CITY OF SULPHUR SPRINGS, TEXAS
REGULAR MEETING OF THE
CITY COUNCIL

September 7, 2021

7:00 p.m.

Mayor John A. Sellers called the regular meeting of the Sulphur Springs City Council to order at 7:00 p.m.

The following council members and staff were present:

Present:	Mayor John A. Sellers Mayor Pro Tem Doug Moore Councilman Jay W. Julian Councilman Harold Nash Sr. Councilman Oscar Aguilar Councilman Freddie Taylor Councilman Gary Spraggins
Absent:	None
Staff:	Marc Maxwell, City Manager Gale Roberts, City Secretary Jim McLeroy, City Attorney Lesa Smith, Assistant City Manager/Finance Director Tory Niewiadomski, Assistant City Manager/CD Director Gordon Frazier, Assistant City Manager/HR Director Jason Ricketson, Chief of Police Natalie Darrow, SSPD Records Clerk Roger Feagley, Executive Director of EDC

PLEDGE AND INVOCATION
Mayor Sellers led in the pledge of allegiance to the United States Flag and the Pledge to the Texas Flag, and the invocation was led by Councilman Taylor.

PRESENTATIONS, PROCLAMATIONS, AND ANNOUNCEMENTS
Councilman Julian recognized Cory Freeman from the City Library for being the latest Career Online Sulphur Springs graduate.

Assistant City Manager Niewiadomski conducted a presentation in reference to an update of the Street Improvement Plan. There was a lengthy discussion following the presentation.

<u>MANAGER'S REPORT INCLUDES A STATUS REPORT OF CAPITAL IMPROVEMENTS, WASTEWATER TREATMENT PLANT OPERATIONS, ACCIDENTS AND CLAIMS FOR THE MONTH, AND A REVIEW OF EXPENDITURES AND REVENUES</u>

COVID-19 RESPONSE – The number of active cases in Hopkins County increased 219% since our last meeting with 373 active cases as of September 2nd. There are 25 patients in the covid unit at the hospital, up from 17 last month.

GRAYS BUILDING –The building is completed.

CLAIMS – There were no workers compensation claims or liability claims in August.

SENIOR CITIZENS BUILDING – We are waiting for the steel market to normalize.

SAPUTO SEWER MAIN – This project is nearing completion. The Capital Construction Division has completed its work on the project. I expect the contractor to bore under Interstate 30 and to connect to the existing system this month. This will complete the project.

This $750,000 sewer project is funded entirely by a grant from the Texas Department of Agriculture. The new main will supplement an older undersized main. The path of the new main begins at Saputo and continues under the interstate. It then continues South for 3,500 feet before connecting to an existing trunk line. The new main has a 15-inch inch diameter. This grant is made possible because of a $50 million plant upgrade at Saputo and their cooperation with the Texas Department of Agriculture. Without their cooperation this project would not have been possible.

COLLEGE STREET – This will be the next reconstruction project. You will consider a bid on water main materials later on the agenda. We already have sewer main materials.

CLAIMS – We did not have any workers compensation claims or liability claims in August.

REVENUES AND EXPENDITURES – Finance Director Lesa Smith will present a report of revenues and expenditures and the status of water accounts in arrears.

RUNWAY/TAXIWAY REHAB – This $1.9 mil project is in progress. 90% of the project cost is covered by a TxDOT grant. The project is approximately 33% complete, and we expect the contractor to finish by mid-November.

All the concrete and asphalt surfaces on the operations side are being completely rehabilitated and the ramp is being significantly enlarged.

STREET IMPROVEMENT PROGRAM – Progress resumed in August. The contractor, Texana Land and Asphalt, plans to be completed by September 30. The following highlighted streets have been completed:

2021 SIP		
Street	**Segment**	**Length**
Austin	Davis to Brinker	565
Beckham	Oak to Elm	3,379
Duckworth	Mockingbird to Broadway	1,250
Gena	Cul de Sac to end	1,130
League	Bellview to Pampa	3,131
Lee	Davis to Broadway	1,901
N. Davis	Houston to Bonner	675
Patton	College to Weaver	950
Phyllis Ct.	College to Cul de Sac	950
Texas	Tate to Lee	2,772
Texas	Lee to Industrial	1,188
Woodbridge Crossing	Various	500
Total Linear Feet		**19,391**
Total Miles		**3.67**
Total Cost		**$1,152,098**
Street Maintenance Fee Revenue		**$502,000**

