



**COMMISSIONERS COURT
COMMUNICATION**

COURT ORDER NUMBER _____

PAGE 1 OF 9

DATE: 11/5/2024

SUBJECT: CONSIDERATION OF AMENDMENT NO. 1 TO THE INTERLOCAL AGREEMENT BETWEEN TARRANT COUNTY AND THE TOWN OF PANTEGO RELATED TO THE NEWSOM COURT IMPROVEMENTS - 2006 TRANSPORTATION BOND PROGRAM

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court consider approval of Amendment No. 1 to the Interlocal Agreement (ILA) with the Town of Pantego related to the Newsom Court Improvements to provide funding through the 2006 Transportation Bond Program (TBP) - Precinct 2 Discretionary funds.

BACKGROUND

On December 19, 2023, the Commissioners Court, through Court Order No. 142357, approved an ILA with the Town of Pantego for financial support of up to \$699,214.00, for the improvements to the Newsom Court, from Arrowhead Dr. to the Cul-De-Sac at 1610 Newsom Ct.. The 2006 TBP funding for this project will be provided through the 2006 TBP, Precinct 2 Discretionary funding category.

The project is in the construction phase, requiring that the agreement expiration term be extended. With approval, the original ILA will be amended to extend the expiration date to September 30, 2025 to continue the 2006 TBP funding for this project.

This ILA is attached and has been reviewed by the Auditor's Office and approved as to form by the Criminal District Attorney's Office.

FISCAL IMPACT

There is no fiscal impact to the FY 2025, 2006 TBP.

SUBMITTED BY	Transportation Services	PREPARED BY:	Abbas Rastandeh
		APPROVED BY:	Scott Hall



TOWN COUNCIL MINUTES

THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS MET IN
REGULAR SESSION AT 6:30 P.M. ON MONDAY, JULY 29, 2024
TOWN COUNCIL CHAMBERS | 1614 S BOWEN ROAD IN PANTEGO, TEXAS 76013

Constituting a quorum, the following members of the Town Council were present:

		PRESENT	ABSENT
	Mayor Russell Brewster	X	
Place 5	Mayor Pro Tem Jeff Brown		X
Place 1	Councilmember Tori Roemmich	X	
Place 2	Councilmember Tyler Loe	X	
Place 3	Councilmember Mike Duncan	X	
Place 4	Councilmember Gregg Kidd	X	

Staff and consultants present at the meeting included:

		PRESENT	ABSENT
City Manager	Joe Ashton	X	
City Secretary	Leslie E. Galloway	X	
Director of Finance	Sean Smith	X	
Chief of Police	Robert D. Rife	X	
Fire Chief	Randy Fulton	X	
Director of Human Resources	Sandra Overstreet		X
Court Administrator	Cat Hughes	X	
Public Works Director	Dale Alexander	X	
City Attorney	Carvan E. Adkins of TOASE (LEFT AT 7:26 P.M.)	X	
City Engineer	Stuart Williams of Kimley-Horn	X	

I. CALL TO ORDER AND WELCOME

Mayor Brewster called the meeting to order at 6:30 p.m., thanking attendees, staff, and Council.

II. REGULAR SESSION

A. **INVOCATION AND PLEDGE LED BY COUNCILMEMBER DUNCAN**

B. **OPEN FORUM**

There were no requests to speak at this time.

C. **REPORTS, ANNOUNCEMENTS, AND SPONTANEOUS INQUIRY**

- (1) City Manager Joe Ashton
Ashton and Public Works Director Dale Alexander gave updates regarding mosquito spraying.
- (2) Finance Department
There was no discussion at this time.
- (3) Fire Department
Fire Chief Randy Fulton gave updates regarding repairs to the apparatuses.

- (4) Police Department
Chief of Police Robert D. Rife gave updates regarding the fleet vehicles.
- (5) Municipal Court
There was no discussion at this time.
- (6) Public Works
There was no discussion at this time.
- (7) Members of the Town Council
There was no discussion at this time.
- (8) Mayor Russ Brewster
The Mayor and Council thanked staff and noted upcoming events.
- (9) Community Relations Board (CRB)
Councilmember Kidd gave updates regarding upcoming events.
- (10) Pantego Economic Development Corporation (PEDC)
Councilmember Roemmich gave updates regarding Dine, Drink & Discover, marketing and budget development. Public Works Director Dale Alexander gave updates regarding needed repairs to the splash pad.

