Relocation Contract change order and allow the City Manager to execute the documents. Commissioner Hamilton seconded the motion. The motion passed unanimously.

21. Discussion and any necessary action approving P&Z Recommendation to close the remaining portion of North Oakwood Avenue, lying between Blocks 44 and 45 of the Lakeview Addition of the City of Breckenridge, Texas.

City Manager Northrop stated that the P&Z Commission met on August 28, 2023, to consider the request made by the property owner of 1010 W. Elm who recently had his property surveyed and discovered a small section of the street that was not conveyed by the city in 1978. The property owner is requesting the city close and remaining portion of North Oakwood between blocks 44 and 45. P&Z voted to approve the recommendation.

Commissioner Hamilton moved to approve Ordinance 23-16 closing the remaining portion of North Oakwood Avenue, lying between blocks 44 and 45 of the Lakeview addition of the City of Breckenridge. Commissioner Durham seconded the motion. The motion passed unanimously.

22. Discussion and any necessary action on approving renewal agreement with New Source Broadband.

City Manager Cynthia Northrop stated that Commissioners approved an agreement with New Source Broadband LLC to lease space on water tower number one for the installation of a radio transmission antennae in 2020. The payment of \$400 per month was bartered in exchange for internet service provided at multiple city facilities. The agreement will expire on October 5, 2023. New Source Broadband LLC would like to renew the contract and will upgrade service modules to increase speeds at each location.

Commissioner Durham moved to approve a renewal agreement with New Source Broadband and authorize the City Manager to execute the documents. Commissioner Hamilton seconded the motion. The motion passed unanimously.

23. Discussion and any necessary action for approval of BISD Pep Rallies and Food Trucks on City Streets

The Breckenridge ISD is planning to hold pep rallies at Stephens County Courthouse on October 6,13, and 27. They are looking to close Court Street North of Walker to Elm and Elm Street from Court to Rose and allow for food trucks during the event.

Commissioner Hamilton moved to approve allowing food trucks on City streets during BISD Pep Rallies. Commissioner Durham seconded the motion. The motion passed unanimously.

24. Discussion and any necessary action regarding Ordinance 23-14 amending FY 2022-2023 official budget adopted by Ordinance 22-14

City Manager Northrop stated that most of the adjustments do not raise the bottom-line budget but are adjusted between line items. However, there are a few that do, including

allocating funds from the ¼ cent tax fund dedicated to street improvements to cover the General Street Maintenance Contractor, Raydon, projects. The budget amendments are available in the agenda packet for review.

Commissioner Hamilton moved to approve Ordinance 23-14 amending FY 2023-2023 Official budget adopted by Ordinance 22-14 as presented. Commissioner Durham seconded the motion. The motion passed unanimously.

25. Discussion and any necessary action regarding approval of Ordinance 2023 – 11 updating Schedule of Fees (Second Reading)

Commissioner Durham moved to approve the second reading of Ordinance 2023-11 updating schedule of fees. Commissioner Hamilton seconded the motion. The motion passed unanimously.

EXECUTIVE SESSION

Pursuant to Texas Government Code, Annotated, Chapter 551, Subchapter D, Texas Open Meetings Act (the "Act"), City Commission will recess into Executive Session (closed meeting) to discuss the following:

Consultation with Attorney

§551.071(1),(2): Consultation with attorney regarding pending or anticipated litigation, or 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 this chapter:

26. Facility Use Agreements/City Property

Real Property

§551.072: Deliberate the purchase, exchange, lease, or value of real property:

27. 1.79 acre tract at 828 Industrial Loop, Breckenridge TX
28. YMCA

RECONVENE INTO OPEN SESSION

In accordance with Texas Government Code, Section 551, the City Commission will reconvene into Open Session and consider action, if any, on matters discussed in Executive Session.

Mayor Sims reconvened into open session at 7:15 pm

Commissioner Durham made a motion to authorize the City Manager to negotiate and execute a Facility Use Agreement with New Destination Church and Stephens County Human Society. Commissioner Hamilton seconded the motion. The motion passed unanimously.

Commissioner Hamilton made a motion to authorize the City Manager to execute documents to convey 1.79 acre tract at 828 Industrial to the Breckenridge Economic Development Corporation. Commissioner Durham seconded the motion. The motion passed unanimously.

RECEIVE REQUESTS FROM COMMISSION MEMBERS/STAFF FOR ITEMS TO BE PLACED ON NEXT MEETING AGENDA

Discussion under this section must be limited to whether or not the Commission wishes to include a potential item on a future agenda.

There were no requests.

ADJOURN

There being no further business, the Mayor adjourned the regular session at 7:17 p.m.

Bob Sims, Mayor

Jessica Sutter, City Secretary