Elsewhere around the city, employees:

- Checked out 3,174 items from the library plus 825 eBooks.
- Produced treated wastewater effluent with a total average suspended solids reading of .29 mg/L.
- Installed new LED fixtures in parking lots and along pathways at Coleman Park.
- Set timers on school zone lights to run from 7:15am to 8:05am and 3:25pm to 4:00pm.
- Performed inspection/preventative maintenance on:
    - PD roof drains
    - PD windows
    - Exterior Library lights
    - City Hall fountain
    - City Hall elevator
    - Airport Terminal
    - Animal Shelter
- Performed repairs on 2 dump trucks in the wastewater division.
- Placed sod around the new Grays building.
- Removed utilities from the old Grays building in preparation for demolition.
- Continued making minor improvements at the wastewater treatment plant.
- Treated 187 tons of sludge at the compost facility and sent 160 tons of sludge to the landfill.
- Repaired 12 water main ruptures.
- Replaced 8 water meters.
- Unstopped 17 sewer mains.
- Treated 173 million gallons of potable water.
- Responded to 186 calls for animal control and achieved an 89% adoption rate.
- Responded to 2,130 calls, responded to 35 accidents, wrote 481 citations, recorded 32 offenses, and made 39 arrests in the Patrol Division.
- Made 3 felony arrests in the Special Crimes Unit.
- Responded to 278 fire/rescue calls including 3 structure fires.
- Performed 15 fire inspections and pre-fire plans.
- Performed preventative maintenance on 79 fire hydrants.
- Conducted 20 building inspections, 12 electrical inspections, 15 plumbing inspections, 5 mechanical inspections and issued 25 building permits.
- Patched 228 potholes.

- Replaced 1 stop sign.
- Hauled street sweeping spoils to the landfill.
- Placed rock for fish habitat in Coleman Lake.
- Made 8 extensive street repairs following utility repairs.
- Replaced sidewalk in the 200 block of Church Street.
- Cleaned out multiple ditches and storm drains. See attached maps.

