

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF BRAZORIA

The City of Brazoria convened in a Workshop and Special Meeting on June 27, 2017 at 6:30 p.m. with the following to-witt:

BobbyJo Newell	Mayor
Stephanie Cribbs	Council Position #1
Gail Logsdon	Council Position #2
Gary Kersh	Mayor Pro-Tem
Roger Shugart	Council Position #4
Susan Swanner Parker	Council Position #5

City Personnel:	
Teresa Borders	City Manager
Sheila Williams	City Secretary
David Jordan	Public Works Director
Neal Longbotham	Police Chief
Bill James	City Judge

A. CALL TO ORDER.

Mayor BobbyJo Newell called the regular meeting to order at 6:30 p.m.

B. INVOCATION AND THE PLEDGE TO THE AMERICAN AND STATE FLAGS.

Invocation was given by Judge Bill James and the pledge to the American & Texas flags was led by Mayor Newell.

C. HEAR AND DISCUSS THE QUARTERLY UPDATE ON 2016/17 BUDGET.

City Manager Teresa Borders the General Fund Revenues are coming in as expected. The sales tax is down in January and February but March is higher. Most of the property taxes are in so the sales tax, franchise tax and smaller income as permits and licenses is what will come in the rest of the year. The Police Dept. overtime has stopped now with the new full time dispatcher. We still need to watch the overtime because of shortage of officers. Streets still has funds to be able to do capital improvements for drainage and streets. Teresa also showed the revenue and expense in the utility fund and utility miscellaneous revenue figures.

Councilwoman Logsdon asked about the gas being over in expense. Teresa explained with the mild winter we did not have as much gas usage. Councilman Kersh asked about the \$75,000 being out of the \$126,000. Teresa explained no the \$75,000 was out of the excess in budget. Teresa explained the \$126,000 could be used right now. Public Works Director said the \$126,000 was dedicated to finish Garden Acres. He explained the Methodist Church parking lot expense for culverts. He feels like until we do the church parking lot then it won't fix the problem on Ave A. He said it will make a big dent in drainage for Garden Acres.

Councilwoman Cribbs asked about how big the city right-of-way is. David said it varies but most are 60 ft. wide. A few 80 ft. but not many. Mayor Newell asked about the gas rates and if they

were being figured under the new way. Teresa explained they have been just a few months and that they should change the revenue.

Councilwoman asked David Jordan what is his recommendation. Councilman Kersh said the culverts need to be put in at the church. David Jordan said then that would change Ave C and Ave D. That would leave Ave A and Ave B cross streets.

Councilman Kersh said we are still in an inter-local agreement with the county. They have projects in West Columbia, Damon and the Airport right now. Mayor Newell said we purchase the material and they do the work. Be patient or we can get bids for the work.

Councilwoman Cribbs asked about the sewer project in Magnolia Gardens coming in underbid. Councilman Kersh said there is some sewer that doesn't work. Councilwoman Cribbs asked if they came back out. David Jordan said they have videos of pre and post work. They can be viewed. David said we are in the Warranty process now.

D. DISCUSS AUDIT ISSUES FROM AUDIT LETTER.

City Manager Teresa Borders explained each item on the Audit letter.

Item #1 Financial Statement Presentation & Disclosure is a report the auditor is required to do each year when you have internal auditors.

Item #2 Capital Asset Record Keeping and Reporting- Teresa explained the county or phone company will work with the city by doing an overlay of county maps. David Jordan said it all came about with 911 system. They have a GIS data entry person. It is still in development stages and uploading. Once they are done then they will look at all the cities. It has been a year since he has talked to them. Councilman Kersh said we talk about these things but not saying we don't follow up but we are looking at something new and not finished with the other. He would like to see an update in 5-6 months. Councilwoman Parker asked if we have an ongoing action register to be able to capture these things and then a follow up date. The auditor wants total assets but the major capital we have is utilities in the ground. Councilwoman Parker asked if we receive an 811 call how do we handle it. Is it just knowledge? David said we have a line locator and knowledge to locate lines. David said he would start with the gas system first because it is the most update. Councilwoman Cribbs asked if we have checked to TXDOT on their mapping system. David Jordan said they have not been very cooperative. Councilwoman Cribbs said she would get with the Austin level and get a number. David Jordan said the water system will be the worst. We will locate every valve and there are lots of valves. Councilman Kersh asked if you have to have an educated guy for doing this or can we have a high school student. David Jordan said they have to expose valves so getting a 2nd year college student that is working toward their engineering degree or Auto Cad degree. We have a GPS that is good within 5 feet. He said he is comfortable with that. Councilwoman Parker said if David Jordan is gone then you can't rely on head knowledge. Councilwoman Logsdon would like to visit with Brazosport College or Alvin College to see if anyone would be available. David Jordan said they need to aware of that we are interested in. Councilwoman Cribbs asked when city does inventory of computers and office supplies. Teresa said we don't actually do an inventory of computers. It was a law put into effect several back that smaller cities because of expense didn't have to come into compliance yet. Councilwoman Cribbs said it would help with our assets, auditor and value of our city. GASB 34 is what went into effect a few years back. You track all assets with GASB 34. The school district set a policy of everything with monetary value above \$2,500 to track. The council will have to set a value of what they want to track. Councilwoman Cribbs asked if this can be done in conjunction with so we can show the whole issue as a whole.

