

# City Council Agenda

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## SAGINAW CITY COUNCIL NOTICE OF SPECIAL MEETING

### Meeting and/or Executive Session Agenda

6:00 PM - Tuesday, May 11, 2021

Saginaw City Hall Council Chambers

333 West McLeroy Blvd.

In accordance with Section 551.042 of the Texas Government Code, this agenda has been posted at Saginaw City Hall, and distributed to the appropriate news media within the required time frame. All meetings of the Saginaw City Council are open to the public. Public participation and written comments are invited on all open session business items.

The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside to respond to a page or to conduct a phone conversation.

The City Hall is wheelchair accessible and special parking is available on the east side of the building. If special accommodations are required please contact the City Secretary a minimum of 72 hours in advance at 817-232-4640.

#### **(1) Call to Order--Todd Flipppo, Mayor**

**Pledge of Allegiance to the United States**

**Pledge of Allegiance to the State of Texas**

"Honor the Texas Flag; I pledge allegiance to thee, Texas, one State under God, one and indivisible"

#### **(2) Invocation**

#### **(3) Audience Participation--On the Video Screen**

**(4)** Consideration and Action regarding Resolution No. 2021-14, Canvassing Returns and Declaring Results of the General Election held on May 1, 2021--Janice England, City Secretary

**(5)** Consideration and Action regarding Resolution No. 2021-15 , Calling for a Runoff Election for Councilmember Place 2--Janice England, City Secretary

**(6)** Consideration and Action regarding Ordinance No. 2021-12, an Ordinance Canvassing Bond Election--Janice England, City Secretary

**(7)** Oath of Office for Mayor--Janice England, City Secretary

- (8) Consideration and Action regarding a Statement of Work and Master Services Agreement for Digital Data Services--Gabe Reaume, City Manager
- (9) **Adjournment--Todd Flippo, Mayor**



# City of Saginaw

**Meeting Date:** 5/11/2021

**Staff Contact:** Janice England  
City Secretary

**Agenda Items:** (4)

**E-mail:** jengland@saginawtx.org

**Phone:** 817-230-0327

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**SUBJECT:**

Consideration and Action regarding Resolution No. 2021-14, Canvassing Returns and Declaring Results of the General Election held on May 1, 2021

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**BACKGROUND/DISCUSSION:**

Resolution No. 2021-14 canvasses the returns of the General Election held on May 1, 2021.

*NOTE: AT THE TIME THE PACKET WAS POSTED, TARRANT COUNTY ELECTIONS HAD NOT RELEASED THE OFFICIAL RETURNS. I EXPECT TO RECEIVE THE OFFICIAL RETURNS ON MONDAY. THE NUMBERS IN THE RESOLUTION ARE FROM THE UNOFFICIAL RESULTS (HIGHLIGHTED IN YELLOW IN THE RESOLUTION). IF THERE ARE ANY CHANGES WHEN I RECEIVE THE OFFICIAL RETURNS THE RESOLUTION WILL BE REVISED ACCORDINGLY PRIOR TO THE MEETING.*

**FINANCIAL IMPACT:**

N/A

**RECOMMENDATION:**

Staff recommends approval.

**ATTACHMENTS:**

Description

Resolution 2021-14

**CITY OF SAGINAW RESOLUTION NO. 2021-14**

**A RESOLUTION OF THE CITY OF SAGINAW, TEXAS, CANVASSING RETURNS AND DECLARING RESULTS OF AN ELECTION HELD IN THE CITY OF SAGINAW ON MAY 1, 2021 FOR THE PURPOSE OF ELECTING MAYOR AND COUNCILMEMBER PLACE 2; FINDING THAT NO MAJORITY OF VOTES WAS CAST TO FILL COUNCILMEMBER PLACE 2 AND THAT A RUNOFF IS NECESSARY.**

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WHEREAS, on May 1, 2021, a general election was held for the offices of Mayor and Councilmember Place 2; and

WHEREAS, said election was duly held at the time and place specified, after due notice as required by law had been given by posting and publication; and

WHEREAS, there were 1,241 electors voting at said election, who cast votes as follows:

**MAYOR**

|             |             |
|-------------|-------------|
| TODD FLIPPO | 1,000 Votes |
|-------------|-------------|

**FOR COUNCILMEMBER PLACE NO. 2**

|                  |           |
|------------------|-----------|
| Sheri Means Hart | 467 Votes |
| Nicky Lawson     | 364 Votes |
| Brack St. Clair  | 300 Votes |

as is reflected by the election returns heretofore filed by the election judges with the City Secretary; and

WHEREAS, only qualified voters of the City of Saginaw, Texas, were allowed to vote in said election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS:

1. That said election was duly called; that notice of said election was given in accordance with law and the resolution calling the election; that the election was held in accordance with law; that due return of said election has been made by the proper officers; and that the qualified voters of the City of Saginaw, Texas, voting in said election have duly elected Todd Flippo as Mayor. There being no majority of votes for the position of Councilmember Place No. 2, and the two candidates receiving the highest and second highest number of votes and who shall be candidates in a runoff election on June 5, 2021, are as follows:

Sheri Means Hart  
Nicky Lawson

2. That the said Todd Flippo is hereby declared duly elected to the office of Mayor of the City of Saginaw, Texas.

3. That the proper officials are hereby authorized to administer the oath of office and do all things necessary to install said officer in his respective office.

