



The City of Bruceville-Eddy Rising into the Future

143 Wilcox Drive
Eddy, Texas 76524

www.bruceville-eddy.u.s

Phone: (254) 859-5964
Fax: (254) 859-5779

MINUTES May 21, 2020 6:30 PM

Minutes do not have to be a verbatim transcript

Section 551.021 of the Government Code provides as follows: (a) A governmental body shall prepare and keep minutes or make a recording of each open meeting of the body.

(b) The minutes must: (1) state the subject of each deliberation; and (2) indicate each vote, order, decision, or other action taken.

Special Called City Council Meeting

May 21, 2020 6:30 PM

Methodist Church Family Life Center

404 W Third Street Eddy TX 76524 (the life center faces 103 Ausborn Eddy, TX 76524)

Notice is hereby given that a **Special Called Council Session** of the governing body of the City of Bruceville-Eddy will be held on the May 21, 2020 at 6:30 p.m. at the Methodist Church Family Life Center.

to-wit:

1. Call to Order

- a. Greetings-Mayor Connally Bass
- b. Invocation-Linda Owens
- c. Pledge of Allegiance
- d. Roll Call- All councilmen present, mayor, City Administrator, City Secretary, City Attorney and Police Chief. See attachment B

- 2. CONSENT AGENDA:** The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by the Mayor or a Councilmember, in which event those items will be pulled for separate consideration.

I. Council to consider A/P for General/Water Funds for April 2020.

II. Council to consider minutes of regular meeting on April 9, 2020.

Ricky Wiggins made the motion to approve the general and water funds for April. Also, to approve the minutes from the regular April 9, 2020 meeting to include amendments to section 13b including the words "priorly associated". Council Wiggins also wanted the minutes word verbatim on item 14 see attachment A

3. Citizen Comments

Brent McCain asked questions regarding the police department. Police Dorsey addressed the concerns.

- 4.** Council to discuss, consider and possibly take action on how to allow citizens, who live within the city limits of Bruceville-Eddy, to be able to vote on the sewer system, once we have some factual figures to produce to them on their monthly cost.

No motion made, item dead

5. Finance:



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Quotes were being accepted via the website until May 1, 2020.

Quotes were given to Sonya Bishop in an envelope. I opened the quotes to place on the agenda.

- a. Council to consider, discuss and possibly take action on approving vendor to tape, mud, float, texture (orange peel texture) new city hall. The following quotes were provided:
 - (1) Moreno Designs \$5,350.00 (labor only)
 - (2) Brand (HUB vendor) \$15,253.66 (labor only)
 - (3) Velsquez \$9,500.00 (labor only)
 - (4) Rosas Construction \$6,950.00 (labor only)
 - (5) Family Lawn & home \$7,000 (includes painting and all materials)
 - (6) Moreno Designs \$ 4375.00 (smooth walls)
- b. Council to consider, discuss and possibly take action on approving vendor to paint new city hall. The following quotes were provided:
 - 1) Moreno Designs \$5675.00 (labor only)
 - 2) Brand (Hub Vendor) \$11662.78 (labor only)
 - 3) Family Lawn & Home bid included in the above listed item. (This vendor below prices and painting under \$2000.00 Total bid for tapping, floating, texturing and painting 7000.00)

Motion made by Ricky Wiggins to approve Family lawn and home care as long as there is documentation stating the quote is all inclusive for \$7,000.00 2nd by Linda Owens all in favor 5 against 0

6. Council to consider, discuss and possibly take action on approving the following budget change request:

	Line Item	Increase	Line Item	Decrease	CIB
a.	10-40-6004 Medicare	\$689.00	10-40-6005 SUTA	-\$689.00	0
b.	10-40-6009 Social Sec.	\$1,258.00	10-40-6005 SUTA	-\$1,258.00	0
c.	10-40-6205 Audit	\$7175.00	10-10-6205 Audit	-\$7,175.00	0

Reason for request:

Prior years the budget was not as detailed. In order to be as transparent as possible and breaking grouped expenses apart allows a visual of how funds are being spent.

