

**CITY OF SAGINAW
MINUTES OF CITY COUNCIL MEETING,
PUBLIC HEARING, AND WORKSHOP
HELD AT THE SAGINAW CITY HALL
333 WEST MCLEROY BLVD.
APRIL 7, 2020**

Present at the meeting:

Mayor	Todd Flippo
Mayor Pro-Tem	Valerie Tankersley
Councilmember	Charles Beasley
Councilmember	Patrick Farr
Councilmember	Charles Tucker
Councilmember	Cindy Bighorse
Councilmember	Mary Copeland
City Attorney	Bryn Meredith
City Manager	Gabe Reaume
Finance Director	Kim Quin
City Secretary	Janice England
Director of Public Works	Rick Trice, P.E.
Fire Chief	Doug Spears
Dir. of Comm. & Eco. Dev.	Keith Rinehart
Police Officer	Brian Stewart

Absent from the meeting:

Asst. City Manager	Dolph Johnson
Police Chief	Lee Howell
Human Resources Director	Melanie McManus
Library Director	Ellen Ritchie

Visitors at the meeting:

Dennis Hudson

(1) Call to Order

Mayor Flippo called the meeting to order at 6:00 p.m. with a quorum present.

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

(2) Invocation

Pastor Dennis Hudson of the Saginaw Park Baptist Church gave the invocation.

(3) Audience Participation

This item was covered on the video screen.

(4) Consent Agenda

- a. Action regarding Minutes, March 17, 2020
- b. Action regarding Minutes, March 26, 2020

c. Action regarding increasing the General Fund Emergency Reserve Balance by \$1,650,000 and the Enterprise Fund Emergency Reserve Balance by \$50,000 to comply with the Financial Management Policies

Summary: The purpose of this item is to increase the balance of the General Fund and Enterprise Fund Emergency Reserves to comply with the Financial Management Policies adopted by the City Council on March 17, 2020. Both funds are required to reserve 25% of the operating budget for unexpected emergencies. The current emergency reserve in the General Fund is \$2,550,000. Based on the current year budget less capital and one-time items, the emergency reserve should be \$4,200,000. An additional \$1,650,000 should be added to the General Fund Emergency Reserve Balance. The current emergency reserve in the Enterprise Fund is \$2,200,000. Based on the current year budget less capital and one-time items, the emergency reserve should be \$2,250,000. An additional \$50,000 should be added to the Enterprise Fund Emergency Reserve Balance.

d. Action regarding Interlocal Agreement for Saginaw-Lake Worth Emergency Management Coordinator

Summary: As emergency management continues to evolve into a more prominent and specialized role in emergency services, Saginaw and Lake Worth both continually struggle with emergency management responsibilities. The equally shared and funded position of Emergency Management Coordinator will help both communities reduce vulnerability to hazards and play a vital role in both preparation for, and management of, disasters and significant emergencies when they occur. The proposed agreement addresses the role and duties of the Emergency Management Coordinator as well as the costs to be shared by Saginaw and Lake Worth.

Councilmember Bighorse asked that Item 4c be pulled from the Consent Agenda for discussion.

Motion was made by Mayor Pro-Tem Tankersley with a second by Councilmember Tucker to approve Items 4a, 4b, and 4d of the consent agenda as presented. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Tankersley,
Councilmembers Beasley, Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

Item 4c. Action regarding increasing the General Fund Emergency Reserve Balance by \$1,650,000 and the Enterprise Fund Emergency Reserve Balance by \$50,000 to comply with the Financial Management Policies

Finance Director Quin explained that the purpose of this item is to comply with the recently approved Financial Management Policies. It increases the emergency reserve balance in both the General Fund and the Enterprise Fund to levels specified in the policies.

Motion was made by Mayor Pro-Tem Tankersley with a second by Councilmember Bighorse to approve Item 4c of the consent agenda as presented. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Tankersley,
Councilmembers Beasley, Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(5) Consideration and Action regarding Amendment to City of Fort Worth Wholesale Wastewater Contract related to The Square

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Tankersley to approve the Second Amendment to the City of Fort Worth Wholesale Wastewater Contract related to The Square Development. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Tankersley,
Councilmembers Beasley, Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

At this point in the meeting Mayor Flippo called on City Attorney Meredith to explain emergency declaration authority and preemption issues. City Attorney Meredith gave a brief presentation.

Note: This item is listed on the agenda under Item 14 – Executive Session. However, the Council chose to move this item up during the meeting and have the explanation/presentation during open session.

(6) Consideration and Action regarding Award of Contract for Bailey Boswell Road Overpass

Director of Public Works Trice stated that ten bids were received with the low bid being from Webber in the amount of \$12,610,133.30. Kimley-Horn & Associates, Inc. has reviewed the bid and recommended award of the contract to Webber.

Councilmember Copeland expressed her opposition to the overpass project. Councilmember Farr expressed his concern about the current economic situation and the possibility of a coming recession or potential depression.

