

Minutes
Regular Session
Breckenridge City Commission

February 4, 2013 – 6:30 P.M.
Commission Chambers – City Offices
105 North Rose Avenue

Those Present: Jimmy McKay, Mayor; Harvey Green, Commissioner; Sherry Strickland, Commissioner; Scott Carter, Commissioner; Andy McCuiston, City Manager; Diane Latham, Assistant City Secretary; Greg Porterfield, Pastor; Sharon Mendoza, Chamber; Virgil Moore, EDC; Rob Durham, Breckenridge American; Stacy Harrison, Parks Director; Gabriel Rodriguez, Public Works Director; Calvin Chaney, Assistant Fire Chief; Kristen Porterfield.

1. Call to Order

Mayor Jimmy McKay at 6:30 P.M. A quorum was established.

2. Invocation:

Pastor Greg Porterfield led the invocation.

3. Pledge of Allegiance

Commissioner Knight led the Pledge of Alliance.

4. Consider approval of minutes of the January 7, 2013 City Commission Meeting

Commissioner Strickland made a motion, seconded by Commissioner Green, to approve the minutes of the January 7, 2013 City Commission Meeting. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Absent: None.

5. Citizens Presentations

None

CONSENT AGENDA

ALL ITEMS LISTED BELOW ARE CONSIDERED TO BE ROUTINE BY THE CITY COMMISSION AND WILL BE ENACTED WITH ONE MOTION, THERE WILL BE NO SEPARATE DISCUSSION OF ITEMS UNLESS A COMMISSION MEMBER OR CITIZEN SO REQUEST, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE.

7. Request to approve Breckenridge Economic Development Corporation Audit

8. Request to approve Breckenridge Economic Development Corporation Board Appointment

9. Request to approve Departmental Reports for January 2013.

10. Request for acceptance of fourth quarter 2012 Financial Statements for Hotel/Motel Funds

11. Request for approval of the 2013 Hotel/Motel Fund Budget

12. Request to approve City Funds Quarterly Investment Report-First Quarter 2012-2013

13. Request to approve Frontier Days

14. Request to approve fundraiser in Breckenridge Park for the Sacred Heart Catholic Church

15. Request to approve Planning & Zoning Commission appointment

Commissioner Green made a motion, seconded by Commissioner Carter, to approve the Consent agenda. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Absent: None.

Individual Consideration

16. Request to approve change of Animal Control Function to Parks Department

City Manager McCuiston advised that transferring the department under Parks Director Harrison would be beneficiary to the Fire Department, since Fire Chief Malcolm's duty with Code Enforcement take up 90% of his time. A \$3,000 year increase was also recommended.

Commissioner Strickland made a motion, seconded by Commissioner Knight, to approve the change of Animal Control Function to Parks Department. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Absent: None.

17. Request to approve Ordinance on Temporary Water Conservation Option

City Manager McCuiston discussed the low levels of the Lakes. He is recommending that the four sections of town be allowed to do watering one day a week generally following their trash pickup dates.

Commissioner Carter made a motion, seconded by Commissioner Green to approve an Ordinance on Temporary Water Conservation. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Absent: None.

18. Request to approve an Ordinance and an order to set City Election for May 11, 2013, as well as appoint Election Judge and an Alternate Judge

City Manager McCuiston advised that this Election is for Places 3 and 4.

Commissioner Knight made a motion, seconded by Commissioner Carter to approve an Ordinance and an order to set City Election for May 11, 2013, as well as appoint Election Judge and an Alternate Judge. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Absent: None.

19. Request for consideration and approval of an Order of the City Commission of the City of Breckenridge ("City"), Texas, calling a Special Election to be held within the City on the Second Saturday in May, 2013, that being the Uniform Election date of May 11, 2013, on the proposition of Adopting an Additional Sales and Use Tax within the city at the rate of One-Fourth (1/4) of One-Percent to be used to reduce the Property Tax Rate; and making provision for the Conduct of the Election and resolving other matters incident and relating to the holding of such election. (ORDEN DE LA COMISIÓN MUNICIPAL DE LA CIUDAD DE BRECKENRIDGE, ("la Ciudad") TEXAS QUE CONVOCA A UNA ELECCIÓN ESPECIAL PARA CELEBRARSE DENTRO DE DICHA CIUDAD EL SEGUNDO SÁBADO DE MAYO, 2013, SIENDO LA FECHA ELECTORAL ESTABLECIDA DEL 11 DE MAYO, 2013 PARA VOTAR SOBRE LA PROPUESTA DE ADOPTAR UN INCREMENTO ADICIONAL AL IMPUESTO SOBRE LA VENTA Y USO PARA QUE SEA UTILIZADO DENTRO DE DICHA CIUDAD A UN INTERÉS DE UN CUARTO DE UNO POR CIENTO (1/4) PARA REDUCIR LA TASA DE IMPUESTOS SOBRE LA PROPIEDAD; Y LA RESOLUCIÓN DE OTROS ASUNTOS SECUNDARIOS Y RELACIONADOS CON LA CONDUCCIÓN DE TAL ELECCIÓN.)

