

REGULAR CALLED MEETING
City Council
February 23, 2016

The City Council of the City of Brownwood, Texas, met in a Regular Called Meeting on Tuesday, February 23, 2016, at 9:00 a.m., in the Council Chambers, City Hall, 501 Center Avenue, Brownwood, Texas, with the following members present:

H. D. Jones	:	Councilman – Ward 1
Ed McMillian	:	Councilman – Ward 2
Larry Mathis	:	Councilman – Ward 3
Jerry DeHay	:	Councilman – Ward 5
Emily Crawford	:	City Manager
Pat Chesser	:	City Attorney
Christi Wynn	:	City Secretary

with Mayor Stephen E. Haynes, and Councilman Draco Miller absent, constituting a quorum of the City Council.

Councilman DeHay stated that both the Mayor and Mayor Pro Tem are not able to be present and he was asked to preside over the meeting.

CALL TO ORDER: Councilman DeHay called the meeting to order.

PLEDGE OF ALLEGIANCE: Pledge of Allegiance was led by Councilman Jones.
INVOCATION: Invocation was given by Councilman Mathis.

ITEMS TO BE WITHDRAWN: None

INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITIONS: Councilman DeHay welcomed Professor Dan Humeniuk’s class from Howard Payne University.

CITIZEN PRESENTATIONS: None

APPROVAL OF MINUTES:
A motion was made by Mathis, seconded by McMillian, to approve the minutes of the Regular Called Meeting of February 9, 2016 as presented. Upon vote, motion carried unanimously.

CLAIMS AND ACCOUNTS:
Finance Director, Walter Middleton was present for questions regarding the check list. A motion was made by McMillian, seconded by Jones, that the Claims and Accounts dated through February 19, 2016, be approved for payment as submitted. Upon vote, motion carried unanimously.

REQUESTS AND PRESENTATIONS:

Consider approval of a contract with Sunbelt Pools and American Leak Detection for repairs to the Camp Bowie Family Aquatic Center and authorize the expenditure from reserves in the amount of \$13,520.00 to pay same.

City Manager Crawford stated that the pool had been losing 4” to 5” of water per day. American Leak Detection has checked the pool for leaks twice. In November 2015 they found multiple leaks. One of the leaks was in an expansion joint in the deep end and is covered by warranty. There were two leaks in the lazy river and one in the zero entry area. Sunbelt Pool who completed the Aquatic Center on July 3, 2010, provided a quote through a Buy Board Contract with a 20% discount for the amount of \$10,250. We have had a total of \$3,270 in expense with American Leak Detection to inspect the pool twice. The total cost is \$13,520. The expenditure was not budgeted. The pool came with a five year warranty which expired. Councilman Jones expressed concerns with the repairs. Parks Director, David Withers stated that during drought conditions the ground settles and moves. He stated that there are other pools having the same problems. City Manager Crawford stated that Mr. Withers has been researching a new type of material that may have more flexibility and give as the pool ages and settles. If the material suits our needs, options may be presented at budget time.

A motion was made by Mathis, seconded by McMillian, to approve a contract with Sunbelt Pools and American Leak Detection for repairs to the Camp Bowie Family Aquatic Center and authorize the expenditure from reserves in the amount of \$13,520.00 to pay same. Upon vote, motion carried unanimously.

AGREEMENTS AND CONTRACTS:

Consider accepting a settlement offer of \$24,126.31 from Oncor resulting from a streetlight inventory and to authorize the Mayor to sign a Settlement and Release Agreement.

Finance Director Middleton addressed the Council and stated that Oncor hired an independent company who surveyed all 1,496 street lights. They found sixty-eight errors. Forty-six of those errors were incorrect wattage billings. Twenty-two were lights that had been removed but had continued to be billed. They also found five lights that had been added but were not being billed. The forty-six wattage corrections resulted in over charges of \$670.45. The twenty-two removals resulted in over charges of \$23,576.40. The five added street lights resulted in undercharges of \$120.54. Because there is a statute of limitations on how far back Oncor can go to recover losses due to errors, the net over charge is \$24,126.31. Oncor is offering to pay the sum in settlement of all claims related to street light billings. We would have to provide them with a complete release from all future claims arising out of or related to the calculation, reporting, billing or invoicing of charges to the City for electric service for street lights through December 14, 2015. Since this release is comprehensive and irrevocable, we asked for and received a detailed listing of all audit findings. Mr. Middleton and Ken Harriss, Oncor’s local representative, went over the findings in detail.

