



## REGULAR CITY COUNCIL MEETING AGENDA

**AUGUST 9, 2016**

**5:00 PM**

**CITY HALL COUNCIL CHAMBERS**

**10 NORTH ROBINSON STREET**

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### **I. ROLL CALL AND CALL TO ORDER BY MAYOR**

#### **City Council:**

- ✓ Scott Cain, Mayor
- ✓ Dr. Bob Kelly, Mayor Pro Tem
- ✓ Gayle White, SMD 2
- ✓ Dale Sturgeon, SMD 3
- ✓ John Warren, SMD 4

#### **Administration:**

- ✓ Dan O'Leary, Interim City Manager
- ✓ Shelly Doty, City Secretary
- ✓ Ivy Peterson, Deputy City Secretary
- ✓ Fritz Quast, City Attorney

#### **Division Directors:**

- ✓ Burton Barr, Community Services
- ✓ Courtney Coates, Public Works
- ✓ Clint Ishmael, Fire Services
- ✓ Terry Leake, Finance
- ✓ Debra Powledge, Human Resources
- ✓ Rob Severance, Police Services

#### **Department Heads:**

- ✓ Willie Resto, Information Technology

#### **Media:**

- ✓ Matt Smith, Times-Review

### **II. INVOCATION by Pastor David Baldwin, Greater Mt. Zion Baptist Church**

### **III. PLEDGE OF ALLEGIANCE**

### **IV. COMMUNITY INTEREST MATTERS, ANNOUNCEMENTS & PRESENTATIONS**

Presentation of Community Support Banner to the Cleburne Police Department

Proclamation – 2016 Cleburne High School House System, Classes 1945-1975 Annual Reunion Day

### **V. CITIZENS COMMENTS (Guidelines)**

An opportunity for the public to make comments or address concerns not posted on the agenda. The City Council may take no action during this portion of the agenda. The Council may only ask clarifying questions or direct staff to take appropriate action. Each person will be allowed five minutes to comment on any particular subject. No more than two persons will be allowed to comment on any particular subject, one in favor and one against. All

persons desiring to make comments under this section must sign a card prior to the council meeting identifying themselves and the topic they desire to address.

## **VI. CITY SECRETARY READS THE GUIDELINES TO SPEAK BEFORE COUNCIL**

### **CONSENT ITEMS**

All of the following items on the Consent Agenda are considered to be routine and self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary prior to the beginning of the meeting.

#### **M1. APPROVAL OF MINUTES FOR THE JULY 26, 2016 COUNCIL MEETING.**

#### **BQ1. AWARD CONTRACTS TO BRENNTAG, CALABRIAN CORPORATION, CHEMTRADE AND DPC FOR ANNUAL SUPPLY OF WATER TREATMENT CHEMICALS.**

Person presenting this item: Courtney Coates, Director of Public Works

**BRIEF:** Bids were solicited for the eight (8) types of water treatment chemicals used by our Water and Wastewater departments within the City. Seven (7) bids were received. Staff has review the bids and identified the lowest, most responsible bidders as listed below:

Item Description	Bidder Name	Item Cost
Liquid Ferric Sulfate	Chemtrade	\$122.00 per ton
Sodium Bisulfite	Calabrian Corp	\$0.327 per pound
Potassium Permanganate	Brenntag	\$102.81 per 55 pound container
Bulk Quick Lime	No Bids	No Bids
Chlorine Liquefied Gas	DPC	\$620.00 per ton
Liquid Ammonium Sulfate	Chemtrade	\$184.00 per ton
Anti-Foam Concentrate	Brenntag	\$606.32 per 55 gallon container
Powder Activated Carbon	Brenntag	\$39.49 per 50 pound bag

In comparison to the prices we currently pay for these chemicals, the bid results were as follows: Liquid Ferric Sulfate, Sodium Bisulfate – bid amount is higher than current pricing. Potassium Permanganate, Liquid Ammonium Sulfate, Anti-Foam Concentrate – bid amount is lower than current pricing. Chlorine Liquefied Gas – bid amount is the same as current pricing. Powder Activated Carbon – Different criteria used for this item so pricing is not comparable. This contract will have an initial term of 24 months, with options for three additional one-year renewals.

