

THE CITY OF EASTLAND  
CITY COMMISSION MEETING

February 19, 2019

EASTLAND, TEXAS §

EASTLAND, COUNTY §

The City Commission of the City of Eastland, Texas, met in Open Session at Eastland City Hall as scheduled, and notice was posted 72 hours in advance and prior to the meeting.

CITY COMMISSIONERS PRESENT:

Chairman	Larry Vernon
Commissioner	John Bird
Commissioner	Richard Rossander
Commissioner	Zac Darr

CITY COMMISSIONERS ABSENT:

Commissioner	Frank Saylor
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PERSONNEL PRESENT:

City Manager	Ron Duncan
City Secretary	Roma Holley
Chief of Police	David Hullum
Finance Director	Leslie Zander
Code Enforcement	Terry Simmons

Guests: Cecil Funderburgh, Laura Hobbs, Breanna Neel, Julie Elrod

I. MEETING CALLED TO ORDER

Chairman Larry Vernon called the meeting to order at 6:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Richard Rossander offered the invocation and Commissioner John Bird led the Pledge of Allegiance.

III. PUBLIC COMMENT ON ANY SUBJECT NOT LISTED ON THIS AGENDA  
(Limited to Five Minutes Per Speaker)

There were no comments from the public.

IV. APPROVE MINUTES OF THE JANUARY 22, 2019 AND FEBRUARY 04, 2019  
MEETINGS

Commissioner John Bird made a motion, seconded by Commissioner Richard Rossander, to approve the minutes of the January 22, 2019 and February 04, 2019 meetings. Motion prevailed by the following vote:

Ayes: Commissioners Rossander, Bird, Darr  
Nays: None  
Absent: Commissioner Saylor

V. FINANCIAL REPORT

Chairman Larry Vernon noted that the sales tax is 5% behind the best year but ahead of the other years so things are still on an upward trend.

VI. THE BOARD OF CITY COMMISSIONERS MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING AGENDA ITEMS:

- 1. DISCUSSION AND CONSIDERATION TO APPROVE RESOLUTION NO. **2019.02** REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING VARIOUS PERSONAL PROPERTY THROUGH GOVERNMENT CAPITAL CORPORATION

**RESOLUTION 2019-02**

**A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING "VARIOUS PERSONAL PROPERTY".**

*WHEREAS, City of Eastland (the "Issuer") desires to enter into that certain Finance Contract No.8556, by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing "Various Personal Property". The Issuer desires to designate this Finance Contract as a "qualified tax exempt obligation" of the Issuer for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.*

*NOW THEREFORE, BE IT RESOLVED BY CITY OF EASTLAND:*

*Section 1. That the Issuer will enter into a Finance Contract with GCC for the purpose of financing "Various Personal Property".*

*Section 2. That the Finance Contract dated as of February 19, 2019, by and between the City of Eastland and GCC is designated by the Issuer as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.*

*Section 3. That the Issuer appoints the City Manager or their designee, as the authorized signer of the Finance Contract Number 8556 dated as of February 19, 2019, by and between the City of Eastland and GCC as well as any other ancillary exhibit, certificate, or documentation needed for the Contract.*

*Section 4. That should the need arise, if applicable, the City will use loan proceeds for reimbursement of expenditures related to the Property, within the meaning of Treasury Regulation § 1.150-2, as promulgated under the Internal Revenue Code of 1986, as amended.*

*PASSED AND APPROVED by the Board of the City of Eastland in a meeting held on the \_\_\_\_day of \_\_\_\_\_, 2019.*

Chairman Larry Vernon announced this agenda item and asked City Manager Ron Duncan to explain. Mr. Duncan advised that in order to avoid depleting our reserves and maintain adequate operating capital, they researched a small Government Capital loan. The amount is predicated on the basis that we were going to buy some of this equipment and that by financing it, it provides the collateral to anchor this loan.

This revenue will serve multiple purposes: It will provide a comfortable margin with which to maintain our budget but more importantly, it will enable us to begin immediate plans to fund the repair of the swimming pool. We will be receiving bids and have a recommendation for the repairs at the March meeting.