Motion made by Linda Owens 2nd by Allen Trigg all in favor 5 against 0

7. Council to consider, discuss and possibly take action on approving the following budget change request:

Merge the following line items to reflect all money spent on the city hall project in one line item:

10-10-6914	Fixed Asset	\$10,000.00
10-30-6607	Pavilion Exp.	\$5,000.00
10-10-6918	CIP	\$80,000.00
50-00-6918	CIP	<u>\$15,200.00</u>
		\$110,200.00

This money will be put back into the budget for 2020-2021 for Capital Improvement (future projects for example street repair, water line upgrades ect.)



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Motion made by Linda Owens 2nd by Allen Trigg all in favor 5 against 0

8. Council to discuss, consider and possibly take action on approving the Investment Policy and Strategy Policy as required annually, by the policy, as in accordance with the Public Investment Act.

No motion made, item dead

9. Council to discuss, consider and possibly take action on why Ordinance #112019, that was amended at the January 9, 2020 council meeting, has not been amended and presented to the council for their approval.

City administrator showed Mr. Wiggins where the Ordinance had been amended.

No motion made, item dead

10. Council to discuss, consider and possibly take action on getting our Ordinances updated on our website, which currently shows updated through June 14, 2018.

City Administrator explained she has been working on this and will continue doing so

No motion made, item dead

11. Council to discuss, consider and possibly take action on getting our Resolutions put on our website. Currently there are none.

No motion made, item dead

12. Council to discuss, consider and possibly take action on why the May 14, 2020 regular scheduled city council meeting was cancelled and possibly set some guidelines and/or a Resolution for any future meeting cancelations.

No motion made, item dead

Mayor Connally Bass

Sonya Bishop City Administrator

Amended Minutes
4/9/2020

Wiggins asked Gene if there was an option to save money on Bluebonnet purchases. Gene stated that there are not any options. Mr. Wiggins asked if Gene was here when Larry Roaming was here. Gene stated there is a contract if the council would like to see it.

11. Code Enforcement Report

Mrs. Bishop gave the code enforcement report. 38 open cases 4 in court. Mrs. Bishop gave an update on the new city hall. The sheetrock, electric, ac and air ducts are all completed. The volunteers, Frank Warren and staff have been working on it. There is not a projected completion date because most work is being done by volunteers.

12. Engineers Report

Mr. Tabor stated he sent his report. (See attachment) Mr. Wiggins asked how much are we lacking on deeds for lift stations. Mrs. Bishop explained they are at the title company and have been for about 3 weeks.

13. Finance:

- a. Council to consider, discuss and possibly take action on approving invoices to be paid to Extraco-Technology for technology (the City's technology support) to the new city hall. This will include mapping all technology services, cameras and phone systems in the new building. Judge Madison has approved these expenses to be paid from court technology and court security funds.

Technology Funds: \$5950.00

Court Security Funds: \$3175.00

\$9,125.00

Ricky Wiggins made a motion 2nd by Linda Owens All in favor 5 against 0

Item B Amended 6-21-2020 by Councilman Phil Reyna

- b. Council to consider, discuss and possibly take action on approving purchase for bullet proof glass recommendation by the Court Security Division. There are not any HUB vendors to supply this service within our area. This will be paid via court security per Judge Madison. Lowest estimate: \$4502.44

Mr. Reyna brought it to the attention of council the vendor was **priorly** associated with Nelson Tabaez. 2 Brothers in California is associated with Tabaez. Mr. Reyna stated he has nothing against Mr. Tabaez but wanted council to be informed.

Mr. Wiggins stated there are 2 different descriptions in the quotes.

Item Tabled- Sonya Bishop is going to look for other quotes.

- c. The City of Bruceville-Eddy's Final Audit for Fiscal Year Ending September 2019. (Books provided to Council for future presentation.)

Item Tabled Mr. Wiggins asked if the auditor will present anything. Mrs. Bishop explained once the Covid thing is over.

Mr. Reyna asked why did the auditors not pick up on the accounts that Mrs. Bishop found mistakes. Mrs. Bishop said she asked the auditors why did not they not catch this. The auditor told Mrs. Bishop that they do not check if the correct checks are being used but verify the checks matches purchases.