#### **RS1. A RESOLUTION APPROVING THE CITY OF CLEBURNE'S INVESTMENT REPORT FOR QUARTER ENDING JUNE 30, 2016.**

Person presenting this item: Terry Leake, Director of Finance

**BRIEF:** Chapter 2256.023 of the Texas Government Code states that a written quarterly investment report must be prepared by the investment officer and submitted to the governing body. For the quarter ended June 30, 2016, the City invested solely in four Local Government Investment Pools (LOGIC, Texas Class, TexPool, and TexSTAR), and included in the investment report are the newsletters from each of the pools which provides information on their average yield, net asset value, weighted average maturity and portfolio composition. At June 30, 2016 had \$90,532,903 invested in the four pools and earned \$108,282.65 in interest income (see attached quarterly investment report). The percentage allocation by investment pool is LOGIC: 34.2%, Texas Class: 21.4%, TexPool: 8.3%, and TexSTAR: 36.1%.

**RS2. A RESOLUTION AUTHORIZING CONTRACT WITH FIRST FINANCIAL BANK FOR CUSTODY SERVICES FOR THE HOLDING OF SECURITY PURCHASES.**

Person presenting this item: Terry Leake, Director of Finance

**BRIEF:** Contained in the City's Investment Policy is the following provision for the safekeeping of securities purchased through a broker/dealer by a third party financial institution:

**Safekeeping Agreement**

All marketable securities purchased by the City shall be held in third party safekeeping by a custodian institution designated as primary agent. All securities shall be purchased using the delivery vs. payment method and will be delivered to the third party custodian institution by seller. Personnel in the third party institution will verify the correct security was delivered by the seller ("delivery vs payment"), and funds shall not be wired or paid until verification has been made that the correct security was received by the safekeeping agent. The security shall be held in the name of the City or held on behalf of the City. The safekeeping agent's records shall assure the notation of the City's ownership of or explicit claim on the securities by issuing a safekeeping receipt to the City listing the specific instrument, rate/yield, maturity, CUSIP, and other pertinent information. The City's depository bank offers safekeeping services that includes purchase clearance of investments and safekeeping custody. Attached is a contract for services that contains the names of authorized staff members, who may provide instructions to the bank for investment purchases.

**RS3. RS08-2016-  
A RESOLUTION AUTHORIZING CONTRACT WITH ALFA LAVAL, INC FOR THE  
DISASSEMBLY, INSPECTION AND REPAIR OF THE ROTATING ASSEMBLY  
CENTRIFUGE AT THE WATER TREATMENT PLANT FOR AN AMOUNT OF  
\$33,322.30.**

Person presenting this item: Courtney Coates, Director of Public Works

**BRIEF:** The rotating assembly of the Alfa Laval G2-60 Centrifuge needs to be repaired. Cost of the repair performed by the manufacturer, Alfa Laval, is \$30,293.00 with a 10% contingency for unseen damages making the approval \$33,322.30. This is a sole source item.

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**RESOLUTIONS**

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**RS4. A RESOLUTION AUTHORIZING CONTRACT WITH FREESE AND NICHOLS FOR ENVIRONMENTAL MONITORING AT THE CITY'S SOLID WASTE LANDFILL FACILITY FOR AN AMOUNT OF \$56,500, AS REQUIRED BY TEXAS COMMISSION ON ENVIRONMENTAL QUALITY.**

Person presenting this item: Courtney Coates, Director of Public Works

**BRIEF:** The environmental monitoring includes groundwater and methane monitoring services not to exceed \$56,500 for the base period of one year with a one-year option to renew at \$58,000. This agreement also includes the completion of the methane remediation services that began in 2014. Texas Commission on Environmental Quality has approved suspension of the bimonthly methane monitoring at 4 monitoring wells. Included in this agreement is the monitoring through June 2016 when the suspension was approved at a fee of \$7,500.

**RS5. A RESOLUTION APPROVING HEALTH INSURANCE PLAN SUBMITTED BY AETNA HEALTHCARE FOR MEDICAL COVERAGE AND THE DENTAL INSURANCE PLAN SUBMITTED BY METLIFE FOR THE PLAN YEAR BEGINNING OCTOBER 1, 2016 THRU SEPTEMBER 30, 2017.**

Person presenting this item: Debra Powledge, Director of Human Resources

**BRIEF:** Staff and IPS, the City's Insurance advisor, have worked together evaluating proposals submitted for the City's health plan. Staff recommends passage of this resolution. City would fund 100% of the employee and 65% of the dependent coverage (after 2 years' employment) of the HDHP plan. The difference in the increased premiums for the core plan and the catastrophic plan would be 100% employee funded as well as any additional benefit options the employee chooses.

