

**JUNE 07, 2022**

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

MAYOR  
COMMISSIONER PLACE 1  
COMMISSIONER PLACE 2  
MAYOR PRO TEM, PLACE 3  
COMMISSIONER PLACE 4

BOB SIMS  
GREG AKERS  
ROB DURHAM  
VINCE MOORE  
GARY MERCER

CITY MANAGER  
CITY SECRETARY  
PUBLIC WORKS DIRECTOR  
PARKS DIRECTOR  
POLICE CAPTAIN

ERIKA MCCOMIS  
JESSICA SUTTER  
HOUSTON SATTERWHITE  
STACY HARRISON  
JAY WALKER

**CALL TO ORDER**

Mayor called meeting to order at 5:31 p.m.

**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.

**SPECIAL PRESENTATIONS AND ANNOUNCEMENTS**

1. Receive an update from TxDOT on current highway construction projects ~ Eastland Area Engineer

Jordan Perry addressed the Commission to give an update on construction on US Highway 183. The current contractor has not worked on several occasions. This has put the project behind schedule. It was originally an 18-month project. Currently, the plan shows a completion approximation of April 2023.

**CONSENT AGENDA**

2. Consider approval of the May 3, 2022, Regular Commission meeting minutes as recorded.

3. Consider approval of Resolution 2022-18 to suspend the June 17, 2022 effective date of Oncor Electric delivery company's requested rate change to permit the city time to study the request and to establish reasonable rates; approving cooperation with the steering committee of cities served by Oncor to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals.
4. Consider approval of the Breckenridge Chamber of Commerce Hotel Occupancy Tax Fiscal Year 2022 Second Quarter Financials.
5. Item Number 5 moved to Action Items for consideration.
6. Consider approval of an audit engagement agreement with George, Morgan & Sneed, P.C. for the Fiscal Year 2022 annual audit.

Motion made to approve consent agenda items 2,3,4, and 6 as presented by Commissioner Durham, Seconded by Commissioner Mercer. **The motion passed 5-0.**

### **PUBLIC HEARING ITEMS**

7. Public hearing and consider approval of Ordinance 2022-08 providing for a Specific Use Permit for the placement of a tiny house in a General Dwelling ("R4") District on property commonly known as 509 N. Shelton Street.

Public Hearing opened at 5:52 p.m.

Public Hearing Closed at 5:52 p.m.

City Manager McComis stated this item was approved by Planning and Zoning Committee in October of 2020. However, it was never brought before Commission to be approved by ordinance.

Motion made to approve Ordinance 2022-08 as presented by Mayor Pro Tem Moore, Seconded by Commissioner Durham. **The motion passed 5-0.**

### **ACTION ITEMS**

5. Conduct approval of a recommendation from the Breckenridge Planning and Zoning Commission to approve a request to vacate the Popular Buildings Plat, filed in Cabinet 1, Page 116 of the Plat Records of Stephens County, Texas.

City Manager McComis stated this was a request by Mike Griffith to vacate a plat he filed to convert into apartments. It will be reverted to the regular plat. The request was approved by Planning and Zoning commission as is.

Motion made to approve Planning and Zoning commission recommendation to vacate the Popular Buildings Plat, filed in Cabinet 1, Page 115 of the Plat Records of Stephens County, Texas by Commissioner Mercer, Seconded by Mayor Pro Tem Moore.

**The motion passed 5-0**

8. Discuss and consider the adoption of Ordinance 2022-09 authorizing the issuance of City of Breckenridge, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2022A, in the principal amount of \$2,935,000 and awarding the sale of such Certificates of Obligation to the Texas Water Development Board.

City Manager advised Commission that items 8-12 are all similar items. Items 8 and 9 are in reference to wastewater. Eric Macha with Hilltop addressed Commission and explained that last year the City of Breckenridge applied for funding through the Texas Water Development Board. In total city received \$4,162,420. In funding. This will be broken down into three amounts. \$1,020,00.00 in a 0% loan. \$1,915,000 will carry a subsidized interest rate and \$1,227,420 in Principal Forgiveness grant money. By doing this, the City has saved \$3,413,060 in principal interest payments. The first payment will be due in 2024, with the final payment in 2053. Eric stated that action item 8 would approve the loan portion and action item 9 would approve the Grant. Closing will be on July 13, 2022.

Motion made to approve Ordinance 2022-09 as presented by Commissioner Durham, Seconded by Mayor Pro Tem Moore. **The motion passed 5-0.**

9. Discuss and consider adoption of Resolution 2022-19 approving the execution and delivery of a Principal Forgiveness Agreement for sewer system improvements; and resolving other matters relating to the subject.

Motion made to approve Resolution 2022-19 as presented by Mayor Pro Tem Moore, Seconded by Commissioner Mercer. **The motion passed 5-0.**

10. Discuss and consider adoption of Ordinance 2022-10 authorizing the issuance of City of Breckenridge, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2022B, in the principal amount of \$2,325,000 and awarding the sale of such Certificates of Obligation to the Texas Water Development Board.