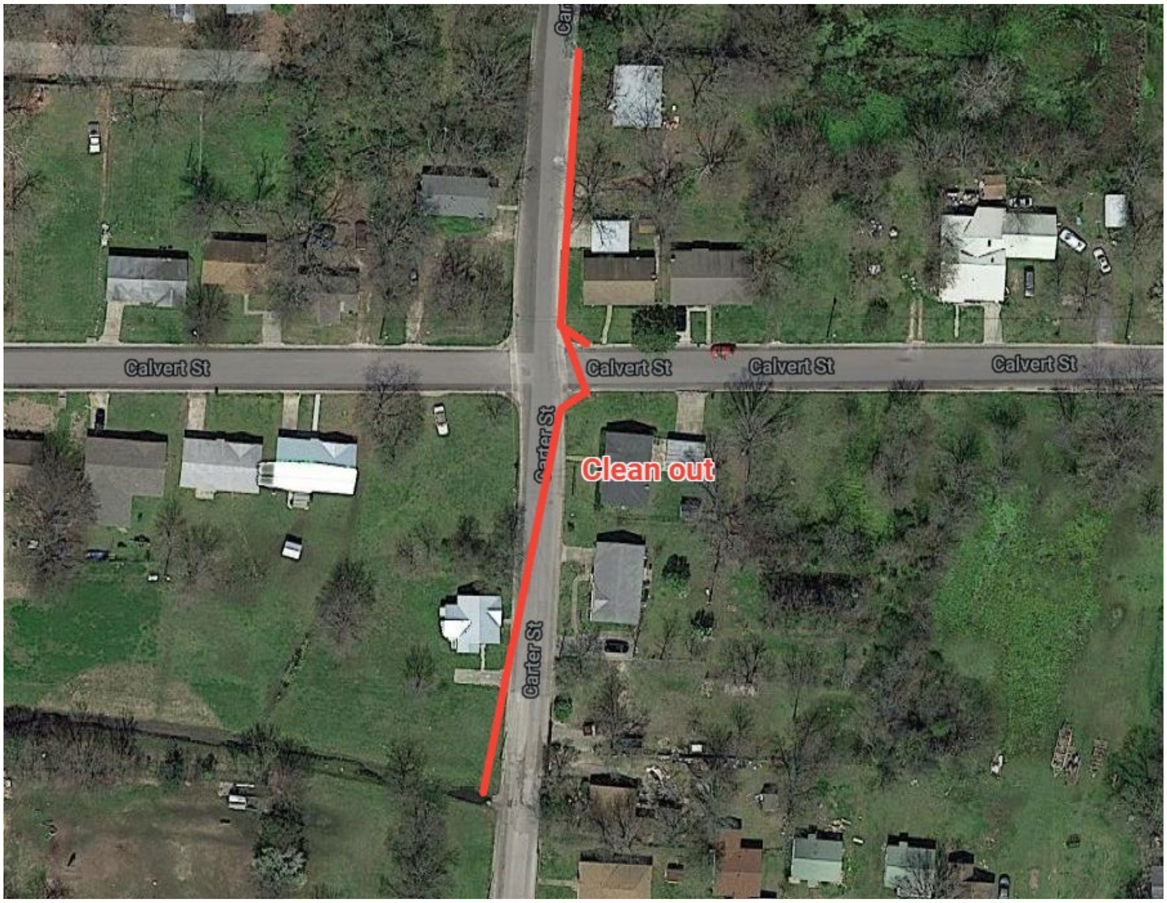

MLK @ Railroad Ditch
Martin Luther King Jr Dr
MLK Sink Hole
Martin Luther King Jr Dr


Live Oak
Live Oak St
Marianne Cir
Marianne Cir
Marianne Cir
Marianne Cir


Van Sickle Ditch
9th St
Van Sickle St
Van Sickle St
Van Sickle St
Locust St N
Locust St N
Easy Street Apartments
Atkins St
Easy St Ditch
Atkins St
Rogers St
Rogers St
Easy St
ISD


S Davis St
CBJ Custom Apparel
Chad Cable Attorney At Law
Dixon & Dixon Insurance
Oak Ave
Kirksey
Clean out
Martindale Feed Mill
Dug out
Clean out
W Hinnant St
W Hinnant St
W Hinnant St
S Davis St
Hinnant St
Hinnant St
Clean out
Hinnant St
154
Oak Ave
S Davis
Flowerland Florist


Pawn Shop
Pawn shop
S Davis St
154
Ashcroft St
Ashcroft St
Cut Trees
Clean out
Cross Motor Sales
Used car dealer
Eternity Creations
Trophy shop
S Davis St
Clean out
Salon Laveau
Giles Insurance
Smith McDowell Ginn Attorneys At Law
The Produce Stand
Gilmer St
CBJ Custom Apparel



Councilman Taylor had only praise for the work done on the Grays building and Pacific Park and Councilman Spraggins gave accolades to the staff. Councilman Spraggins called for a round of applause for the staff. Mayor Sellers asked what can be done about North Davis Street from Houston to Bonner Streets where it meets the railroad tracks. City Manager Maxwell said that it is a shared responsibility with the railroad, and he would be in contact with them when the time comes. Councilman Nash spoke highly of City Manager Maxwell saying that he is an inspiration.

DISCUSSION/ACTION ON THE CONSENT AGENDA

Consider for approval the City Council workshop meeting minutes of August 3, 2021; the City Council regular meeting minutes of August 3, 2021; the City Council special meeting minutes of August 10, 2021; the Downtown Revitalization Board meeting minutes of July 13, 2021; the Planning and Zoning Commission meeting minutes of July 19, 2021; the Economic Development Corporation meeting minutes of July 26, 2021; Resolution No. 1255 for a 380 Agreement for property located at 1022 Jackson Street; Resolution No. 1260 for a 380 Agreement for property locate at 615 Lamar Street; and Resolution No. 1261 for a 380 Agreement for property located 316 Calvert Street. There was a brief discussion. There was no one else to speak to the issue. Councilman Julian requested to move Resolution #1260 from the consent agenda to the regular agenda and to change the wording in the minutes for the City Council Regular Meeting Minutes of

August 3, 2021, from abstain to recuse. Mayor Pro Tem Moore moved to approve the minutes with the exception of the request by Councilman Julian. Councilman Aguilar seconded the motion, and the vote was unanimous.

The motion carried.

The following day, in a discussion with City Secretary Roberts, City Councilman Julian decided it would not be necessary to change the wording of the minutes as they reflected both "recuse" and "abstain" which is the absence of a vote. Councilman Julian was not in the room when the other City Councilmen voted on the issue.

