

**M I N U T E S**

A regular meeting of the City Council of the City of Pinehurst was held on March 12, 2019 at 6:00 p.m. in the City Hall. A quorum having been established, Mayor Joseph L. Runnels called the meeting to order with the following council members present: John Zerko, T.W. Permenter, Sarah McClendon, and Cynthia Adams. Councilman Dan Mohon was absent. The following business was transacted.

On a motion made by Councilman T.W. Permenter and seconded by Councilwoman Sarah McClendon, council members unanimously voted to approve the minutes of the regular session held on February 12, 2019.

At this time, council members reviewed the budgeted expenditures from January 2019. City Secretary Debbie Cormier advised that a 45KW Generac generator had been purchased for the 34<sup>th</sup> Street lift station. She explained that the previous generator at that location had been damaged during Tropical Storm Harvey. She noted that the City had purchased the replacement generator with insurance proceeds. Regarding the Income Comparison Report, Ms. Cormier stated that the General Fund revenues for January 2019 were slightly less than the January 2018 revenues. She remarked that the Municipal Court fines were almost \$12,000 below the prior year. She commented that the Garbage Fund was ahead by approximately \$16,000 but the Water & Sewer Fund was still behind by about \$10,000. She summarized by informing that there was a mere \$588 difference between January 2019 versus January 2018 overall revenues. Ms. Cormier continued by comparing year-to-date actual revenues and expenditures. She advised that YTD revenues exceeded expenditures in all funds except the Water & Sewer Fund which reflected a \$33,000 deficit. She concluded by stating that the overall reserves had increased by almost ¼ of a month from December 2018 to January 2019.

No one signed up to address the Council under the Citizen Comments section of this agenda.

Regarding the application submitted by David Zerko to place a manufactured home on property owned by Sarah McClendon at 3502 Peacock, City Administrator Robbie Hood advised that this item would need to be tabled for lack of a quorum. He explained that two council members would have to abstain from voting due to their relationship to the applicant. With the absence of Councilman Mohon, that would leave only two council members able to vote on this issue. This item was table until full Council could be present.

On discussion and possible action to authorize the City Administrator to act as the City's representative in Public Hearing comments on the proposed TxDOT Interstate 10 Project with the widening of the Adams Bayou Bridge as this relates to Economic Growth, Mr. Hood called attention to a map given to each council member. He informed that the City of Pinehurst had about ½ mile of IH10 frontage property. He pointed out the existing entrance ramp to the interstate versus the proposed new entrance ramp, which was located further to the east. He also noted that TxDOT proposed removing both of the turnarounds at Adams Bayou. He explained that the proposed changes would eliminate the chance of economic development of the frontage property. He asked for Council's permission to authorize him to speak on their behalf during upcoming Public Hearing comments and express the City's opposition to the existing project.

He stated that he would like for TxDOT to entertain the idea of retaining the turnarounds so that frontage property owners would be able to develop their properties. On a motion made by Councilwoman Sarah McClendon and seconded by Councilwoman Cynthia Adams, council members unanimously voted to authorize the City Administrator to speak on their behalf in this matter.

At 6:12 p.m., Mayor Runnels opened a public hearing to solicit public comments on the Notice of Intent (NOI) to develop a drainage project and scope of work for a Texas Department of Emergency Management (TDEM) application resulting from Disaster Declaration #FEMA-4332-DR-TX. City Administrator Robbie Hood explained that the City was developing an application in conjunction with Schaumburg & Polk engineers for drainage improvements throughout the city. Mr. Hood advised that he was asking for approval to move forward with the application (NOI) for a potential \$4 million for drainage improvements. There being no further comments, Mayor Runnels closed the public hearing at 6:14 p.m.

On discussion and possible action to authorize the City Administrator to finalize the submittal of the Notice of Intent to TDEM, Councilman T.W. Permenter made a motion to authorize. Councilman John Zerko seconded the motion and the motion unanimously passed.

Regarding the discussion and possible action to authorize the City Administrator, on behalf of the City Council, to develop a letter of support for Chevron Phillips Chemical application to the State of Texas Enterprise Fund, City Administrator Robbie Hood explained what constituted the State of Texas Enterprise Fund. He noted that any company with a potential project would have to be considering multiple sites, including at least one site that was not in the state of Texas. Mr. Hood advised that this enterprise fund was another tool in the economic development and tax abatement arsenal. He stated that the Chevron Phillips Chemical expansion project would be a \$5.6 billion project. He informed that the project could potentially double Orange County's tax base. He noted that it would be on approximately 17 acres in close proximity to the existing Chevron Phillips location. He advised that there would be at least 3,500 construction jobs. Mr. Hood stated that Orange County needed to unite and show Chevron Phillips Chemical that we want them in our area. At this time, Mayor Runnels made a statement that the City of Pinehurst supported tax abatements and strongly supported the expansion of the Chevron Phillips Chemical plant. He stated that the county should use every tool at its disposal to encourage Chevron Phillips to select our area for its expansion. On a motion made by Councilwoman Sarah McClendon and seconded by Councilman T.W. Permenter, council members unanimously voted to authorize the City Administrator to develop the letter of support.

