

City Council  
City of Hillsboro, Texas  
Minutes of Regular Meeting  
February 6, 2018

Present:

Edith Turner Omberg, Mayor  
Andy Smith, Mayor Pro Tem  
Dana Robinson, Councilmember  
David Skelton, Councilmember  
Scott Johnson, Councilmember

Frank Johnson, City Manager  
Jerry Barker, Comm. Dev. Director  
Tony Cain, Chief of Public Safety  
Lauralee Vallon, City Attorney  
Karen S. Warren, City Secretary

Councilmembers Eric Fleming and Frances Zarate were absent.

Mayor Omberg called the meeting to order at 6:00 p.m.

The Invocation was given by Rev. Paul Clark of Walnut St. Baptist Church, Hillsboro.

Councilmember Skelton led the Pledge of Allegiance.

**Hear Statements from Persons Wishing to Address the Council.**

No one addressed Council at this time.

**Consent Agenda**

**Deliberate and Act on the Approval of the Minutes for Regular Meeting on January 16, 2018.**

**Deliberate and Act on the Approval of Bills.**

On motion by Councilmember Robinson and second by Mayor Pro Tem Smith the consent agenda was approved.

On roll call the following votes were cast:

Ayes: Smith, Robinson, Skelton, Johnson

Nays: None    Absent: Fleming, Zarate

**Regular Agenda**

**Deliberate and Act on a Resolution Calling for a Municipal Election to be Held on May 5, 2018 for the Purpose of Electing Three City Councilmembers; Place 2, Precinct #2; Place 4, Precinct #4; Place 6, Elected at Large; Establishing the Location, Days and Times Where Early Voting by Personal Appearance Will Be Conducted and Establishing the Location, Day and Time Where Election Day Will Be Conducted; Designating Where Applications for Ballot by Mail Should Be Mailed; and Naming the City Secretary as the Early Voting Clerk.**

City Secretary Karen Warren introduced the proposed resolution and Order of Election calling for a municipal election to be held on May 5, 2018 for the purpose of electing three Councilmembers for Precincts #2, #4 and #6, Elected at Large. Councilmembers up for re-election are Andy Smith-Precinct #2; Frances Zarate-Precinct #4; and Scott Johnson-Precinct #6. The City Secretary was also named as early voting clerk. It was noted that the Order of Election is the first step in the election process and it would be posted and published in accordance with the Texas Election Code and remain posted until after the returns have been canvassed, certified and filed with the election records. January 17, 2018 was the first day candidates could file an Application for a Place on the Ballot with February 16, 2018 by 5:00 p.m. as the last day for filing. Early voting would be conducted at Historic City Hall, 127 E. Franklin Street on April 23<sup>rd</sup> - May 1<sup>st</sup>, with voting on Election Day conducted also held at Historic City Hall. (In the past, the central polling place on Election Day was the Hillsboro Junior High School Gym, 210 E. Walnut Street.)

On motion by Councilmember Skelton and second by Councilmember Robinson the resolution was approved.

On roll call the following votes were cast:

Ayes: Smith, Robinson, Skelton, Johnson

Nays: None Absent: Fleming, Zarate

**Resolution No. R2018-02-04**

**Hold a Public Hearing, Second Reading of an Ordinance, Deliberate and Act on the Planning and Zoning Commission’s Recommendation to Vacate and Abandon a Ten Foot Alley Beginning at Houston Street East and Ending at Union Pacific Right-of-Way and Vacate and Abandon a Twelve Foot Alley Beginning at West Elm Street South to Gould Street in the Caldwell Addition to the City of Hillsboro.**

Community Development Director Jerry Barker said Fleming Lumber Company planned a building and parking lot expansion after acquiring property east of the lumber company to the Union Pacific right-of-way. While reviewing the proposed project, staff determined that the site contained platted alleys that have never been abandoned. At the request of Mr. Fleming, staff initiated the process to vacate and abandon both alleys within the property of ownership of Mr. Fleming. It was noted that the two alleys do not serve any public purpose. This matter was presented to the Planning and Zoning Commission on January 8, 2018 to deliberate and forward their recommendations to City Council and, by a majority vote recommended approval to vacate and abandon the alleys.

With no further questions or comments from the Councilmembers, the Mayor opened the Public Hearing at 6:07 p.m. and no one spoke for or against the proposed ordinance. The Public Hearing was closed at 6:08 p.m. and the Mayor declared the second and final reading of the ordinance completed. The first reading on the ordinance was held at the January 16, 2018 Regular Council meeting.

On motion by Councilmember Robinson and second by Councilmember Johnson the ordinance was approved.

