

Minutes

City Council – Regular City Council Meeting

CITY OF SIMONTON

March 19, 2024

This is a true and correct copy of the Minutes of the City Council – Regular Meeting of the Simonton City Council held on March 19, 2024 at 6:32 p.m.

1. Call to Order

A quorum was present with the following City Councilmembers in attendance:

Laurie Boudreaux, Courtney Cox, Burns Turner, Faith Haley, Justin Boudreau, and Kelli Matula

City Staff present:

Interim City Secretary Janie Willman
Olson and Olson Attorney Philip Boedeker

Public Present:

Dan McJunkin

2. Invocation and Pledge

Council Member Faith Haley gave the invocation.

Mayor Boudreaux led the assembly in the Pledge of Allegiance.

3. Public Comments

In accordance with Texas Open Meetings Act and Texas Government Code 551.007, City Council may not discuss or take action on any item NOT listed on the Agenda. Each member of the public wishing to speak must sign-up prior to the meeting and is limited to 3 minutes.

There were no speakers to address the City Council.

4. Consider and take action on the Consent Agenda

Items listed under the Consent Agenda are considered routine and are generally enacted in one motion. The exception to this rule occurs when a Council Member requests one or more items removed from the Consent Agenda for separate discussion and action.

a. Financial Reports

Council Report February 2024 - Revised
Payment Report February 2024 – Revised

Mayor Boudreaux explained that the Monthly Financial Reports would be re-visited at the next City Council Meeting. For that reason, these Financial Reports are being pulled from consideration on this Consent Agenda.

b. Draft City Council Meeting Minutes of Regular Meeting, February 20, 2024

Motion by Council Member / Mayor Pro Tem Cox to approve the Draft Meeting Minutes on the Consent Agenda as presented. Council Member Boudreau seconded the motion.

Ayes: Five

Noes: None
Motion Passed.

Present and not voting except in the event of a tie: Mayor Boudreaux.

5. New Business

- a. Consider and take action on Resolution No. 2024-05, a Resolution of the City Council of the City of Simonton, Texas, Suspending The April 10, 2024 Effective Date Of Centerpoint Energy Houston Electric, LLC's Requested Rate Change To Permit The City Time To Study The Request And To Establish Reasonable Rates; Approving Continued Cooperation With The Gulf Coast Coalition Of Cities; Hiring Lloyd Gosselink Attorneys And Consulting Services To Negotiate With The Company And Direct Any Necessary Litigation And Appeals; Requiring Reimbursement Of Cities' Rate Case Expenses; 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 For The Gulf Coast Coalition Of Cities

Motion by Council Member Turner to adopt the Resolution Suspending The April 10, 2024 Effective Date Of Centerpoint Energy Houston Electric, LLC's Requested Rate Change To Permit The City Time To Study The Request And To Establish Reasonable Rates; Approving Continued Cooperation With The Gulf Coast Coalition Of Cities; Hiring Lloyd Gosselink Attorneys And Consulting Services To Negotiate With The Company And Direct Any Necessary Litigation And Appeals; Requiring Reimbursement Of Cities' Rate Case Expenses; 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 For The Gulf Coast Coalition Of Cities. Council Member / Mayor Pro Tem Cox seconded the motion.

Ayes: Five
Noes: None Motion Passed.

Present and not voting except in the event of a tie: Mayor Boudreaux.

- b. Discussion and consideration of funding options to award the bid for the ARPA Expansion Project.

Mayor Boudreaux explained the process used regarding the opening of the Bid Documents. LJA Engineering Shana O'Hara and City Engineer Craig Kalkomey explained the Bids received, the difference between the City's funding budgeted for this project and the amount of the lowest Bid received. They presented an overview related to the Bid Award. Mr. Kalkomey explained the differences and limitations for the options.

The City Attorney answered questions about the differences for the use of funding between EDC A and EDC B projects.

The City Council took action on Option 1 – Award Full Contract to Low Bidder.

Motion by Council Member Turner to Award the Full Contract to the Low Bidder, Boettcher Hlavinka Company, LLC, with the contract price being \$295,575.72 using available Grant Funds in the amount of \$158,500.59 with the remaining amount to be funded by the City. Council Member Matula made the second.

Ayes: Four

Noes: One (Council Member / Mayor Pro Tem Cox)

Present and not voting except in the event of a tie: Mayor Boudreaux.

Regarding the funding of the City's remaining portion to award the Bid Option selected, Mayor Boudreaux presented a document reflecting the City's current bank accounts.

Motion by Council Member / Mayor Pro Tem Cox to table this item until the next agenda when a formal presentation related to the City's financial accounts could be presented to the Council. The motion died for lack of a second.