On consideration of adopting a Resolution in support of Orange County's request of the Texas Legislature to amend Texas Tax Code Chapter 352 to allow Orange County to use Hotel Tax revenue for a pavilion, City Administrator Robbie Hood explained that the pavilion would be at the boat ramp in Orange. He stated that the pavilion would improve entertainment capabilities for this area. Mr. Hood recommended approval of the support resolution. City Attorney Tommy Gunn read the resolution aloud and in its entirety. On a motion made by Councilwoman Cynthia Adams and seconded by Councilman John Zerko, council members adopted the support resolution with a vote of 3-1. The opposing vote was cast by Councilman T.W. Permenter.

Regarding discussion and possible action on approving amendments to the Orange County Hazard Mitigation Plan and adoption of the corresponding Resolution, Police Chief/Emergency Management Coordinator Fred Hanauer explained that problems that needed to be mitigated arose during Tropical Storm Harvey. He informed that, as a result of those problems, the Hazard Mitigation Plan needed to be revised. He advised that there were five revisions that were identified by him and City Administrator Robbie Hood. He stated that one dealt with the drainage of the entire City and the other four were concerning the City's lift stations. City Attorney Tommy Gunn read the resolution aloud and in its entirety. On a motion made by Councilman T.W. Permenter and seconded by Councilwoman Sarah McClendon, council members unanimously voted to approve the amendments and the corresponding resolution.

Under the City Administrator Report section of this agenda, Robbie Hood updated council members on potential grant opportunities. He again mentioned the potential \$4 million from Texas Department of Emergency Management (TDEM) for drainage issues and infrastructure improvements. He noted that Council had hired Waxman and Associates to be the City's grant administrator and Schaumburg & Polk, Inc. to be the City's engineers for the grant projects. He stated that he had met with the grant administrator and engineers twice to coordinate a list of potential projects. He advised that the list would be presented to Council at the meeting in April 2019 for final approval. Once potential projects have been approved, an application will be submitted to the General Land Office to tap into the \$6.9 million available funds.

On consideration of approving a Memorandum of Understanding (MOU) between the City of Pinehurst and the Texas Department of Public Safety regarding the Texas Statewide Interoperability Channel Plan (TSICP), Police Chief Fred Hanauer explained that every law enforcement agency in Orange County was part of a regional radio system. He advised that there were radio channels that DPS had established for law enforcement agencies to use in the case of emergencies like Hurricane Harvey in order to communicate with all other agencies in the state of Texas. He noted that this MOU provided the guidelines for use of those radio channels. On a motion made by Councilman T.W. Permenter and seconded by Councilman John Zerko, council members unanimously voted to approve the MOU.

On consideration of approving an Aerial Waiver authorizing Orange County Mosquito Control District (OCMCD) to fly low altitudes as required for the application of insecticides for the abatement of mosquitoes within the limits of the City of Pinehurst, Texas, City Secretary Debbie Cormier informed that this was an annual agenda item. She advised that OCMCD Director Patrick Beebe was required to have the signed waiver on file each year prior to flying low altitudes. On a motion made by Councilwoman Sarah McClendon and seconded by Councilwoman Cynthia Adams, council members unanimously voted to approve the waiver.

At this time, City Secretary Debbie Cormier read aloud her Certification of Unopposed Candidates for the May 4, 2019 General Election. Then, City Attorney Tommy Gunn read aloud an Ordinance declaring unopposed candidates in the May 4, 2019 General City Election elected to office and canceling the election. On a motion made by Councilman John Zerko and seconded by Councilwoman Cynthia Adams, council members unanimously voted to approve the ordinance and cancel the May 4, 2019 General Election.

Under the Announcements, Comments, and Requests from Council, City Administrator Robbie Hood announced that the annual Spring Cleanup would be held on Saturday, April 6 from 8:00 a.m. – 12:00 p.m. in the future HEB parking lot. In addition, he advised that the City, in conjunction with Sabine Federal Credit Union, would once again sponsor the Shred It & Forget It event in the SFCU parking lot. He stated that this event would be held on Saturday, April 13 from 9:00 a.m. – 12:00 p.m. Lastly, Mr. Hood reminded employees of the Customer Service Training to be held on March 20, 2019 at the Expo Center on FM1442.

Orange County Election Administrator Tina Barrow was present at this meeting. Mrs. Barrow demonstrated the new ExpressVote Electronic Voting Machine that will be used in the May 2019 General Election. She explained the process and went through the entire voting process, step by step, on the new machine. She advised that ballots would no longer be hand counted, except in the case of recounts. Mrs. Barrow stated that the ultimate goal was to allow any voter to vote at any voting location in the entire county. She told council members that they were welcome to practice on the voting machine after the meeting.

There being no further business to transact, Councilwoman Cynthia Adams made a motion to adjourn. Councilwoman Sarah McClendon seconded the motion and the motion unanimously passed. Mayor Runnels adjourned the meeting at 7:00 p.m.

/s/ Joseph L. Runnels  
Mayor

/s/ Debbie Cormier  
City Secretary