City Manager McCuiston advised that this would help generate revenue of approximately \$240,000 annually. An attorney will be hired to help with any legal matters in regard to the sales tax.

Commissioner Green made a motion, seconded by Commissioner Knight for the approval of an Order of the City Commission of the City of Breckenridge ("City"), Texas, calling a Special Election to be held within the City on the Second Saturday in May, 2013, that being the Uniform Election date of May 11, 2013, on the proposition of Adopting an Additional Sales and Use Tax within the city at the rate of One-Fourth (1/4) of One-Percent to be used to reduce the Property Tax Rate; and making provision for the Conduct of the Election and resolving other matters incident and relating to the holding of such election. (ORDEN DE LA COMISIÓN MUNICIPAL DE LA

CIUDAD DE BRECKENRIDGE, (“la Ciudad”) TEXAS QUE CONVOCA A UNA ELECCIÓN ESPECIAL PARA CELEBRARSE DENTRO DE DICHA CIUDAD EL SEGUNDO SÁBADO DE MAYO, 2013, SIENDO LA FECHA ELECTORAL ESTABLECIDA DEL 11 DE MAYO, 2013 PARA VOTAR SOBRE LA PROPUESTA DE ADOPTAR UN INCREMENTO ADICIONAL AL IMPUESTO SOBRE LA VENTA Y USO PARA QUE SEA UTILIZADO DENTRO DE DICHA CIUDAD A UN INTERÉS DE UN CUARTO DE UNO POR CIENTO (1/4) PARA REDUCIR LA TASA DE IMPUESTOS SOBRE LA PROPIEDAD; Y LA RESOLUCIÓN DE OTROS ASUNTOS SECUNDARIOS Y RELACIONADOS CON LA CONDUCCIÓN DE TAL ELECCIÓN.) When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Absent: None.

20. Request to engage Bojorquez Law Firm regarding ¼ of 1% City Sales Tax for reduction in Ad Valorem Tax

City Manager McCuiston advised that their help would be needed in regards to the election for City Sales Tax to reduce the Ad Valorem tax rate.

Commissioner Carter made a motion, seconded by Commissioner Knight to approve the request to engage Bojorquez Law Firm regarding ¼ of 1% City Tax for reduction in Ad Valorem Tax. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Absent: None.

21. Request to approve a resolution endorsing the 83rd Legislative Agenda to enhance the competitive electric market and system reliability and to protect the traditional role of the city in the regulatory process

City Manager McCuiston advised that approving this resolution would seek to oppose utility companies from getting bills passed to eliminate or limit the cities participation in the ratemaking regulatory processes.

Commissioner Strickland made a motion, seconded by Commissioner Green to approve a resolution endorsing the 83rd Legislative Agenda to enhance the competitive electric market and system reliability and to protect the traditional role of the city in the regulatory process. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Absent: None.

22. City Manager Reports:

A. Reviews are completed / Wage increase effective 12/31/12- City Manager McCuiston advised that all of the reviews have been completed and the wage increase is effective as of 12/31/12.

B. City Clean up- Assistant Fire Chief Chaney showed the Commission pictures of homes that are on the Dangerous buildings list. Public Works Director Rodriguez gave an update on the Monofill. City Manager McCuiston showed pictures of the frame of the fence behind the Yoes property, the fence at the Reynolds is already up.

C. PD internal investigation- City Manager McCuiston advised that an internal investigation for the November 20, 2012 incident was concluded and no disciplinary action was warranted.

D. Weather Watch class- City Manager McCuiston informed that this class will be held on the TSTC Campus on February 12, 2013, from 7:00 – 9:00 P.M.

24. Adjourn

Commissioner Green made a motion, seconded by Commissioner Carter, to adjourn the meeting. When the motion was put to vote, it prevailed as follows: Ayes: McKay, Knight, Green, Strickland, Carter. Nays: None. Ayes: None.

Meeting adjourn at 7:31 P.M.

I certify that this notice was posted at the City Offices, 105 North Rose Avenue, Breckenridge, Texas at 4:00 P.M., Friday.

Jimmy McKay, Mayor

SEAL

Heather Robertson, City Secretary