Item #3 Utility Billing – Teresa explained the way they calculate the bills. The Ordinances didn't match up so for the customer it would be better to pro rate. The Ordinances were re written to match.

Item #4 – Payment of Overtime to City Employees – Teresa explained how the policies is worded in the Police Dept. and City Policy. Councilwoman Cribbs said when someone works 41 hours a week then they should get paid overtime. If they take off during the week but work over one day then law says they shouldn't get paid overtime. Teresa Borders said we need to re-work the policy in a workshop. When we start budget workshops then we will do this in conjunction with. Councilwoman wants City Attorney Charlie Stevenson to look into the Federal side to make sure we are in compliance with it. Police Chief Neal Longbotham explained according to the Fair Labor Standards Act the Police have to work 86 hours to get overtime. If you work two days and took another day off you would not get overtime. You would have to physically work 80 hours to get overtime.

Item #5 – Travel Policy – Teresa Borders explained since she has worked here it has been a car allowance for the City Manager and if you drove out of the county then you would get mileage also. It was corrected and we do not do it anymore since we couldn't find it written anywhere. In the code book it says I will be compensated for what council votes. Councilwoman Cribbs explained the mileage through the IRS. The sheet that was presented for the City Manager mileage only added up to 701.00. An option is to issue the City Manager a gas card instead of giving the \$6,000 for car allowance. The auditor wanted the policy clearer.

Item #6 – Personnel Policy – Teresa Borders explained the personnel policy states the employee that is out for health reasons, pregnancy or maternity is entitled to accrue vacation, sick leave, insurance and longevity. TML states you can't put a length of time on when an employee comes back. You can send her to your Dr. for a recommendation on whether the employee can come back or not. Councilman Kersh asked how much we are paying on her insurance. Councilwoman Cribbs said \$922.00 is what we pay each month on her insurance. Teresa explained we are under 50 employees so we are exempt from FMLA. Councilwoman Cribbs said that Cobra is good for 18 months once officially unemployed. She also explained how the state administers theirs. Teresa Borders explained we have long term insurance but Debbie is fighting with them because she has been to so many Drs. She also explained that we need to put in the policy a better understanding of what council wants. We can't change Debbie but we need to set more guidelines on this. Councilwoman Cribbs said we do need to come to a point where we send her to a Dr. instead of paying a temporary to do the work. Mayor Newell said that is what City Attorney Stevenson said in his letter. David Jordan said the Personnel Police is contradicting itself. Mayor Newell asked if the Long Term Disability pays for the employee insurance. Teresa said no it pays them at about 80% of what they made while working. It does not charge for the Long Term Disability insurance on the employee either.

Item #7 – General Ledger Maintenance – Payable accounts has billing go into these accounts and then when pulled out of receivables we pull out only what is received. The account does not zero out. She said she is getting with Incode to see what can be worked out.

Item #8 – Disaster & Emergency Fund – Councilwoman Cribbs asked if the \$3.00 is taken off then what is the \$3.00 still on there. Teresa Borders said that is garbage revenue and it did not have anything to do with the fee. Mayor Newell said the name went away but the \$6.45 is still there. They raised the garbage rates and rescinded the \$3.45 going into the emergency fund. At the end of the year put into a Capital Improvement Fund to use on streets. Councilwoman Cribbs asked if it will be itemized on the bill. Teresa Borders said it can't be itemized since there is nothing to itemize other than garbage. There is nothing but garbage revenue. Teresa explained it is just like the water where you have revenue added to the water, the garbage is the same way. Councilwoman Cribbs asked what if a citizen chooses not to use our garbage. Teresa explained they can't because we have a contract. How many people have come and asked for their money back? Teresa said 1 person. Councilwoman said she has had lots of complaints.