On roll call the following votes were cast:

Ayes: Smith, Robinson, Skelton, Johnson

Nays: None Absent: Fleming, Zarate

**Ordinance No. O2018-02-01**

**Deliberate and Act on a Resolution Authorizing an Amendment to an Agreement With BSP Engineers for Engineering Services Related to the Economic Development Administration Grant and the Water System Improvements in the Industrial Park Area and Authorizing the City Manager to Negotiate and Execute All Necessary Documents.**

Mr. Barker said Council authorized an agreement related to engineering services for the EDA project with BSP Engineers, Inc. by Resolution No. R2017-12-54 on December 19, 2017. The changes were created by the reduction of costs in additional levels of environmental services that were not needed following the initial environmental assessment. Additionally, since the City’s recent changes in the utilities department, the City no longer has in-house inspectors to oversee construction activities that are required under the EDA grant. BSP Engineers, Inc. will provide field inspection services which increases the cost of the agreement, these service fees will be reimbursed by the EDA grant. Jed Sulak of BSP Engineers was present to answer questions. The changes in the total contract amount changed as follows:

Original agreement “not to exceed” amount: \$312,800  
Environmental Services subtracted from agreement: \$ 16,500  
Total Contract Amount: \$296,300

Amended additional cost for Field Inspector: \$ 64,700  
Amended “not to exceed” Total Cost: \$358,700

On motion by Councilmember Robinson and second by Councilmember Skelton the resolution was approved.

On roll call the following votes were cast:

Ayes: Smith, Robinson, Skelton, Johnson

Nays: None Absent: Fleming, Zarate

**Resolution No. R2018-02-05**

**Deliberate and Act on a Resolution Authorizing Execution of Contracts for Bond Counsel, Financial Advisor and Engineering Services Related to the Texas Water Development Board's Drinking Water State Revolving Fund and Authorizing the City Manager to Negotiate and Execute All Necessary Documents.**

Mr. Barker said the City was invited to submit an application for financial assistance by the Texas Water Development Board through its Drinking Water State Revolving Fund. The City is required to comply with the Texas Water Development Board procurement process in obtaining professional services for bond counsel, financial advisor, and engineering in relation to the water project in the City's industrial park. The City solicited proposals for professional services for bond counsel, financial advisor, and engineering in accordance with the Texas Water Development Board procurement process for such services.

The proposals were received on January 25, 2018 for each professional service and scored based upon the criteria set out in the proposal request. There was one (1) submission for Bond Counsel - Kelly Hart & Hallman LLP; there were two (2) submissions for Financial Advisor - Hilltop Securities and US Capital Advisors and there were seven (7) submissions for Engineering Services - BSP Engineers, Inc.; Clark & Fuller; Enprotec/Hibbs & Todd; Freese & Nichols; KSA; Nathan D. Maier Consulting Engineers, Inc. and Neel Shaffer.

Staff recommended contract negotiations for the following firms for professional services: Bond Counsel- Kelly Hart & Hallman LLP; Financial Advisor- Hilltop Securities and Engineering Services -BSP Engineers, Inc.

On motion by Mayor Pro Tem Smith and second by Councilmember Johnson the resolution was approved.

On roll call the following votes were cast:

Ayes: Smith, Robinson, Skelton, Johnson

Nays: None Absent: Fleming, Zarate

**Resolution No. R2018-02-06**

**Hear and Deliberate on City Manager's Report on:**

- a. **Street Improvements** – The Street Department has been focusing on repairing utility cuts on various streets throughout the City and have also done some pothole patching.
- b. **Main Street** - Main Street is still selling tickets to the Fire and Ice Event taking place on February 17, 2018.
- c. **Community Appearance** – There has been an adjustment made in the schedule for the Street Department. The Street Department will be working Monday through Thursday on patching and repairing streets and Friday will be designated for special projects. The projects could include clearing debris piles that remain from houses in the community that have collapsed and become rubble piles on the ground. The other component to the adjustment involves two firefighters that will be working to clear brush, using city vehicles, during their off-duty hours. Work has already begun on clearing property in the McDonald Street area.
- d. **Local History and Genealogy Library and Building for Antique Fire Engines** – February 23, 2018 is the tentative date set for the committee and architect to visit facilities in other cities.

**Hold a Closed Session Under the Provisions of Section 551.074 of Government Code (Personnel-Public Works and Utilities).**

The Mayor announced the City Council would begin its Executive Session at 6:23 p.m. with all Councilmembers present except Councilmembers Fleming and Zarate.

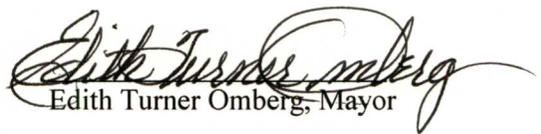
**Reconvene in Open Session.**

The Council reconvened at 7:08 p.m. with all Councilmembers present except Councilmembers Fleming and Zarate.

**Deliberate and Act on Matters Discussed in the Executive Session, if Any.**

No action was taken.

There being no further business, the meeting was adjourned at 7:09 p.m.

  
Edith Turner Omberg, Mayor

ATTEST:

  
Karen S. Warren, City Secretary