

The City Commission of the City of Canyon met in regular session at 4:30 pm in the City Commission Chambers of the Civic Complex. Commissioner Cody Jones presided over the meeting with the following Commissioners in attendance, Roger Remlinger and Paul R. Lyons. Mayor Gary Hinders and Mayor Pro-Tem Richardson were unable to attend.

Also present were the following City Staff: City Manager Randy Criswell, Assistant City Manager Jon Behrens, City Secretary Gretchen Mercer, Planning and Development Director Danny Cornelius, Public Works Director Dan Reese, Chief of Police Dale Davis, Utility Superintendent Eric Whitten, Finance Director Chris Sharp, Business and Community Development Director Evelyn Ecker, and City Attorney Chuck Hester.

Item 1. Call to Order.

Commissioner Jones called the meeting to order at 4:41 p.m.

Item 2. Invocation.

Commissioner Lyons gave the invocation.

Item 3. Pledge of Allegiance.

The Pledge of Allegiance was led by Commissioner Remlinger.

Item 4. Approval of Minutes of the Meeting of February 4, 2019.

Commissioner Remlinger moved, duly seconded by Commissioner Lyons to approve the minutes of February 4, 2019 as presented. Motion carried unanimously.

Item 5. Public Comment – Comments from Interested Citizens.

No comment was made.

Item 6. City Managers Report.

City Manager Randy Criswell updated the Commissioners on the following:

- LA Fuller & Sons Progress on North Wastewater Extension Project. Mr. Criswell said the project completion date had passed but LA Fuller & Sons are progressing on the project and still working well with the city and other entities.

Item 7. Hold Public Hearing and Consider and Take Appropriate Action on a Specific Use Permit Application to Operate a Licensed Preschool for 10-15 Children at 405 Taylor Lane.

Planning and Development Director Danny Cornelius stated the applicant for the Specific Use Permit had withdrawn their request. No discussion.

- Item 8. First Reading of Resolution No. 04-2019 With Regards to 79 Salt Enterprises, LLC. (79 Salt) for Direct Financial Assistance With Regards to Business Expansion.

Business and Community Development Director Evelyn Ecker presented Resolution No. 04-2019 for the first reading. Ms. Ecker stated 79 Salt, owned by Ashley Ramos, is currently located in a retail space at the Palace building and was established in 2014. Ms. Ecker said the expansion would include going from 475 sf retail space to 2365 sf retail space by moving into the space vacated by the Silver Turtle at 1519 4th Avenue and would add men's clothing and more choices for women.

No action required for first reading of Resolution No. 04-2019.

RESOLUTION NO. 04-2019

APPROVING A PROJECT FUNDING AGREEMENT BETWEEN THE CANYON ECONOMIC DEVELOPMENT CORPORATION AND 79 SALT ENTERPRISES LLC. dba 79 SALT FOR DIRECT FINANCIAL ASSISTANCE TO EXPAND THE CURRENT BUSINESS TO A NEW LOCATION, 1519 4TH AVENUE, THE EXPANSION WOULD ENCOURAGE RETAIL SALES, GENERATE STATE AND LOCAL TAX REVENUE

- Item 9. First Public Hearing on Ordinance No. 1103, Annexing Property as Requested by Canyon Capital Group, LLC, A Texas Limited Liability Company, Acting By and Through its Duly Authorized President, Jonathan R. Lair.

City Manager Randy Criswell presented Ordinance No. 1103 for consideration and the first public hearing.

Commissioner Jones opened the public hearing. There being no comment, Commissioner Jones closed the public hearing.

No action required.

ORDINANCE NO. 1103

ANNEXING TERRITORY TO THE CITY OF CANYON
AN ORDINANCE OF THE CITY OF CANYON, TEXAS, ANNEXING THE TERRITORY HEREIN DESCRIBED TO THE CITY OF CANYON IN RANDALL COUNTY, TEXAS, EXTENDING THE BOUNDARY LIMITS OF THE CITY OF CANYON TO INCLUDE THE PROPERTY HEREIN DESCRIBED WITHIN THE SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY.

- Item 10. Consider and Take Appropriate Action on Recommendations from the Board of City Development (BCD) for 2019 Budget.

The BCD Budget was not addressed and will be presented at the March 18, 2019 meeting.