Item #9 – Utility Fund – Teresa Borders explained the way of figuring the gas was changed to cover the gas usage.

Item #10 – Expenditure Documentation and Bank Reconciliations – Teresa Borders explained the special accounts used by the Police Dept. was not keeping the invoices to back up the checks. The checkbooks were brought back to City Hall. Councilwoman Logsdon said she was glad to see these items addressed. Teresa Borders said personnel policy was updated back when Pee Wee Drake was City Manager. David Jordan said it was updated in 2010. Councilwoman Parker said she would like to see it updated every 2 years.

E. DISCUSS CITY MANAGER MILEAGE.

Councilwoman Logsdon said she knows they don't have a good direct clear view of what Teresa drives. She took and figured the highest month mileage from the sheet and timed it by 12 and it does not add up to the \$6,000. Teresa had a sheet also included how every other city pays there city managers. Councilman Kersh said every other city manager gets a car allowance except for Sweeny and they get a car to drive. He feels like Teresa would be fair. Councilwoman Cribbs said she is here to serve the people and our city is in dire straits. We need to figure out how to cut when we go to budget talks. That way when a storm does come it does not wipe us out. You have to cut something and we have to look at all aspects of what to cut. She does not want anyone to think I am not trying to take something from you. I am here for these people.

F. ADJOURN WORKSHOP AND CALL TO ORDER SPECIAL MEETING.

Mayor Newell adjourned the workshop and called to order special meeting at 7:34 p.m.

G. CONSIDERATION/ACTION TO ADJUST WATER BILL DUE TO FAULTY WATER METER FOR JOHN DUNCAN AT 217 FIFTH STREET.

Mr. Duncan handed out a sheet that explained how the water meters work. He explained the reason the city is not having an accurate reading on water meters. He said we have products we don't understand. He said there is law suits against this company for their meters. David Jordan explained how the meters work with our program. He said if a leaf or bubble gets into the meter then it can spin faster. Flex Net reads the meter and then sends the meter into our software billing program. David explained he and Sabert Earhart investigated and took pictures of the residence. David said he called the company and they said they will not discuss anything with a citizen unless the city is made aware. David said when a meter is in between a dial then it can send a false reading. Teresa explained we adjusted the bill almost \$300 off. Motion was made by Gary Kersh to take the recommendation on the City Manager not to adjust the bill due to faulty meter for John Duncan at 217 Fifth Street. A second was made by Gail Logsdon.

Mr. Duncan said if a piece of trash gets in the screen it will spin faster. In a 2 day period using 26,000 gallons of water didn't happen. He feels it is the wrong water meter installed for our software. His bill is \$372.14 now. Teresa explained all late charges has been taken off. Mr. Duncan said we need to get the correct meter with your software. Teresa explained it has been around an \$80 average for his water before high usage. Councilman Kersh amends his motion to retract what he said to pay \$165 for this bill. A second was made by Councilwoman Cribbs. Cribbs, Kersh, Shugart and Parker voted aye for amended motion. Logsdon voted nay for amended motion. Motion carried with 4 aye and 1 nay.

H. CONSIDERATION/ACTION TO ADOPT ORDINANCE #17-006 TO ESTABLISH NEW WATER SERVICE RATES.

Motion was made by Roger Shugart to adopt Ordinance #17-006 to establish new water service rates. A second was made by Gail Logsdon. Motion carried unanimously.

I. CONSIDERATION/ACTION TO ADOPT ORDINANCE #17-007 TO ESTABLISH NEW SEWER SERVICE RATES.

Motion was made by Gail Logsdon to adopt Ordinance #17-007 to establish new sewer service rates. A second was made by Roger Shugart. Motion carried unanimously.