ADOPTED AND APPROVED this 11<sup>th</sup> day of May, 2021.

APPROVED:

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Todd Flippo, Mayor Pro-Tem

ATTEST:

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Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

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Bryn Meredith, City Attorney



# City of Saginaw

**Meeting Date:** 5/11/2021

**Staff Contact:** Janice England  
City Secretary

**Agenda Items:** (5)

**E-mail:** jengland@saginawtx.org

**Phone:** 817-230-0327

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**SUBJECT:**

Consideration and Action regarding Resolution No. 2021-15, Calling for a Runoff Election for Councilmember Place 2

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**BACKGROUND/DISCUSSION:**

Resolution No. 2021-15 calls the runoff election for Councilmember Place 2. Since none of the three candidates received over 50% of the votes at the May 1st Election, a runoff election must be held between the two candidates with the most votes. Those candidates according to the unofficial results are Sheri Means Hart and Nicky Lawson. The runoff election will be held on Saturday, June 5th.

**FINANCIAL IMPACT:**

The financial impact will be the expense of the runoff election.

**RECOMMENDATION:**

Staff recommends approval.

**ATTACHMENTS:**

Description

Resolution 2021-15

## **RESOLUTION NO. 2021-15**

### **A RESOLUTION OF THE CITY OF SAGINAW, TEXAS, CALLING FOR A RUN-OFF ELECTION TO BE HELD ON JUNE 5, 2021, FOR THE OFFICE OF COUNCILMEMBER PLACE 2; ESTABLISHING PROCEDURES FOR CONDUCT OF THE ELECTION.**

**WHEREAS**, an election was held on Saturday, May 1, 2021 to elect an officer for Councilmember Place 2; and

**WHEREAS**, the City Charter requires that a candidate must receive the majority of all votes cast in order to be elected to such office; and

**WHEREAS**, no candidate received the votes necessary to be elected for the office of Councilmember Place 2.

**WHEREAS**, Section 2.025 of the Election Code (the "Code") requires that the run-off election be held not earlier than the twentieth or later than the forty-fifth day after the date the final canvas of the special election is completed.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, THAT:**

**Section 1.**     RUNOFF ELECTION CALLED: A run-off election shall be held in the City of Saginaw, Texas, on Saturday, June 5, 2021, at which the officer for Councilmember Place 2 shall be elected.

**Section 2.**     CANDIDATES: The candidates for the run-off election shall be the candidates who receive the highest and second highest number of votes in the general election held on May 1, 2021, or who tied for the highest number of votes in that election in accordance with Section 2.023 of the Code. The Mayor shall certify in writing the candidates eligible for placement on the run-off election ballot and shall deliver the certification to the City Secretary.

**Section 3.**     AGREEMENT WITH TARRANT COUNTY: Prior to the election, the City anticipates that it will enter into an agreement for election services with Tarrant County. The Mayor is hereby authorized to execute an agreement with Tarrant County for the conduct of the election in accordance with Chapter 31, Subchapter D of the Texas Election Code and offer applicable statutes and laws.

**Section 4.**     APPOINTMENT OF ELECTION JUDGES AND ALTERNATE ELECTION JUDGES: Election judges for the runoff election shall be appointed by Tarrant County as authorized by Chapter 271, of the Texas Election Code.

**Section 5.     EARLY VOTING:**

(a)       The Tarrant County Elections Administrator is designated the Early Voting Clerk. Additional Deputy Early Voting Clerks may be appointed, as provided in the Tarrant County Joint Election Agreement.

(b)       Early Voting by personal appearance shall be conducted at the Eagle Mountain-Saginaw Independent School District Administration Building 6-Training Room, 1200 Old Decatur Road, Saginaw, Texas 76179 or at the Tarrant County Main Early Voting site located at 2700 Premier Street, Fort Worth, Texas 76111 on the following days and times:

| <b>Date</b>                   | <b>Time</b>            |
|-------------------------------|------------------------|
| May 24-27 (Monday – Thursday) | 8:00 a.m. – 5:00 p.m.  |
| May 28-29 (Friday - Saturday) | 7:00 a.m. – 7:00 p.m.  |
| May 30 (Sunday)               | 11:00 a.m. – 4:00 p.m. |
| May 31 (Monday)               | CLOSED (Memorial Day)  |
| June 1 (Tuesday)              | 7:00 a.m. – 7:00 p.m.  |

Additional early voting will be conducted at locations throughout Tarrant County as established by the Tarrant County Joint Election Agreement. If there is any discrepancy between this resolution and the Agreement as to early voting locations or times, the Agreement shall control.