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**ORDINANCES**

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**OR1. AN ORDINANCE AMENDING TITLE XI: BUSINESS REGULATIONS, CHAPTER 110: AMBULANCES, SECTION 110.020: CITY AMBULANCE SERVICE FEES.**

Person presenting this item: Clint Ishmael, Fire Chief

**BRIEF:** This amendment is to comply with Medicare and health insurance recognized billing standards, oxygen therapy and disposable medical supplies have been separated into individual fee categories.

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**OTHER COUNCIL MATTERS**

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**OC1. ADOPTION OF THE 2016 CERTIFIED TAX ROLL, AS SUBMITTED BY THE JOHNSON COUNTY CENTRAL APPRAISAL DISTRICT.**

Person presenting this item: Terry Leake, Director of Finance

**BRIEF:** On July 25, 2016, Jim Hudspeth, Chief Appraiser of Johnson County Central Appraisal District, certified the 2016 tax roll to be levied October 1, 2016 (Fiscal Year 2016-2017), in the amount of \$1,715,907,499. This total includes taxable value of \$44,902,540 that is the value of properties currently under appeal to the Appraisal Review Board of which \$13,470,762 is anticipated to be a value loss. The two amounts net to a total of \$1,702,436,737 of projected assessed valuation, and are the totals that are used to calculate the effective tax rate. Included in this total are new construction values of \$11,626,028, which are net of exemptions and new tax abatements. This represents a total decrease of 3.03% (\$53,271,813) over the current year's certified valuation of \$1,755,708,550, and the value of existing property on the tax roll decreased by 3.70%. The value for properties located outside of the three Tax Increment Financing (TIF) Districts is \$1,661,856,958. The incremental value for the properties within the three TIF Districts are as follows: TIF Number 1 - \$19,229,469, TIF Number 2 - \$10,665,698, and TIF Number 3 - \$10,241,497. Per the 2016 Effective Tax Rate and Rollback Calculation Worksheet, the calculated effective tax rate is \$.827837 and the calculated rollback rate is \$.880078.

**OC2. SCHEDULE AND HOLD A PUBLIC HEARING FOR THE ADOPTION OF THE 2016-2017 ANNUAL BUDGET ON SEPTEMBER 27, 2016 AT 5:00PM.**

Person presenting this item: Terry Leake, Director of Finance

**BRIEF:** Section 6.4 (Public Hearing on Budget) of the City of Cleburne Charter states "At the time and place so advertised, or at any time and place to which such public hearing shall from time to time be adjourned, the Council shall hold a public hearing on the budget as submitted, at which all interested persons shall be given an opportunity to be heard for or against the estimates of any budget item thereof." To be in compliance with the Charter requirement, the City Council is stating its intent to schedule and hold a public hearing to adopt the budget on September 27, 2016, at 5:00 p.m., which is a regularly scheduled meeting of the City Council in the City Council Chambers.

**OC3. APPOINTMENT TO THE PLANNING AND ZONING COMMISSION.**

Person presenting this item: Courtney Coates, Director of Public Works

**BRIEF:** Mr. David McPhail's second term on the Planning and Zoning Commission expired March 13, 2016. Ms. Lilly Ewing has submitted an application and staff recommends her appointment.

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**EXECUTIVE SESSION**

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Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183(f) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated herein. **Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council Meeting.**

**§ 551.074. PERSONNEL MATTERS; CLOSED MEETING.** (a) This chapter does not require a governmental body to conduct an open meeting: (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or charge against an officer or employee. (b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

1. Discuss duties of the City Manager

**§ 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.** A governmental body may not conduct a private consultation with its attorney except: (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer; or (2) 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.

1. Discuss environmental service permits with Texas Commission on Environmental Quality and possible measures to protect of the Lake Pat Cleburne watershed

Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session.

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## ADJOURNMENT

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### ADJOURNED AT:



City Hall is wheelchair accessible. Access to the building and special parking are available at the southeast entrance facing Chambers Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 817/645-0908 or by FAX 817/556-8848 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.