Motion by Council Member Matula to take the money out of the EDC A account. The motion died for lack of a second.

Motion by Council Member Boudreau to take the remaining funding from the EDC A account and the TexPool Account with the cost split evenly between EDC A account and the City's TexPool Account. Council Member Turner made the second.

Ayes: Five

Noes: None Motion Passed.

Present and not voting except in the event of a tie: Mayor Boudreaux

- c. Discussion and consideration of approving a budget amendment to the City's 2023-2024 Adopted Budget to authorize the use of funds in the City's Reserve Fund to cover the balance required to Award the bid for the ARPA Expansion Project.

No action was taken on this agenda item.

- d. Consider And Take Action On An Ordinance Of The City Council Of The City Of Simonton, Texas; Amending The Adopted Budget For Fiscal Year 2023-2024; To Authorize The Use Of Funds In The City's Reserve Fund To Cover The Balance Required To Award The Bid For The ARPA Expansion Project; Providing For Severability; And, Repealing All Other Ordinances Or Parts Of Ordinances Inconsistent Or In Conflict Herewith.

Mayor Boudreaux explained that the City Attorney's Office would bring an ordinance as would be required to complete the funding of the ARPA Expansion Project.

City Attorney Boedeker reiterated that his office would provide an ordinance at the next City Council Meeting now that the direction the City Council wants to go in is known regarding funding.

- e. Consider and take action on a Request for a Variance by Mr. Larry Pennington to Authorize the Construction of the Wooden Base Supporting an emergency generator at 404 Pony Lane, Simonton, Texas under the authority of Ordinance No. 2014-03, art. 4., sec. D, as adopted on March 18, 2014.

Mayor Boudreaux informed the City Council that Mr. Pennington had withdrawn his request regarding this matter. Therefore, there is no action to be taken on this agenda matter.

6. Adjourn to Executive Session

Executive Session Pursuant to Chapter 551 of the Texas Government Code for purposes of Consultation with Legal Counsel (551.071) regarding Personnel (Section 551.074) regarding the Appointment, Employment, and Duties of the City Administrator and City Secretary.

The City Council adjourned into Executive Session at 7:25 p.m.

7. Reconvene to Open Session

The City Council reconvened into Open Session at 7:49 p.m.

8. Consider and take action resulting from Executive Session

The City Council may take any action resulting from Executive Session related to Personnel (Section 551.074) regarding the Appointment, Employment, and Duties of the City Administrator and City Secretary.

It was announced that there was no action to be taken arising from the Executive Session at this time.

9. Reports

a. Mayor

a.0. Audit Report for 2021-2022. Mayor Boudreaux announced that due to Tax Season commitments, the next Audit Report may not be delivered until the May 21 City Council Meeting.

a.1. Historical Documents Received. Mr. Berkman's son brought by the City's Incorporation Documents discovered in a box as the family reviewed his legacy items following the former Mayor's death in December 2023.

a.2. CPAC 4 Meeting Update. The Mayor announced the Ardurra Team updated the progress towards completing a Final Draft Plan for Review for adoption following the next set of steps required to give public notice and conduct a Public Hearing following the February 29 CPAC Meeting.

a.3. MITMOD Update & Pinchback Project Update. The Mayor announced that she met with representatives of the Texas General Land Office recently regarding the progress towards funding.

a.4. Community Buyout – Update. The Mayor announced that the City of Simonton had two remaining applicants who did not qualify for funding.

a.5. Railroad Commission Hearing. The Mayor announced that the City had received Notice of The Railroad Commission conducting a Public Hearing related to a request for Gas utility increases on February 27 in Austin.

a.6. CenterPoint Energy Annual Franchise Payment Calculation. The Mayor referenced notice from CenterPoint Energy regarding the anticipated Annual Franchise Payment Calculation as being \$38,938.71

a.7. City of Richmond Council Dinner. Mayor Boudreaux announced that Council Member Faith Haley was attending to represent the City of Simonton.

a.8. Miscellaneous

b. City Staff.

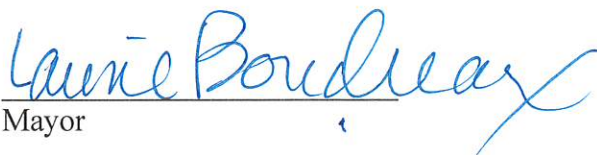
c. City Council. Council Member Haley asked that news be placed on the City's social media accounts regarding the installation of the Boy Scout of America Flag Retirement Box.

10. Next City Council Meeting is on April 16.

11. Adjournment

The Mayor adjourned the City Council Meeting at 8:01 p.m. without objection.

Respectfully submitted,


Mayor


Interim City Secretary