The note is very short term, only 4 payments within one year at a 4.85% interest rate. Two payments will be paid in this fiscal year and then two payments in the next fiscal year.

Commissioner Richard Rossander made a motion, seconded by Commissioner John Bird, to approve Resolution No. 2019-02 Regarding a Contract for the Purpose of Financing Various Personal Property through Government Capital Corporation. Motion prevailed by the following vote:

- Ayes: Commissioners Rossander, Bird, Darr
- Nays: None
- Absent: Commissioner Saylor

- 2. DISCUSSION AND CONSIDERATION TO APPROVE RESOLUTION NO. **2019-03** REGARDING A MULTI-JURISDICTIONAL TxCDBG APPLICATION FOR WATER SYSTEM IMPROVEMENTS THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE

**RESOLUTION 2019-03**

*A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EASTLAND AUTHORIZING THE MAYOR AND/OR CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH EASTLAND COUNTY FOR COMPLETION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PROJECT FOR WATER SYSTEM IMPROVEMENTS THROUGH THE EASTLAND COUNTY WATER SUPPLY DISTRICT.*

*WHEREAS, the City of Eastland is a provider of water service through the distribution of treated water from the Eastland County Water Supply District in East-Central Eastland County; and*

*WHEREAS, the City Commission of the City of Eastland desires to support water improvements to the Eastland County Water Supply District's water facilities; and*

*WHEREAS, Eastland County can apply for funding from the Texas Community Development Block Grant Program for a grant to make these improvements; and*

*WHEREAS, the City of Eastland wishes to enter into an Interlocal Agreement with Eastland County to facilitate the successful completion of that project;*

*NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF EASTLAND, TEXAS:*

- 1. That the Mayor and/or City Manager is hereby authorized to enter into an Interlocal Agreement with Eastland County.*
- 2. That Eastland County Water District will accept and maintain all water improvements resulting from the County's Texas Community Development Block Grant Program application for 2019-2020 in support of improvements for the City of Eastland.*

*That the City of Eastland will commit to \_\_\_\_\_ in cash towards the match of the project*

Chairman Larry Vernon announced this item and Mr. Duncan explained this Resolution.

Mr. Duncan displayed a map showing just under 5 miles between the water plant in Ranger and the City of Eastland's pump station. It also showed several customer water taps. This is a 64 year old transmission line. There are customer water taps on this line which require the water pressure to stay at very high levels. This causes stress on this line. The goal of this project is to move all of the retail and wholesale customer taps to a service line and use this as a transmission line only, which should extend the life of this line by enabling us to reduce the pressure.

Mr. Duncan explained that this grant requires \$35,000 in matching funds. The entire project is \$350,000. However, Eastland County as well as the Eastland County Water Supply District is supporting funding this grant. Olden Water Supply and Staff Water Supply are also supposed to be sharing the cost. Each entity will need to come up with approximately \$11,000 to \$12,000 or a maximum of \$17,500 if only the City of Eastland and Eastland County fund it.

Chairman Vernon then read Resolution No. 2019-03.

Commissioner John Bird made a motion, seconded by Commissioner Richard Rossander, to approve Resolution No. 2019-03 Regarding a Multi-Jurisdictional TXCDBG Application for Water System Improvements Through the Texas Department of Agriculture. Motion prevailed by the following vote:

Ayes: Commissioners Rossander, Bird, Darr  
 Nays: None  
 Absent: Commissioner Saylor

- 3. DISCUSSION AND CONSIDERATION TO APPROVE AWARD OF CONTRACT, SUBJECT TO TEXAS WATER DEVELOPMENT BOARD (TWDB) CONCURRENCE FOR CONSTRUCTION OF THE CITY OF EASTLAND TWDB CWSRF WASTEWATER TREATMENT IMPROVEMENTS

Chairman Larry Vernon announced this item and City Manager Ron Duncan described to the commission how the bid openings proceeded. On February 12, Scott Hay, engineer for Enprotec/Hibbs and Todd, was in charge of the proceedings. The budget for this project is \$6,249,476. This consists of the basic construction and an additive alternate to base bid for a 50KW generator to be at the site. The first bid opened was from Utility Contractors of America and they bid \$8,870,000. Purcell Contracting was the second bid opened and it was \$6,093,140. The biggest difference in the bids was the base cost. Mr. Hay and Mr. Duncan both recommended that the commission approve the base bid package only, subject to concurrence by the Texas Water Development Board. Towards the end of the project if the funds are available, Mr. Duncan will recommend a change order for the generator package.

