

REGULAR CALLED MEETING
City Council
April 27, 2021

The City Council of the City of Brownwood, Texas, met in a Regular Called Meeting on Tuesday, April 27, 2021, at 9:00 a.m., in the Council Chambers, City Hall, 501 Center Avenue, Brownwood, Texas, with the following members present:

Stephen E. Haynes	:	Mayor
HD Jones	:	Councilman – Ward 1
Ed McMillian	:	Councilman – Ward 2
Larry Mathis	:	Councilman – Ward 3
Draco Miller	:	Councilman – Ward 4
Walker Willey	:	Councilman – Ward 5
Pat Chesser	:	City Attorney
Emily Crawford	:	City Manager
Christi Wynn	:	City Secretary

with no members absent, constituting a quorum of the City Council.

CALL TO ORDER:	Mayor Haynes 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ITEMS TO BE WITHDRAWN:	None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:	None
CITIZENS PRESENTATIONS:	None

APPROVAL OF MINUTES:

A motion was made by Willey, seconded by Mathis, to approve the minutes of the Regular Called Meeting on April 13, 2021, and the Chamber of Commerce Luncheon – where a quorum was present on April 16, 2021, as presented. Upon vote, motion carried unanimously.

CLAIMS AND ACCOUNTS:

Finance Director, Melanie Larose, was present for questions regarding the checklist. A motion was made by Miller, seconded by McMillian, that the Claims and Accounts dated through April 23, 2021, be approved for payment as submitted. Upon vote, motion carried unanimously.

REQUESTS AND PRESENTATIONS:

Consider authorizing the purchase of 2701 meters of various sizes through a five-year capital lease at a total cost of \$808,513.

Director of Utilities, Henry Wied, stated that we have been purchasing water meters that are compatible with an Automated Meter Reading (AMR) system through the budget for several years. We have 2701 more meters to buy to convert the entire water system to

AMR. Under current pricing, these will cost approximately \$808,513. With our current budget allocation of \$270,000 per year, it will take three years to purchase them all. Badger Meters has notified us that there will be a significant price increase effective July 1 of approximately 24%. This would increase the cost of replacing these meters by \$184,511. Rather than paying this higher cost, we propose to use a capital lease to go ahead and buy all the remaining meters needed at once. The capital lease would be through our depository Citizens National Bank. Quarterly payments would be \$42,597 or \$170,388 per year for five years. The total interest cost during the capital lease would be \$43,438. We have \$28,931 remaining in our Meter Replacement account. We propose to move \$13,666 from the Sewer Department Main Line Replacement account with a year-end budget amendment. This will fund one quarterly payment which will be made this fiscal year. The bottom line is that it will cost us \$43,438 in interest cost over five years to save \$184,511 of price increases. Mr. Wied stated that nearly half of the accounts have been changed over to the AMR system. Mrs. Crawford explained that this will help us have budget savings in years to come by nearly \$100,000 due to the rising costs of the meters.

A motion was made by McMillian, seconded by Willey, to authorize the purchase of 2701 meters of various sizes through a five-year capital lease at a total cost of \$808,513. Upon vote, motion carried unanimously.

CONSENT AGENDA:

Mayor Haynes asked if any items on the Consent Agenda needed to be removed for discussion. There being none, a motion was made by McMillian, seconded by Mathis, to approve the items on the Consent Agenda as presented. Upon vote, motion carried unanimously.

Consider an ordinance on second and third/final reading changing the zoning classification of the Fowler and Nunns Addition, Block 1, Lots 4-9 and 11-18, Part 1-3 and 19-20, Block 2, Bradford Street, Alleys also known as 1115 Brady Avenue, from R-3 Multi-family Residential District to C-U College and University District.

ORDINANCE NO. 21-06

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF BROWNWOOD, TEXAS, CHANGING THE ZONING CLASSIFICATION OF THE FOWLER AND NUNNS ADDITION, BLOCK 1, LOTS 4-9 AND 11-18, PART 1-3 AND 19-20, BLOCK 2, BRADFORD STREET, ALLEYS ALSO KNOWN AS 1115 BRADY AVENUE, FROM R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO C-U COLLEGE AND UNIVERSITY DISTRICT; PROVIDING A SEVERABILITY CLAUSE; A SAVINGS CLAUSE; AND SETTING AN EFFECTIVE DATE.

Consider authorizing the City Manager to sign an agreement and any subsequent addendums, amendments, and acceptance of additional funds during the term of the existing grant contract on behalf of Brownwood Brown County Health Department with Texas Department of State Health Services to continue providing Local Public Health services to our community.

Consider ratification of the Brownwood Municipal Development District Board action for a Building Improvement Incentive Program (BIIP) grant to Jodie Armstrong for \$11,101 for a property located at 204 W. Lee Street.

Consider ratification of the Brownwood Municipal Development District Board action for a Building Improvement Incentive Program (BIIP) grant and infrastructure incentive to DiL Petroleum Inc. not to exceed \$30,000 for a property located at 1401 Austin Avenue.

