AGENDA
REGULAR CITY COUNCIL MEETING
MONDAY, APRIL 27, 2020 - 6:00 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142

This meeting will be held using videoconferencing/teleconferencing technology with public access via:
WWW.ZOOM.US/JOIN OR
(888)788-0099 (TOLL FREE)
MEETING/WEBINAR ID: 912-2591-7519
PASSWORD: 668138

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER Mayor calls the Meeting to order, states the date and time, state Councilmembers present, and declares a quorum present.**

CITIZENS COMMENTS / REQUEST TO SPEAK ON AGENDA ITEMS (5 MINUTES) Comments about any of the Council agenda items may be taken into consideration at this time or during the agenda item. Comments are limited to five (5) minutes per individual unless additional time is otherwise required by law for translation. Speaking time is not transferable. Citizens may address the City Council on any subject but must first complete a Request to Speak Form so that the Mayor may call your name to speak at the appropriate time on the Agenda. Comments must be directed to the Council as a whole. **When addressing the Council, please step forward to the speaker's podium, state your name and address, and direct your comments to the Mayor and City Council.**

PROCLAMATION

1. Motorcycle Safety and Awareness Month- May 2020

CONSENT AGENDA

2. Consider and take appropriate action on the minutes of the March 30, 2020, Regular City Council Meeting.

3. Consider and take appropriate action on the ratification of a Professional Services Agreement with Freeman-Millican Inc. for the purpose of renewing TPDES Permit for the Wastewater Treatment Plant.

4. Consider and take appropriate action on Resolution R-14-20, a resolution of the City of Kaufman, Texas, accepting the public improvements of the Stormwater Holding Basin project at the Wastewater Treatment Plant.

END OF CONSENT AGENDA

DISCUSSION/ACTION ITEMS

5. Presentation and discussion of the City of Kaufman's Midyear Financial Review

6. Consider and take appropriate action on the Amended City Council of the City of Kaufman, Texas Declaration of Local Disaster for Public Health Emergency and Order.

7. Consider and take appropriate action on the proposed Downtown Development Incentive Program; and authorize the City Manager to finalize policy and other necessary documents to implement the Program.

8. First Reading: Consider and take appropriate action on Ordinance O-08-20, an ordinance of the City of Kaufman, Texas, granting to Trinity Valley Electric Cooperative, Inc., its successors and assigns ("Grantee"), an extension of non-exclusive electric utility franchise Ordinance No. O-11-10, to authorize the non-exclusive right, privilege, and franchise for a term of five (5) years, subject to one (1) extension of five years, to erect, maintain, and operate an electric power utility system in the City of Kaufman, Texas to Grantee in accordance with the terms set forth in the Ordinance, such terms constituting a Franchise Agreement; to authorize Grantee to erect, maintain, and operate its facilities in, over, under, along, and across the present and future public rights-of-way in the city; prescribing compensation for the rights, privileges, and franchise conferred hereunder; prescribing the conditions governing the operation of Grantee's business insofar as it affects the use of public property for the purpose of such business installation, upgrade, maintenance, and operation of Grantee's electric utility system and business; incorporating City's Right to Regulation as set forth in Article X, Utility and Public Service Franchises and Licenses, of the City's Home Rule Charter; containing other provisions relating to the subject; providing for severability; and providing an effective date.

9. Consider and take appropriate action on Ordinance O-09-20, an ordinance of the City of Kaufman, Texas, amending the Code of Ordinances, Chapter 98 "Taxation", Article II "Hotel Occupancy Tax", by repealing Section 98-34 "Quarterly Reports to City Secretary" in its entirety, and adopting a new Section 98-34, entitled "Quarterly Reports and Payment of Taxes" requiring the filing of quarterly reports and making of quarterly payments of local Hotel Occupancy Taxes, and temporarily extending the hotel occupancy tax quarterly payment remittance deadlines for the first, second, and third quarters of the calendar year

2020, such that the deadline for remittance of local hotel occupancy tax shall be extended to December 31, 2020 for those quarters only; Providing for the Incorporation of Premises; Providing a Cumulative/Repealer Clause; Providing a Severability/Conflicts Clause; and Providing an Effective Date.