J. CONSIDERATION/ACTION TO AMEND BUDGET FOR RESTRUCTURING PAYROLL IN POLICE DEPARTMENT.

Police Chief Longbotham explained the step program. He did not give the .50 raise this year. He explained that what they did not spend with this budget by not giving the .50 raise and holding positions, they can do this step program. Councilman Kersh asked about what happens when they get to the last step. He explained how the County has the step program but they top out other than the COLA. Chief Longbotham said the City doesn't give a COLA. Teresa Borders said her issue is if the money is not there the employee needs to know it is not guaranteed they will get the next step. Mayor Newell said if the income to city can afford it then they get a raise. We don't call it a COLA but that is what it is. Councilman Kersh said when we give a percentage then the top people get more than the lesser paid employee. That is why we give .50 instead. Chief Longbotham said it has never been this low on officers. Councilwoman Parker asked if they do evaluations for raises. Teresa Borders said yes and they may not get the full amount of raise or one at all depending on evaluation. Councilman Kersh asked if we are going to do this for Police Dept. then what are we going to do for Public Works Dept.? Teresa Borders said if he wants to do this then we can look at it in the new budget because he gave out his raises. Chief Longbotham said his raises is not guaranteed and it will be handed out for performance. He said we are restructuring so we can attract and retain employees and for future advancing. Councilwoman Cribbs would like to have Chief look in his department to see what he could possibly cut to help get more raises or whatever. In the contract they sign when hired do you have a clause about leaving early? Chief Longbotham explained they do not sign contracts. Councilwoman Cribbs said we invest so much money into the employee we need to find a way to re-coup our loss. Teresa Borders said the Police Dept. needs a paper for the employee to sign that states you will buy whatever when you leave. Councilwoman Logsdon asked if this will be for the budget or start now. Teresa Borders explained since he didn't give the raises the money is in there now. Councilwoman Parker said this Dept. has a high turn-over rate and I want to know if I call the Cops for help I want somebody there. I think they are stretched pretty thin. She thinks we need to insure the City do what we can to keep this pay scale even if we need to keep a pothole opened for a little bit longer, we might have to do that. Councilwoman Logsdon said we need to do whatever we can to support our Police Dept. because they are out there and work their shifts alone even with County to back up. Motion was made by Councilwoman Parker to accept the proposed pay step program to start now. A second was made by Gary Kersh. Motion carried unanimously.

K. CONSIDERATION/ACTION TO DECIDE ON WHAT STREETS TO PAVE AND DRAINAGE TO FIX.

Teresa Borders gave a list of streets and Councilman Shugart gave a list of streets that need to be looked at. Councilman Kersh explained that he and Councilman Shugart along with City Manager looked at 5 streets that have already had the culverts and ditches done that the streets were bad shape. Councilwoman Cribbs said she has no problem with getting the drainage finished in Garden Acres with the caveat that the church parking lot is done. Teresa Borders said Councilman Kersh is getting prices for the length and width with the County. Councilman Kersh said with those 5 roads will be about \$7,300 per road. Councilwoman Cribbs asked that Old Town Brazoria be looked at. Look at Star & Marion because Star Street the pavement is hitting the bottom of the truck when he drives down it. She can't drive her car down that street. She asked if we could put this information on the Website to let people know what is going on. This would give the whole community to let them know what is going on. Councilman Kersh said the reason for picking those streets is because the ditches and culverts are done. He suggested we talk to a contractor about the drainage and get a bid in case the county can't come in right away. Councilwoman Cribbs asked if the City will give the citizen an option to purchase their culvert if they want a bigger culvert. David Jordan said we are replacing them through our drainage program because they have to be sized for drainage system. Mayor Newell clarified that since we are doing it in our program we will replace the culverts but if someone calls and wants a culvert they purchase them after we tell them what size. David Jordan said on the streets we did a few years back needs a crack seal on them. Councilwoman Parker asked about the garbage trucks coming down the same side of the street by people putting their garbage cans on the same side of street. Teresa Borders explained that it would be hard to put a poly cart on the side of the ditch across from their home. Councilman Shugart pointed out on his list of streets #10 & #11 there is a parking problem on N. Nevada to Elm Street and Oak tree on Elm Street needs to be removed. #18, #19 & #20 are ditches that need to be cleaned out. He said he is not sure if it needs to be contracted out. He would like to see us put on July 11th agenda to look at engineering for sewer repairs.

L. ADJOURN SPECIAL MEETING.

Mayor Newell adjourned Special Meeting at 8:20 p.m.

BobbyJo Newell, Mayor

ATTEST:

Sheila Williams, City Secretary