Consider ratification of the Brownwood Municipal Development District Board action for a Building Improvement Incentive Program (BIIP) grant to James Galloway for \$7,651 for a property located at 303 N Fisk.

Consider ratification of the Brownwood Municipal Development District Board action for a Building Improvement Incentive Program (BIIP) grant and infrastructure incentive to Joe Young for \$18,800.00 for a property located at 4230 Hwy 377S.

ORDINANCES AND RESOLUTIONS:

Consider a resolution denying Oncor Electric Delivery Company LLC's application to increase distribution rates within the City and allowing participation with OSCS in the rate case.

City Attorney, Pat Chesser, stated that on April 8, 2021, Oncor Electric Delivery Company filed an application for approval to amend its distribution cost recovery factor. In the filing, the Company is seeking an increase in the total distribution revenue requirement by approximately \$97,826,277. The resolution denies Oncor's application for increased distribution rates and authorizes the City to join with the Steering Committee of Cities Served by Oncor to evaluate the filing, determine whether the filing complies with the law, and if lawful, to determine what further strategy, including settlement, to pursue. The Public Utility Commission of Texas rule allows cities 60 days to act on this application. That deadline is June 7, 2020.

A motion was made by Jones, seconded by Miller, to approve a resolution denying Oncor Electric Delivery Company LLC's application to increase distribution rates within the City and allowing participation with OSCS in the rate case. Upon vote, motion carried unanimously.

RESOLUTION NO. R-21-05

A RESOLUTION OF THE CITY OF BROWNWOOD, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH OCSC; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; FINDING THAT THE CITY'S REASONABLE

**RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY;
FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS
PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW;
REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND
LEGAL COUNSEL.**

REPORTS:

COVID-19 and Vaccination Update

Health Department Administrator, Lisa Dick, stated that there have been 4,223 total COVID cases in Brown County. This past week, there were 15 positive cases, 5 people hospitalized, and no deaths. There have been 9,755 people that have received their first round of the vaccination, and 8,236 second doses have been administered. There are no more mass dose clinics scheduled for the Health Department. Citizens that want to get their first dose are being seen in the morning, and those needing their second dose are seen in the afternoon on Wednesdays. Several pharmacies giving the vaccine as well.

Budgetary Control Report

Finance Director, Melanie Larose, presented the City's Budgetary Control Report for the month ending March 31, 2021, 50% complete, which included: 1) Budget Summary – surplus of \$3,343,185. 2) Summary of Revenue – total revenue is at \$21,641,586 and is 60.26% of budget. 3) A pie chart shows that Ad Valorem Tax is the largest revenue source at 27%, Water Revenue and Sales Tax are both at 15%. 4) Expenditures – We have spent \$18,405,802 and represents 51%. Mrs. Larose pointed out the Police Department line item at 56% and explained that they have discovered an error in the way payroll for Dispatch is being reported. This will be corrected and will bring their expenses within budget. 5) A pie chart of expenditures shows the Water Department at 17%, Police Department at 16%, and the Fire Department at 11%. 6) Sales Tax Analysis through April - The City has collected \$3,466,614. We are \$210,232 over compared to the budget or 6.5%, and \$200,920, compared to last year or 6.2%. 7) Water Consumption and Sales Analysis – sales through March are at \$2,994,926. Revenue is up \$95,633 compared to budget although water sales are down. 8) Comparative Investment Balance Analysis - There are 100 days in operating funds compared to 82 days last year. That number will go down throughout the rest of the budget.

EXECUTIVE SESSION:

Council convened into Executive Session at 9:30 a.m., in the Haynes Conference Room, pursuant to the provisions of the Open Meetings Law, Chapter 551, Government Code Vernon's Texas Codes Annotated, in accordance with the authority contained therein to discuss the following:

Section 551.071 – Consultation with Attorney

- A. Fire & Police Meet and Confer Agreements.
- B. Lease agreement with Howard Payne University for the Brownwood Coliseum.
- C. Administrative Enforcement Order on 200 Fisk Avenue.

Section 551.074 – Personnel Matters

- D. Discussion of Assistant City Manager retirement announcement.

Council reconvened into an open session at 10:50 a.m. Council took action on item B, then went back into Executive Session at 10:51. They came back out of Executive Session at 10:58. No other action was taken as noted below.

ACTION TAKEN AS A RESULT OF THE EXECUTIVE SESSION:

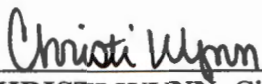
- A. No action taken.
- B. A motion was made by Mathis, seconded by Miller, to approve a lease agreement with Howard Payne University for the Brownwood Coliseum. Upon vote, motion carried unanimously.
- C. No action taken.
- D. No action taken.

ADJOURNMENT:

There being no further business, Mayor Haynes declared the meeting adjourned.


STEPHEN E. HAYNES, Mayor

ATTEST:


CHRISTI WYNN, City Secretary