DISCUSSION/ACTION ON PUBLIC HEARING FOR SECOND AND FINAL READING OF ORDINANCE NO. 2782, A REQUEST TO REZONE PROPERTY LOCATED 125 WEAVER DRIVE BY OWNER PAULINO REYES FROM HEAVY INDUSTRIAL TO MULTI FAMILY, IDENTIFIED AS LOT 3R-3, BLOCK 66, TOWN, CONSISTING OF APPROXIMATELY 1.89 ACRES.

Assistant City Manager Niewiadomski presented the staff report. The applicant is proposing to rezone the property to Multifamily to accommodate residential development on the lot. The property is surrounded by a mix of zoning designations, from Heavy Industrial to the north, east and west, and Light Industrial and Heavy Commercial to the south. The land uses are a church to the west, residential to the south and east, and a museum to the north. Given the context of the area, multifamily is an appropriate use. It also fits in with the land use plan of residential along Weaver Drive. In 2002, the County was issued a special use permit for a temporary shelter at the corner of Jackson and Weaver Drive. At the time, the property was one lot and contained 3.2 acres which includes this property as well. In 2017, the property was subdivided into 3 lots consisting of lots 3R-1 (0.58 acres), 3R-2 (0.73 acres) and 3R-3 (1.89 acres).

There was a brief discussion. There was no one else to speak to the issue. Councilman Taylor moved to adopt the ordinance on the second and final reading. Mayor Pro Tem Moore seconded and the vote was unanimous.

Motion carried.

CONDUCT A PUBLIC HEARING TO MEET STATE LAW REQUIREMENTS FOR THE CITY OF SULPHUR SPRINGS TAX RATE OF $0.42692/$100

Mayor Sellers opened the public hearing at 7:46 p.m.

There was no one to speak to the issue.

Mayor Sellers closed the public hearing at 7:46 p.m.

MAYOR SELLERS MOVED ITEM 25 "ORDINANCE NO. 2790 ESTABLISHING A MASTER FEE SCHEDULE AS THE NEXT ITEM

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2790, ESTABLISHING A MASTER FEE SCHEDULE FOR COSTS, FEES, AND RATES ASSOCIATED WITH PERMITTING, UTILITY SERVICES, AND OTHER SERVICES PROVIDED BY THE CITY

Previously, most fees were an appendix in the budget book. This ordinance establishes a master fee schedule as Appendix C of the Code of Ordinances. This makes it easier to amend fees throughout the year if necessary and keeps a consolidated list of fees as adopted through their own ordinances.

Fee Changes Proposed:

Description	FY 2021 Rates	FY 2022 Rates
Airport-Net of CC transaction Cost		
Hangar Building 44, Community Space, Monthly	$70.00	$130.00
Hangar Building 44, Private Space, Monthly	$90.00	$155.00
Aircraft Storage	$200.00	$300.00
Parks, Recreation & Events		
Tournament Field Rental- Per Day	$100.00	$120.00
Park Baseball/Softball/ Soccer User Fee - Per Player Per Season		
Player resides in City of Sulphur Springs	$12.00	$13.00
Player resides outside City	$12.00	$14.00
Market Craft and Produce Vendor Space for Market Season	$140.00	$100.00
Market Vendor Space for 1 day only	$15.00	$10.00
Community Development		
Food establishment Inspection	$200.00	$300.00
Food establishment Re-Inspection	$200.00	$150.00
Public Pool Inspection	$200.00	$300.00
Public Pool Re-Inspection	$200.00	$150.00

Other Fees to Consider Updating:

Street Maintenance Fee- Currently $5.00-$30.00
Grays Building Rental is currently $50 per day
Grays Building Deposit is currently $100 per rental

There was a lengthy discussion. Councilman Aguilar believed changing the deposit to $200 for the Grays Building rental and leaving the rate the same would improve the quality of care taken in reference to cleaning. Councilman Spraggins spoke to the fact that in 50 years there had not been action taken for collection of enough fees for road repair and it was time to take action. There was no one else to speak to the issue. Councilman Spraggins made a motion to approve the first reading of the ordinance as presented with the exception of changing the deposit fee for the Grays Building from $100 to $200 and leaving the rental fee the same. He also added in his motion to raise the monthly Street Maintenance Fee to $10 for Single Family and Multi Family, $22.50 for Commercial and $50 Industrial. Mayor Pro Tem Moore seconded and the vote was as follows:

AYES: **Julian, Aguilar, Taylor, Spraggins, Moore**

NAYS: **Sellers, Nash**

ABSTAIN: **None**

Motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2783, THE APPROPRIATIONS ORDINANCE FOR THE CITY OF SULPHUR SPRINGS FOR FISCAL YEAR 2021-2022

Assistant City Manager Smith presented the staff report. This is the first reading of the ordinance adopting the FY 2022 budget and appropriating certain funds and directing their expenditure. Assistant City Manager Smith explained there would be an additional $509,000 revenue and $509,000 additional expenditures by amending the Street Maintenance Fee. There was a brief discussion. There was no one else to speak to the issue. Councilman Spraggins moved to approve the ordinance on the first reading contingent on the budget reflecting the rate increase to the Street Maintenance Fee. Councilman Taylor seconded and vote was unanimous.

Motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2784, SETTING THE TAX RATE FOR THE CITY OF SULPHUR SPRINGS FOR FISCAL YEAR 2021 – 2022

Assistant City Manager Smith presented the staff report. The property tax rate is set at $0.42692 per $100 of valuation as discussed in budget workshops. Taxes for properties on the tax roll as of January 1, 2021, will be assessed October 1, 2021. The Local Government Code requires specific language for the motion, and the ordinance. The percentage increase in the motion is not the same as the percentage increase in the ordinance. The State requires different tax rate calculation for each one. The motion uses the no-new-revenue tax rate, and the ordinance uses the no-new-revenue maintenance & operations rate. There was no one else to speak to the issue. Councilman Spraggins stated, *"I move that the property tax rate be increased by the adoption of a tax rate of $0.42692 per 100 dollars which is effectively an 11.96 percent increase in the tax rate"* and to approve the first reading of the ordinance as presented. Councilman Taylor seconded and the vote was unanimous.

Motion carried.

City Manager Maxwell elaborated by saying that the law specifies the wording to say increase when it is, in fact, a decrease in the tax rate.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2785, SETTING THE WATER RATE

Assistant City Manager Smith presented the staff report. There was no water rate increase in the 2020-2021 FY budget. This year, as we already discussed in the budget workshops, we propose to increase the water rate by 2%. There was no one else to speak to the issue. Councilman Spraggins moved to approve the ordinance on the first reading as presented. Councilman Nash seconded and the vote was unanimous.

Motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2786, SETTING THE SEWER RATE

Assistant City Manager Smith presented the staff report. The proposed increase in the sewer rate is 2% and is the same as presented in the budget workshops. There was no one to speak to the issue. Councilman Aguilar moved to approve the ordinance on the first reading as presented. Councilman Nash seconded and the vote was unanimous.

Motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2787, SETTING THE SANITATION RATE

Assistant City Manager Smith presented the staff report. The sanitation contract will increase by 5% in the new budget year. There was a brief discussion. There was no one else to speak to the issue. Councilman Julian moved to approve the ordinance on the first reading as presented. Councilman Spraggins seconded and the vote was unanimous.

Motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2788, AUTHORIZATION OF UPDATED SERVICE CREDITS

Assistant City Manager Frazier presented the staff report. This ordinance establishes the authorization of "Updated Service Credits." There was no one else to speak to the issue. Councilman Spraggins moved to approve the ordinance on the first reading as presented. Councilman Julian seconded and the vote was unanimous.

Motion carried.

DISCUSSION/ACTION ON FIRST READING OF ORDINANCE NO. 2789, A REQUEST BY OWNERS KRIS AND KASON CHILDRESS TO REZONE PROPERTY LOCATED AT 618 OAK AVENUE, IDENTIFIED AS LOT 10 A, BLOCK 40 2, TOWN ADDITION, CONSISTING OF APPROXIMATELY 0.21 ACRES, FROM MULTI FAMILY (MF) TO LIGHT COMMERCIAL (LC)

Assistant City Manager Niewiasdomski presented the staff report. The applicant is proposing to rezone the property to Light Commercial to accommodate commercial and/or office development on the lot. The property has an existing home that will be converted into office use if approved. The property is surrounded by a mix of zoning designations. Given the context of the area, commercial is an appropriate use along the Oak Avenue corridor. Planning and Zoning conducted a public hearing and unanimously voted to recommend the zone change. There was a brief discussion. There was no one else to speak to the issue. Councilman Taylor moved to approve the ordinance on the first reading as presented. Mayor Pro Tem Moore seconded and the vote was unanimous.