A motion was made by McMillian, seconded by Jones, to accept a settlement offer of \$24,126.31 from Oncor resulting from a streetlight inventory and to authorize the Mayor to sign a Settlement and Release Agreement. Upon vote, motion carried unanimously.

Consider approving a five-year lease renewal with Sharco for the Avaya Phone System and authorize the City Manager to sign said agreement.

City Manager Crawford stated that the current lease with Sharco will expire in April. This is for the phone system that is in multiple city facilities, including City Hall. We have been very pleased with the service and response time with Sharco. The cost of the new system is not increasing and will be \$1,847 per month. We budgeted for \$2,005 per month.

A motion was made by Jones, seconded by McMillian, to approve a five-year lease renewal with Sharco for the Avaya Phone System and authorize the City Manager to sign said agreement. Upon vote, motion carried unanimously.

Consider authorizing the City Manager to sign a request for proposals (RFP) from the West Central Texas Council of Governments (WCTCOG) and the Area Agency on Aging (AAA) for October 2016 thru September 2017 Congregate & Home Delivered Meals program.

City Manager Crawford stated that this is a requirement of West Central Texas Council of Governments and Area Agency on Aging to go out for request for proposals to provide opportunities to other organizations for the contracting for Title III-C Nutrition Services which will include congregate meals and home delivered meals. A proposal is ready to submit.

A motion was made by Mathis, seconded by McMillian, to authorize the City Manager to sign a request for proposals (RFP) from the West Central Texas Council of Governments (WCTCOG) and the Area Agency on Aging (AAA) for October 2016 thru September 2017 Congregate & Home Delivered Meals program. Upon vote, motion carried unanimously.

REPORTS:

BEDC Annual Report

BEDC Executive Director, Guy Andrews stated that sales tax increased 5.96% in 2015 from 2014. Multiple factors account for the increase to include, new retail businesses, increased consumer spending, full lake levels, and continued decreases in unemployment. The 2015 average unemployment rate for Brown County was 4.3% which was .9% lower than the Texas average, and 1% lower than the national average. In 2015 there were seventy-eight commercial Certificates of Occupancy issued, of which twenty-six were new businesses. There were nineteen residential Certificates of Occupancy issued, of which eighteen were newly built houses. The local Hotel Occupancy Tax collected in 2015 had a substantial increase of over sixteen percent from 2014 resulting in a record high. Mr. Andrews spoke about projects that were approved and marketing that had been done by and for the Economic Development Corporation in 2015. Mr. Andrews went over short and long term challenges to include: housing, workforce shortage, unexpected

downturn in the oil and gas industry, water concerns, low wages, the conversion from an EDC to an MDD, and limited retail and restaurants.

Finance Director, Walter Middleton gave the financial statement ending December 31, 2015 stating that the EDC has a cash balance of \$3,784,000 and total assets of \$6,920,190.68. He stated that if/when the EDC converts to an MDD, all debt must be paid. The EDC has a total debt of \$1,329,460.43 and of that \$1,253,478.65 is a loan for the parks project. He went over the Income Statement – through December there has been a total revenue of \$451,460.17, expenses of \$286,106.75, with a surplus of \$165,353.42. Last year there was deficit of (\$154,334.97). Sales tax collected through December – representing three months of the year is \$432,416.95.

A motion was made by Jones, seconded by McMillian, to approve the BEDC Annual Report as presented. Upon vote, motion carried unanimously.

Budgetary Control Report

Finance Director Middleton presented the Budgetary Control Report and stated that sales tax revenue through February is up 7.3% compared to last year or \$157,689. We are 3.7% ahead of budget projections or \$81,700. He stated that revenues are up, cash is up, and expenses are all coming in under budget.

Racial Profiling Report

Assistant Police Chief, James Fuller presented the Racial Profiling Report. He stated that the Brownwood Police Department is in full compliance with the Texas Racial Profiling law. There is an increase in citizen contact / traffic stops which relates to the increase in personnel.

ADJOURNMENT:

There being no further business to come before the Council at this time, Councilman Jerry DeHay declared the meeting adjourned.

STEPHEN E. HAYNES, Mayor

ATTEST:

CHRISTI WYNN, City Secretary