(c)       Applications for early voting by mail in Tarrant County may be delivered to the Early Voting Clerk, 2700 Premier Street, Fort Worth, Texas 76111, FAX: 817-831-6118, email: [votemail@tarrantcounty.com](mailto:votemail@tarrantcounty.com) to be received not later than the date established by the Tarrant County Joint Election Agreement. Early Voting ballots for Tarrant County shall be mailed to Early Voting Clerk, P.O. Box 961011, Fort Worth, Texas, 76161-0011. The City Secretary is directed to forward the applications and ballots to the Election Administrator as provided in the Joint Election Agreement.

(d)       Early voting both by personal appearance and by mail shall be canvassed by the Early Voting Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Judge will be appointed by the Tarrant County Election Administrator as permitted by law. The presiding judge shall appoint elections clerks as may be necessary for the proper conduct of the election. The election judge, or the alternative election judge, in the absence of the election judge, and the election clerks shall constitute the early voting ballot board to process early voting results from the election. The election judge and the alternate election judge must be eligible to serve in accordance with state law, and the election clerks shall be qualified voters of the City. To the extent required by law, those persons designated by Tarrant County as election officers and clerks are hereby appointed by the City.

**Section 6. METHOD OF VOTING:**

Tarrant County's HART InterCivic Verity system shall be used for early voting by personal appearance and regular voting on election day. All expenditures necessary for the conduct of the election, the purchase of materials therefor, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Election Code.

**Section 7. GOVERNING LAW AND QUALIFIED VOTERS:**

The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

**Section 8. PUBLICATION AND POSTING OF NOTICE OF ELECTION:**

Notice of the election shall be published in accordance with Chapter 4 of the Election Code except that a notice under Section 4.003(a)(2) or (b) of the Code must be posted not later than the 15th day before election day.

**Section 9. NECESSARY ACTIONS:**

The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, ON THIS THE 11<sup>th</sup> DAY OF MAY, 2021.**

APPROVED:

\_\_\_\_\_  
Todd Flippo, Mayor

ATTEST:

\_\_\_\_\_  
Janice England, City Secretary



# City of Saginaw

**Meeting Date:** 5/11/2021

**Staff Contact:** Janice England  
City Secretary

**Agenda Items:** (6)

**E-mail:** jengland@saginawtx.org

**Phone:** 817-230-0327

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**SUBJECT:**

Consideration and Action regarding Ordinance No. 2021-12, an Ordinance Canvassing Bond Election

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**BACKGROUND/DISCUSSION:**

Ordinance No. 2021-12 canvasses the Bond Election held on May 1, 2021. Voters approved the three bond propositions that were on the ballot.

*NOTE: AT THE TIME THE PACKET WAS POSTED, TARRANT COUNTY ELECTIONS HAD NOT RELEASED THE OFFICIAL RETURNS. I EXPECT TO RECEIVE THE OFFICIAL RETURNS ON MONDAY. THE NUMBERS IN THE ORDINANCE ARE FROM THE UNOFFICIAL RESULTS (HIGHLIGHTED IN YELLOW IN THE ORDINANCE). IF THERE ARE ANY CHANGES WHEN I RECEIVE THE OFFICIAL RETURNS THE ORDINANCE WILL BE REVISED ACCORDINGLY PRIOR TO THE MEETING.*

**FINANCIAL IMPACT:**

N/A

**RECOMMENDATION:**

Staff recommends approval.

**ATTACHMENTS:**

Description

Ordinance 2021-12 Canvassing Bond Election

**CERTIFICATE REGARDING ADOPTION OF A  
ORDINANCE CANVASSING BOND ELECTION**

THE STATE OF TEXAS  
TARRANT COUNTY  
CITY OF SAGINAW

We, the undersigned officers of the City of Saginaw (the "City"), hereby certify as follows:

1. The City Council of said City convened in a special meeting on May 11, 2021, at the designated meeting place, and the roll was called of the duly constituted officers and members of said City Council, to wit:

|                      |                       |
|----------------------|-----------------------|
| Todd Flippo          | Mayor                 |
| Charles Beasley      | Place 1               |
| Patrick Farr         | Place 2               |
| Valerie Junkersfield | Mayor Pro Tem/Place 3 |
| Charles Tucker       | Place 4               |
| Cindy Bighorse       | Place 5               |
| Mary Copeland        | Place 6               |

and all of said persons were present, except \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written Ordinance entitled