Commissioner Richard Rossander made a motion, seconded by Commissioner Zac Darr, to approve Award of Contract to Purcell Contracting.

Ayes: Commissioners Rossander, Bird, Darr  
 Nays: None  
 Absent: Commissioner Saylor

4. DISCUSSION AND CONSIDERATION TO ACCEPT ANNUAL RACIAL PROFILING REPORT PRESENTED BY CHIEF OF POLICE DAVID HULLUM

Chief David Hullum presented the annual Racial Profiling Statistics for 2018, which provided information on traffic stops during the 2018 calendar year. He said the report is a requirement and has to be submitted to the State on an annual basis. The statistics shown reflected there were no instances in which traffic stops were made because of race, sex or age. Chief Hullum noted that 74% of the traffic stops result in warnings, which is a 4 to 1 ratio to citations.

Commissioner Richard Rossander made a motion, seconded by Commissioner John Bird, to approve the Racial Profiling report as presented.

Ayes: Commissioners Rossander, Bird, Darr  
 Nays: None  
 Absent: Commissioner Saylor

VII. CITY MANAGER'S BRIEFING

The Woodlands Nursing Center expansion is moving forward. We are in the process of getting the cost of the construction of University Drive down.

The Rural Health Clinic is looking to open bids in April for construction.

Construction of the Airport Game Fence is in the phase where they are clearing the path for the fence.

The Wastewater Treatment Plant will move forward now that the Commission has approved the bid for construction, awaiting concurrence by the Texas Water Development Board.

2018 Water Improvements are also moving forward. Tomorrow one more meeting will take place with property owner Fred Winkler to approve the easements.

Eastland Chamber of Commerce Banquet will be on March 1, 2019 and the City has purchased a table and tickets. Please notify if you will be attending.

Bill Dolen, Director of Planning and Zoning, has submitted his resignation effective 05-03-2019. The job has been posted and plans are to have interviews and a recommendation for hiring a new Director by the next Commission Meeting. The goal is to have the new Director in place by April 1 which will give him one month training with Mr. Dolen.

Mr. Duncan also noted that as of 5pm today, there have been only 3 applicants for the 3 City Commission openings, hence an election will not be held in May. A resolution will be brought forth at the next Commission meeting to cancel the election. Incoming Commissioners will be Cecil Funderburgh, Ben McNabb and incumbent Zac Darr.

VIII. CODE COMPLIANCE REPORT

Code Enforcement Officer Terry Simmons presented the Code Compliance Department January report. He reported there were 34 open cases at the beginning of the month, 25 new cases were opened and 27 cases were closed which ended the month with 32 cases. He also issued one citation which was later dismissed after speaking with the property owner. Two vacant properties have been abated at a cost of \$180 to the city. The two liens totaled \$419.61 which was placed against the two properties.

IX. POLICE DEPARTMENT REPORT

Chief Hullum noted that the numbers have increased. Special note that 17 individuals were arrested and 33 charges were filed. This is because of warrant service on traffic stops. The number of offense reports was the highest generated since the beginning of the fiscal year. Animal Officer Blake Pence wrote 18 citations and 20 warnings. Chief Hullum noted that the MHMR Officer is being very proactive and is really working out well. The Center for Life Resources is very pleased with Officer Nichols and his proactive interventions.

X. ADJOURNMENT

Commissioner Zac Darr made a motion, seconded by Commissioner Richard Rossander, to adjourn at 6:49 p.m. Motion passed unanimously

APPROVED

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Larry Vernon, Chairman  
Board of City Commissioners

ATTEST

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Roma Holley, City Secretary