10. Consider and take appropriate action on Resolution R-12-20, a resolution of the City of Kaufman, Texas, authorizing the City Manager to enter into an agreement with the Texas Department of Transportation to temporarily close SH 34 and FM 1388 for the purpose of the annual Independence Day Celebration Parade

11. Consider and take appropriate action on Resolution R-13-20, a resolution of the City of Kaufman, Texas, supporting implementation of the U.S. Department of Justice Comprehensive Body-Worn Camera Policy and Implementation Program; authorizing the chief of police to apply for a related program grant to fund the purchase of body-worn cameras for the Kaufman Police Department; providing that if the City of Kaufman receives the program grant, the city will match the grant amount for the purchase of body-worn cameras; providing for the incorporation of premises; and providing an effective date.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

12. Receive an update and discussion regarding the following:

    a. Discussion Item Report (DIR)

    b. STAR Transit Ridership Report- March 2020

    c. Careflite Compliance Report- March 2020

    d. Summer Youth Camp Cancellation

    e. TWDB Stormwater Application Update

    f. Council Retreat- May 7 & 8

    g. Regular City Council Meeting- May 18, 2020

    h. Monthly Calendars Attached

EXECUTIVE SESSION

13. The City Council will recess into Executive Session pursuant to Texas Government Code for an executive session regarding the following:

a. Texas Government Code §551.072: Deliberation regarding Real Property, to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person regarding: 54 Acres City Owned Property

b. Texas Government Code §551.087(1&2): Deliberation regarding Economic Development Negotiations, to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations (Section 551.087(1)), and to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). (Section 551.087(2)) regarding:

i Kaufman Economic Development Corporation property, PID #178591 and #178592, D. Falcon Survey, Abstract No. 151;

ii 54 Acres City Owned Property

c. Texas Government Code §551.071: Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding: COVID matters and City operations

d. Texas Government Code §551.071(1): Consultation with Attorney regarding pending or contemplated litigation or a settlement offer: SOAH Docket No. 473-17-4964.WS; PUC Docket 46662

e. Texas Government Code §551.071(1): Consultation with Attorney regarding pending or contemplated litigation or a settlement offer: Benjamin M. Upchurch vs. City of Kaufman, Cause No. 104441-422, 422nd Judicial District of Kaufman County.

RECONVENE INTO OPEN SESSION In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session.

14. Consider and take appropriate action, if any, on matters (a) through (e) discussed in Executive Session.

ADJOURNMENT

I, JESSIE HANKS, CITY SECRETARY, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE WINDOW AT KAUFMAN MUNICIPAL COMPLEX, 209 S. WASHINGTON, KAUFMAN, TEXAS, A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES AND SAID NOTICE WAS POSTED AT THE KAUFMAN MUNICIPAL COMPLEX, 209 S. WASHINGTON, KAUFMAN, TEXAS AT 4:30 P.M. ON FRIDAY, APRIL 24, 2020, AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.

Jessie Hanks

JESSIE HANKS
CITY SECRETARY

CITY OF KAUFMAN TEXAS

THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE. SECTION 551.071 (CONSULTATION WITH ATTORNEY).

****PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE COUNCILMEMBERS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY. THE VIDEO AND AUDIO FEED OF THE VIDEOCONFERENCING EQUIPMENT CAN BE VIEWED AND HEARD BY THE PUBLIC BY ACCESSING WWW.ZOOM.US/JOIN OR (888)788-0099 (TOLL FREE) MEETING/WEBINAR ID: 912-2591-7519 PASSWORD: 668138**

THE BUILDING IN WHICH THE ABOVE MEETING WILL BE CONDUCTED IS WHEELCHAIR ACCESSIBLE AND PARKING SPACES FOR THE MOBILITY IMPAIRED ARE AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, OR LARGE PRINT ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT 972-932-2216 AT LEAST TWO (2) WORKING DAYS PRIOR TO THE TIME OF THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.