Item 11. Consider and Take Appropriate Action on Public Improvement District (PID) Policy.

Assistant City Manager Jon Behrens presented a draft Public Improvement District (PID) policy for consideration. Mr. Behrens stated the policy had been developed by looking at other cities PID policies. Mr. Behrens said other cities charge application fees ranging from \$5,000 to \$15,000 and for Canyon, consideration was given to time it would take for staff and the City Attorney to review an application as to the fee. Mr. Behrens said the recommendation for Canyon's application fee is \$5,000.

Commissioner Lyons moved, duly seconded by Commissioner Remlinger to table consideration of the PID Policy allowing the Commission more time to study the policy. Motion carried unanimously.

Item 12. Consider and Take Appropriate Action on Bids Received for Sealcoating – 2019 Project.

Public Works Director Dan Reese presented bids received for the 2019 Sealcoating Project. Mr. Reese stated only one bid was received due to TxDOT having a large amount of work going on in the area and that contractors are already committed to them. Mr. Reese said \$357,000 had been budgeted for this project and the bid received from G&G Operators of Dumas, TX, formerly Lewis Construction, came in under budget at \$317,948.40. Mr. Reese said this would allow a few streets to be added in by change order that had been removed in previous years. Mr. Reese said with the growth in Canyon, the Sealcoating Program had been adjusted from 7 years to 8 years to cover the whole city. Mr. Reese said the area to be sealcoated in 2019 was all streets west of 5th Street, 136,000 square yards. Mr. Reese said it was the recommendation of the Public Works Department and the City Engineer to award the 2019 sealcoating bid to G&G Operators in the amount of \$317,948.40.

After discussion, Commissioner Lyons moved, duly seconded by Commissioner Remlinger to award the 2019 Sealcoating Project to G&G Operators for the bid amount of \$317,948.40. Motion carried unanimously.

Item 13. Consider and Take Appropriate Action on Resolution No. 07-2019, Canceling the May 4, 2019 General Election.

City Secretary Gretchen Mercer presented Resolution No. 07-2019 for consideration. Ms. Mercer stated all seats for the City Commission were certified unopposed so the May 4, 2019 General Election could be canceled.

After discussion, Commissioner Remlinger moved, duly seconded by Commissioner Lyons to adopt Resolution No. 07-2019 as presented. Motion carried unanimously.

RESOLUTION NO. 07-2019
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON,
TEXAS, CANCELING THE MAY 4, 2019 GENERAL ELECTION OF THE CITY

OF CANYON, TEXAS, AS PERMITTED UNDER SECTION 2.051 OF THE
TEXAS ELECTION CODE.

Item 14. Consider and Take Appropriate Action on HB2 and SB2 Concerning Revenue Caps.

City Manager Randy Criswell presented information and summaries pertaining to HB2 and SB2 Bills addressing Revenue Caps. Mr. Criswell said the Bills both place a 2.5% cap, meaning that a tax rate that exceeds the 2.5% rollback would automatically trigger a rollback election, instead of a citizen-initiated election. Mr. Criswell said he felt it was important to inform the Commissioners of the bills which would change the "effective tax rate" language to "no new revenue rate". Mr. Criswell said many times it takes a 2.5% increase just to cover what Canyon spends on police and fire. Mr. Criswell stated Commissioner Jones had traveled to Austin to testify at the hearings on SB2.

Commissioner Jones stated after going through the hearing process, the apparent difference in taxing by Canyon and Randall County is very different compared to the taxing of the big cities in the metro areas where they tax at much higher rates and increases. Commissioner Jones said there does need to be tax reform and the terminology proposed in the bills is more transparent, but he didn't think a cap of 2.5% was the right number. Commissioner Jones said the attack on cities control from the state is very obvious. Commissioner Jones commended Senator Kel Seliger for fighting for the Panhandle. Mr. Criswell commended Commissioner Jones for traveling to Austin and testifying and thanked him.

Item 15. Executive Session Pursuant to §551.072 Real Property.

Commissioner Jones indicated the Commission would adjourn into Executive Session at 5:15 pm.

Item 16. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Upon returning from Executive Session at 5:34 pm, no action was taken.

Item 17. Adjourn.

There being no further business, Commissioner Remlinger moved this meeting be adjourned.

Cody Jones, Acting Presiding Officer

ATTEST:

Gretchen Mercer, City Secretary