Eric Macha with Hilltop stated to the Commission that Items number 10 and 11 are in reference to drinking water. The City will receive a total of \$3,637,809.00 in funding. This is broken down into three payments. \$1,020,000.00 as a zero percent loan, \$1,300,000 that will have a subsidized interest rate, and \$1,312,809 in Principal Forgiveness grant money. The City is saving an estimated \$3,336,835 in principal interest payments. This will have a July 13, 2022, closing date. The first payment will be due in 2024, with the final payment being in 2053.

Motion made to approve Ordinance 2022-10 as presented by Commissioner Mercer, Seconded by Commissioner Durham. **The motion passed 5-0.**

11. Discuss and consider adoption of Resolution 2022-20 approving the execution and delivery of a Principal Forgiveness Agreement for water system improvements; and resolving other matters relating to the subject.

Motion made to approve Resolution 2022-20 as presented by Commissioner Mercer, Seconded by Mayor Pro Tem Moore. **The motion passed 5-0.**

12. Discuss and consider adoption of Resolution 2022-21 authorizing and directing establishment of four construction accounts and a sinking fund with Depository Bank pursuant to Bond Ordinances and Principal Forgiveness Agreements with the Texas Water Development Board; appointing authorized signatories with respect to such accounts; and resolving other matters relating to the subject.

City Manager explained that we must have four different bank accounts for each of the clean water and Drinking Water funds payments.

Motion made to approve Resolution 2022-21 as presented by Mayor Pro Tem Moore, Seconded by Commissioner Mercer. **The motion passed 5-0.**

13. Discuss and consider approval of Resolution 2022-22 authorizing the submission of an application to the Texas Community Development Block Grant Program-2022 Downtown Revitalization Program and authorizing the Mayor and City Manager as authorized representatives.

Ken Coignet with Public Management addressed Commission, stating that action items 13 and 14 are regarding the City's application for the Downtown Revitalization Grant Program previously discussed. The City is applying for \$500,000.00, with \$75,000 being paid by the City. The application is due July 8, 2022, and will not be awarded until late 2022. Therefore, payment will not be made until the next fiscal year.

Motion made to approve Resolution 2022-22 as presented by Mayor Pro Tem Moore, Seconded by Commissioner Durham. **The motion passed 5-0.**

14. Discuss and consider approval of Resolution 2022-23 determining that an area of the downtown contains conditions that are detrimental to the community and constitute a slum and blighted area for the 2022 Downtown Revitalization Program grant application.

Ken Coignet explained that as part of receiving the 2022 Downtown Revitalization Grant the City is required to designate an area of the City as having conditions of slum and blight. The area being designated currently has cracked sidewalks and is not currently ADA compliant. The Grant will provide updated sidewalks and ramps.

Motion made to approve Resolution 2022-23 as presented by Commissioner Mercer, Seconded by Commissioner Akers. **The motion passed 5-0.**

15. Discuss and consider awarding a bid for the revamp of the existing prison lift station and authorize the Mayor to execute all necessary documents on behalf of the City.

Sage Diller with EHT stated lift station 4, which services the prison, was put into service in 1993 and is currently a self-priming pump configuration. This lift station has created many problematic issues in the past few years, requiring maintenance. Two Request or proposal (RFP) type proposals were generated. RFP 1 retrofits Lift Station 4 from a self-priming pump configuration to a submersible pump configuration, including all necessary piping and valve modification. This type is easier to service and maintain. RFP 2 is to replace the current pump with a like configuration. Proposals were open on June 3, 2022. Three (3) submissions were received for RFP 1. Dowtech specialty Contractors submitted the lowest cost bid in the amount of \$264,434.00. Two (2) proposals were received for RFP 2. The Lowest proposal was from Patterson Professional Services in the amount of \$187,425.00. The recommendation was made for RFP 1 to Dowtech Specialty Contractors.

Motion made to award a bid to Dowtech Specialty Contractors and authorize the Mayor to execute all necessary documents on behalf of the City by Commissioner Durham, Seconded by Commissioner Mercer. **The motion passed 5-0.**

16. Discuss and consider approval of Ordinance 2022-11 amending Chapter 20, "Traffic", of the Breckenridge Code of Ordinances by adding Article VII, "Motorized Carts"; allowing for the use of motorized carts on authorized streets within the City and establishing regulations concerning the operation of motorized carts.

Ericka McComis stated that the police department had received multiple requests from citizens requesting to use motorized carts on city streets. Research was completed to determine a way this could be done. Captain Jay Walker stated that resident's motorized carts would need to be insured, have headlights, taillights, be a licensed driver, and only allowed on city streets.

Motion made to deny Ordinance 2022-11 as presented by Commissioner Akers, Seconded by Commissioner Mercer. **The motion passed 4-1 with Mayor Pro Tem Moore voting Nay.**

17. Discuss and consider appropriate action on Resolution 2022-17 appointing a commissioner to serve as Mayor Pro-Tem.

Motion made to appoint Rob Durham to serve as Mayor Pro Tem by Mayor Pro Tem Moore, Seconded by Commissioner Akers. **The motion passed 5-0.**

**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.*

Commissioner Durham requested further discussion on the appointment process for board members of the Economic Development Corporation at a later date.

**ADJOURN**

There being no further business, the Mayor adjourned the regular session at 6:46 p.m.

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Bob Sims, Mayor

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Jessica Sutter, City Secretary