**AN ORDINANCE CANVASSING A BOND ELECTION**

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said Ordinance be adopted and, after due discussion, said motion, carrying with it the adoption of said Ordinance, prevailed and carried with all members present voting "AYE" except the following:

NAY: \_\_ ABSTAIN: \_\_

2. That a true, full and correct copy of the aforesaid Ordinance adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Ordinance has been duly recorded in said City Council's minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said Meeting pertaining to the adoption of said Ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Ordinance would be introduced and considered for adoption at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose, and that said Meeting was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

3. That the Mayor of said City has approved and hereby approves the aforesaid Ordinance; that the Mayor and the City Secretary of said City have duly signed said Ordinance; and that the Mayor and the City Secretary of said City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Ordinance for all purposes.

SIGNED AND SEALED ON MAY 11, 2021.

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City Secretary

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Mayor

{SEAL}

**CITY OF SAGINAW ORDINANCE NO. 2021-12**  
**CANVASSING BOND ELECTION**

WHEREAS, this City Council ordered an election to be held in the City of Saginaw, Texas on May 1, 2021, on the propositions hereinafter stated, and has authorized all matters pertaining to said election, including the ordering, giving notice, officers, holding and making returns of said election; and

WHEREAS, the election officers who held said election have duly made the returns of the result thereof, and said returns have been duly delivered to this City Council.

WHEREAS, it is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS:

1. That the City Council officially finds and determines that said election was duly ordered, that proper notice of said election was duly given, that proper election officers were duly appointed prior to said election, that said election was duly held, that the City has complied with the Federal Voting Rights Act and the Texas Election Code, that due returns of the result of said election have been made and delivered, and that the City Council has duly canvassed said returns, all in accordance with law and the ordinance calling said election.

2. That the City Council officially finds and determines that the following votes were cast at said election, on the submitted PROPOSITIONS by the resident, qualified electors of said City, who voted at the election:

732 VOTES: FOR

508 VOTES: AGAINST

CITY OF SAGINAW, TEXAS SPECIAL ELECTION  
CITY OF SAGINAW, TEXAS PROPOSITION A

Shall the City Council of the City of Saginaw, Texas, be authorized to issue and sell the bonds of said City, in one or more series or issues, in the aggregate principal amount of \$37,550,000 for the purpose of designing, constructing, reconstructing, improving, extending, expanding, upgrading and developing streets, roads, sidewalks, thoroughfares and related improvements in the City, including pedestrian right of ways, related drainage, utility relocation, signalization, landscaping, lighting, and signage; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said City in an amount sufficient, within the limits prescribed by law, to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

707 VOTES: FOR

534 VOTES: AGAINST

CITY OF SAGINAW, TEXAS SPECIAL ELECTION  
CITY OF SAGINAW, TEXAS PROPOSITION B

Shall the City Council of the City of Saginaw, Texas, be authorized to issue and sell the bonds of said City, in one or more series or issues, in the aggregate principal amount of \$11,200,000, for the purpose of

designing, constructing and equipping improvements and additions to City parks, including, trails, sports recreational facilities, senior center, parking, and related infrastructure, and the acquisition of land and interests in land necessary therefor; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said City in an amount sufficient, within the limits prescribed by law, to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

674 VOTES: FOR

560 VOTES: AGAINST

CITY OF SAGINAW, TEXAS SPECIAL ELECTION  
CITY OF SAGINAW, TEXAS PROPOSITION C

Shall the City Council of the City of Saginaw, Texas, be authorized to issue and sell the bonds of said City, in one or more series or issues, in the aggregate principal amount of \$18,700,000, for the purpose of designing, constructing and equipping a municipal library, along with related landscaping, parking and infrastructure, and the acquisition of land and interests in land necessary therefor; with said bonds to be issued in one or more series or issues, to mature serially or otherwise not to exceed 40 years from their date and bear interest at such rate or rates, not to exceed the respective limits prescribed by law at the time of issuance, and to be sold at such price or prices, as the City Council in its discretion shall determine; and shall there be levied and pledged, assessed and collected annually ad valorem taxes on all taxable property in said City in an amount sufficient, within the limits prescribed by law, to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?

3. As a result of said Election, and in conformity with law, this City Council is authorized to issue the bonds on behalf of the City in the manner and to the extent set forth in the proceedings calling said Election, and as and to the extent authorized and approved by said Election as shown by the votes above.

4. In accordance with the provisions of V.T.C.A., Government Code, Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

ADOPTED AND APPROVED this 11<sup>th</sup> day of May, 2021.

APPROVED:

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Todd Flippo, Mayor

ATTEST:

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Janice England, City Secretary