Motion Carried.

DISCUSSION/ACTION ON ASSET FORFEITURE BUDGET

Police Chief Ricketson presented the staff report. State law requires the governing body to approve the Department Asset Forfeiture Budget. Asset Forfeiture money is acquired from cash and liquidation of forfeited property from narcotic related enforcement. The current balance $284,063.34. The Police Department plans to spend $20,000.00 for equipment such as duty belts, body cameras, radars, etc. There was no one to speak to the issue. Councilman Spraggins moved to approve the Police Department Asset Forfeiture Budget as presented. Councilman Aguilar seconded and the vote was unanimous.

Motion carried.

DISCUSSION/ACTION ON ECONOMIC DEVELOPMENT CORPORATION BUDGET

Executive Director of the Economic Development Corporation Roger Feagley presented the staff report. He presented the budget for the Sulphur Springs/Hopkins County EDC. This document was produced by the staff and board of directors of the EDC. He explained they plan to hire a Texas A&M student for part-time duties. This budget outlines the spending of the EDC for the next fiscal year. There was no one to speak to the issue. Councilman Spraggins moved to approve the budget as presented. Councilman Julian seconded and the vote was unanimous.

Motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1253, APPROVING AN EASEMENT WITH ONCOR ELECTRIC DELIVERY LLC AT COLEMAN PARK WATER TOWER SITE AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID DOCUMENT

Assistant City Manager Niewiadomski presented the staff report. Oncor Area Manager for Oncor Larry Willis was available to answer any questions. There was a brief discussion. There was no one else to speak to the issue. Mayor Pro Tem Moore moved to approve the resolution as presented. Councilman Taylor seconded and the vote was unanimous.

Motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1254, APPROVING AND ADOPTING THE ANNUAL INVESTMENT POLICY

Assistant City Manager Smith presented the staff report. This is the annual review and approval of investment policy as required by the Public Funds Investment Act (PFIA). There are no changes to the document. There was a brief discussion. Councilman Julian inquired about the Investment Committee. He was informed their meetings are not formal with no minutes required and consists of the Finance Director, City Manager, and one other employee. There was no one else to speak to the issue. Councilman Spraggins moved to approve the resolution as presented. Councilman Taylor seconded and the vote was unanimous.

Motion carried.

DISCUSSION/ACTION ON BIDS AND AWARD OF CONTRACT FOR WATER MATERIALS FOR THE COLLEGE STREET PROJECT

Assistant City Manager Smith presented the staff report. The Finance Department published notices in the paper on August 18, 2021, and August 25, 2021, and sent out notices to potential bidders for materials needed to complete the project. The City opened the two bids received on Friday, September 3 at 2:00 p.m. Due to supply chain issues with this type of material, time between bid submission and bid award was minimized as much as possible. Coburn's Supply Company is the lowest bidder and recommended vendor. There was no one to speak to the issue. Councilman Aguilar moved to approve the bids and award the contract to Coburn's Supply Company out of Longview, Texas. Councilman Taylor seconded and the vote was unanimous.

Motion carried.

<u>DISCUSSION/ACTION ON RESOLUTION NO. 1256, A 380 AGREEMENT FOR PROPERTY LOCATED AT 219 CRAIG STREET</u>

Assistant City Manager Niewiadomski presented the staff report. James Jordan and Shane Larue acquired a vacant lot at 219 Craig Street. They are seeking economic incentives to build a single-family home to make the project feasible. There was no one to speak to the issue. Mayor Pro Tem Moore moved to approve the resolution as presented. Councilman Spraggins seconded and the vote was unanimous.

Motion carried.

<u>DISCUSSION/ACTION ON RESOLUTION NO. 1257, A 380 AGREEMENT FOR PROPERTY LOCATED AT 447 HOUSTON STREET</u>

Assistant City Manager Niewiadomski presented the staff report. James Jordan and Shane Larue are looking to acquire a vacant lot at 447 Houston Street. They are seeking economic incentives to build a single-family home to make the project feasible. There was no one to speak to the issue. Councilman Julian moved to approve the resolution as presented. Councilman Taylor seconded and the vote was unanimous.