Item 14 Amended 6-21-2020 by Councilman Ricky Wiggins See attachment A

14. Council to discuss, consider and possibly take action on why item 3b (approving a bid for payment for the metal on the pavilion enclosure) and 3c (approving a bid for payment for spray foam insulation) as stated in the November 14, 2019 minutes was not adhered to as voted on by the Council

Mayor Bass stated he asked this not to be on the agenda that it is not truthful. Mr. Wiggins stated he asked this to be on the agenda. He listened to the audio recording. Mayor Bass asked why this is back on the agenda. Mr. Wiggins stated item 3B Frank Warren stating he had bids with more coming in and another just came in on his phone

Issued to Sonya on 5/21/20 for correction of minutes, not

Item # 14 of April 9, 2020 Meeting

Attachment A

* Every thing below is what was stated at the 4/9/20 mtg.

As per the recording of November 14, 2019 meeting pertaining to item 3(b), payment for the metal on the pavilion enclosure:

At approximately 15 minutes, 36 seconds into this recording, Frank Warren stated that: he had a couple of bids with a few more coming in and another just came in on his phone for \$22,800 and another one was supposed to come in today but didn't quite make it. So, \$17,189 was lowest bid received, but he said he doesn't know the exact amount but it will be in that range.

The bid that was issued for this work was given to Moreno Designs and Remodeling in Eddy, which Frank's daughter works for this business and from my understanding, Frank himself has done work for Moreno Designs.

Moreno Designs bid on this work on November 20, 2019, just six days after the meeting and was for \$16,900, which is \$289.00 below the other bid of \$17,189. But the most interesting thing about the bid was that it is almost an identical layout and verbiage of the \$17,189 bid, but \$289.00 lower. Then on December 2, 2019 a contract was drawn up between the Mayor and Nelson Tabarez, the owner of Moreno Designs and Remodeling for this work.

First, What was the cutoff date on the bids? Second, If there were other bids coming in, then why didn't Frank wait until all bids were in and then bring them before the council for the council to discuss and vote on the matter! By the one bid coming in on the phone, during the meeting, and Frank stating that the other bid was supposed to come in but didn't quite make it, Leads me to believe that the cutoff date was November 14th by the meeting time.

As per the recording of November 14, 2019 meeting pertaining to item 3(c), payment for spray foam insulation:

At approximately 20 minutes and 28 seconds into this recording, Frank Warren stated that everybody was in the same ballpark area on this bid and that they were all close. Motion was made and passed to approve the spray foam bid. Then in the audience, a citizen, which was me, asked how much the bid was for and Frank replied around \$28,000.00.

However, after I further reviewed this matter, the bid was issued to someone who's bid was not present at this meeting. So, its apparent, in this case, that there were no other bids for this job, according to the recording. But the bid was given to someone else.

While these two cases bring up a possible cause for impropriety and a possible conflict of interest due to Frank being the Code Enforcement Officer and the one whom solicits bids for projects for the city. This type of bidding process cannot continue within the city. These cases should be brought before the citizens in order for the citizens to see how things were done, but also, that the council has changed how bids are now done.



Attachment B

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CITY COUNCIL SIGN IN SHEET
May 21, 2020

NAME

ADDRESS

Iredad Connally Bass	107 Brown Dr. Eddy TX
Carlene Moore	407 Horseshoe Rd Eddy TX
Butch Shallenbarger	475 WAOB DR EDDY TX
Robert Casey	100 4TH STREET EDDY, TX
Trene Martin	189 Soules Cir. Eddy
Ricky-Royce Ann Williams	Eddy
Cliff Shaffner	Eddy
Andrea Payne	Eddy
Pat Dutey	Eddy
Elizabeth Smith	Eddy
Manuel Velazquez	Eddy
Becky Smith	Eddy
Betty Siemens	Eddy
Nancy McElin	1137 TRAILER RD.
Alisha West Bass	McGregor TX
James G. Johnson	811 FRANKLIN RD EDDY, TX
Marcus Fowler	901 Eagle Drive
PAT HARCIS	805 W. 34 ST.
Linda & Mike Knox	Eddy