Motion was made by Councilmember Copeland to table Item No. 6 Consideration and Action regarding Award of Contract for Bailey Boswell Road Overpass for an uncertain time in the future, and until such time we have data to use to understand what our financial position is.

Councilmember Farr stated that he would second the motion if it was amended to include a time limit of sixty (60) days.

Director of Public Works Trice pointed out that the contract provisions require the contractor to honor their bid for a period of sixty days, and this time period will expire soon. The contractor could agree to extend his bid however he is not obligated to do so.

Councilmember Copeland withdrew her motion.

Motion was made by Councilmember Copeland with a second by Councilmember Farr to table Item No. 6 Consideration and Action regarding Award of Contract for Bailey Boswell Road Overpass until the first regularly scheduled City Council Meeting that will occur after sixty (60) days has passed. Motion failed. 2-5-0-0

- For: Councilmembers Farr and Copeland
- Against: Mayor Flippo, Mayor Pro-Tem Tankersley, Councilmembers Beasley, Tucker, and Bighorse
- Abstain: None
- Absent: None

Councilmember Copeland discussed the reasons she feels this project has no merit.

Motion was made by Mayor Pro-Tem Tankersley with a second by Councilmember Beasley to approve the award of the contract for the Bailey Boswell Road Overpass to Webber. Motion carried. 5-2-0-0

- For: Mayor Flippo, Mayor Pro-Tem Tankersley, Councilmembers Beasley, Tucker, and Bighorse
- Against: Councilmembers Farr and Copeland
- Abstain: None
- Absent: None

(7) Consideration and Action regarding Overpass Agreement with Burlington Northern Santa Fe Railway Company for Bailey Boswell Road Overpass

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Tankersley to approve the Overpass Agreement with Burlington Northern Santa Fe Railway Company for the Bailey Boswell Road Overpass as presented. Motion carried unanimously. 7-0-0-0

- For: Mayor Flippo, Mayor Pro-Tem Tankersley, Councilmembers Beasley, Farr, Tucker, Bighorse, and Copeland
- Against: None
- Abstain: None
- Absent: None

- (8) Consideration and Action regarding an Individual Project Order with Kimley-Horn & Associates, Inc. for Bailey Boswell Bridge Construction Phase Services

Motion was made by Councilmember Farr with a second by Councilmember Beasley to approve the Individual Project Order with Kimley-Horn & Associates, Inc. for Bailey Boswell Bridge Construction Phase Services as presented. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Tankersley,
Councilmembers Beasley, Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

Councilmember Farr requested that Kimley-Horn & Associates, Inc. provide written monthly reports of the progress on this project including budget status, and completion date, as well as a quarterly Council Meeting presentation of the same. The Council concurred.

- (9) PUBLIC HEARING – Consideration and Action regarding Resolution No. 2020-11, FY2019-2020 Mid-Year Budget Revisions

Mayor Flippo declared the public hearing for this item opened at 7:26 p.m. Finance Director Quin explained the proposed FY2019-2020 Mid-Year Budget Revisions. There was a brief discussion regarding the proposed revisions.

Mayor Flippo called for public input. There was none. Mayor Flippo declared the public hearing closed at 7:32 p.m.

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Tankersley to approve Resolution No. 2020-11, FY2019-2020 Mid-Year Budget Revisions. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Tankersley,
Councilmembers Beasley, Farr, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

- (10) Update on Building Improvement Grant Program

Director of Community and Economic Development Rinehart gave an update on the Building Improvement Grant Program.

- (11) Recess into Workshop

Mayor Flippo declared the meeting recessed into Workshop at 7:49 p.m.

(12) BUDGET WORKSHOP – Tax Rate Presentation

Finance Director Quin gave a presentation regarding the tax rate including new tax rate terminology and changes that resulted from the passage of Senate Bill 2.

(13) Reconvene Back into Regular Session

Mayor Flippo declared the meeting back in regular session at 8:16 p.m.

(14) Executive Session

1. § 551.071. Texas Government Code. Consultation with Attorney. The City Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or contemplated litigation, 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 the provisions of Chapter 551, including the following items:

- a. Any Posted Item
- b. Legal Advice regarding Emergency Declaration Authority and Associated Preemption Issues

(15) Adjournment

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Tankersley to adjourn the meeting. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Tankersley,
Councilmembers Beasley, Farr, Tucker, Bighorse, and Copeland

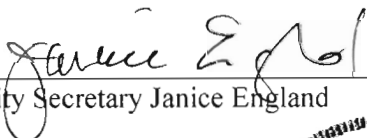
Against: None

Abstain: None

Absent: None

Mayor Flippo declared the City Council Meeting of April 7, 2020 adjourned at 8:17 p.m.

ATTEST:



City Secretary Janice England

APPROVED:



Mayor Todd Flippo