Motion carried.

<u>DISCUSSION/ACTION ON RESOLUTION NO. 1258, A 380 AGREEMENT FOR PROPERTY LOCATED AT 410 HOUSTON STREET, LOT 3R</u>

Assistant City Manager Niewiadomski presented the staff report. James Jordan and Shane Larue are looking to acquire a vacant lot at Lot 3R B.P. Levey Addition (410 Houston Street). They are seeking economic incentives to build a single-family home to make the project feasible. There was no one to speak to the issue. Councilman Taylor moved to approve the resolution as presented. Councilman Spraggins seconded and the vote was unanimous.

Motion carried.

<u>DISCUSSION/ACTION ON RESOLUTION NO. 1259, A 380 AGREEMENT FOR PROPERTY LOCATED AT 410 HOUSTON STREET, LOT 1R</u>

Assistant City Manager Niewiadomski presented the staff report. James Jordan and Shane Larue are looking to acquire a vacant lot at lot 1R B.P. Levey addition (410 Houston Street). They are seeking economic incentives to build a single-family home to make the project feasible. There was no one to speak to the issue. Councilman Taylor moved to approve the resolution as presented. Mayor Pro Tem Moore seconded and the vote was unanimous.

Motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1260, A 380 AGREEMENT FOR PROPERTY LOCATED AT 615 LAMAR STREET

Assistant City Manager Niewiadomski presented the staff report. SM Family Holding, LLC acquired a vacant lot at 615 Lamar Street from Tim & Nita Kelty. The Kelty's cleared the city expense liens in the amount of $7,918.60 on the property to convey a clear title to the applicant and they are requesting the reimbursement. There was considerable discussion. There was no one else to speak to the issue. Councilman Julian moved to approve the resolution as presented. Councilman Taylor seconded and the vote was as follows:

AYES: **Nash, Aguilar, Taylor, Spraggins, Moore**

NAYS: **Sellers, Julian**

ABSTAIN: **None**

Motion carried.

DISCUSSION/ACTION ON RESOLUTION NO. 1262 FOR PLAYGROUND EQUIPMENT FOR PACIFIC PARK

Assistant City Manager Niewiadomski presented the staff report. On August 27, 2020, the Texas Parks and Wildlife Department (TPWD) Commission approved the City of Sulphur Springs grant request for $1.5 million with a $750,000 match contribution from the City of Sulphur Springs. TPWD then submitted our project to the National Park Service (NPS) for federal funding and it was anticipated that the City would receive a grant agreement from TPWD around March 2021. This has not happened yet due to Covid-19 at the Federal level. However, in April of 2021 TPWD requested a Waiver of Retroactivity (WOR) for the development of Pacific Park which included our budget narrative of activities for the grant submission including the playground equipment. On April 27, 2021, the United States Department of Interior (National Park Service) provided a response to the waiver granting approval to preserve the eligibility of expenses incurred while the applications for Land and Water Conservation Fund grants are pending. Thus, the City of Sulphur Springs is able to spend funds on the project retroactively as of the date of the letter. MHS Planning & Design is providing the engineering and design services on this project. In March 2021, surveys were distributed to residents near Pacific Park as well as having an online survey available showing two different playground options. On March 29th, the results were presented to the public by Zoom. 84% of the responses preferred the playground that has been designed by MHS and provided by Whirlix.

Whirlix is an approved vendor of equipment through BuyBoard (Contract #592-19), which is a purchasing cooperative, and the City of Sulphur Springs is a member. BuyBoard allows cities to procure qualified vendors of commodities, goods, and services, to relieve the burdens of governmental purchasing functions at a competitive price. Contracts and vendors awarded through BuyBoard have been competitively procured, to assist members with compliance with Texas local and state procurement requirements and a documented audit trail. It satisfies procurement requirements without having to perform sealed competitive bids. The playground proposal cost meets the budget that MHS Planning put together for the City at $245,000 which includes installation. There was a brief discussion. There was no one else to speak to the issue. Councilman Nash moved to approve the resolution as presented. Councilman Taylor seconded and the vote was unanimous.

Motion carried.

VISITORS AND PUBLIC FORUM

None.

ADJOURN

With all business complete the meeting was adjourned at 8:50 p.m.