D. DISCUSSION ITEMS AND REQUESTS FOR CLARIFICATION

- (11) Update regarding the water system including, but not limited to, progress towards the new Miller well site and/or the installation of reverse osmosis (RO) systems at two well sites and the related contractors and debt
Town Engineer Stuart Williams gave updates regarding permitting by the groundwater conservation district, the hydrological report, the amended project timeline, a potential groundbreaking event in February, and review by the Texas Commission on Environmental Quality (TCEQ). Public Works Director Dale Alexander stated that the RO skids were expected to be delivered for Lane and 303 in November and February, respectively, adding that the contractor (Dake) had requested a 90-day extension to the contract to allow ample time for site cleanup. City Manager Joe Ashton noted that the City Attorney did not find it necessary for Council to formally approve this change order because it did not increase the cost. At this time, the RO systems on the existing wells (Lane and 303) are expected to be online by early 2025, with work beginning on the elevated storage tank (EST) and RO at the new Miller wellsite by fall of 2025 and those assets coming online in 2026. Alexander also gave a brief update on the Newsom, Arrowhead, and Edgar project.

E. CONSENT AGENDA

- (12) Approval of purchase order requests and accounts payable exceeding \$5,000; and acceptance of those \$1,000 - \$5,000 previously approved by the City Manager
- (13) Approval of minutes from a regular meeting June 24, 2024

MOTION TO APPROVE. ACTION APPROVAL OF CONSENT AGENDA AS PRESENTED. MOVED BY ROEMMICH. SECONDED BY DUNCAN. PASSED UNANIMOUSLY (4-0-0).

F. DECISION AND ACTION ITEMS

- (14) Consider authorizing the City Manager, or his designee, to approve a three-year contract extension with M&R Quality Janitorial Services for biweekly janitorial services at the Town Hall complex and the Larry W. Smith Law Enforcement Center
City Manager Joe Ashton stated that staff recommended renewal with M&R due to the cost savings, and that staff would address any service concerns.

MOTION TO APPROVE. ACTION THREE-YEAR EXTENSION OF EXISTING CONTRACT WITH M&R QUALITY JANITORIAL SERVICES. MOVED BY DUNCAN. SECONDED BY KIDD. PASSED UNANIMOUSLY (4-0-0).

- (15) Consider authorizing the City Manager, or his designee, to execute a one-year extension of an interlocal agreement (ILA) with the City of Fort Worth for animal control services

THIS ITEM WAS TAKEN OUT OF ORDER. IT WAS CONSIDERED FOLLOWING ITEM 17.

City Manager Joe Ashton stated that this was an annual renewal and pricing increase for a contract that has been utilized since 2015. The Council expressed a desire to see pricing from other entities including the City of Arlington next year.

MOTION TO APPROVE. ACTION ONE-YEAR EXTENSION OF ILA WITH FORT WORTH FOR RABIES AND ANIMAL CONTROL SERVICES. MOVED BY ROEMMICH. SECONDED BY KIDD. PASSED UNANIMOUSLY (4-0-0).

- (16) Consider authorizing the City Manager, or his designee, to enter into an agreement with Credit System International, Inc. (CSII) for the collection of ambulance and medical billing balances that remain unpaid after 180 days

Fire Chief Randy Fulton stated that this item would provide a second layer of debt collection services on ambulance billing, with CSII retaining 25% of their collections. Fulton noted that the City Attorney suggested filling in the blank on item 4.4 with zero (0) % (as the minimum collection amount).

MOTION TO APPROVE. ACTION AUTHORIZE AN AGREEMENT WITH CSII FOR COLLECTION OF AMBULANCE AND MEDICAL BILLING BALANCES THAT REMAIN UNPAID AFTER 180 DAYS. MOVED BY DUNCAN. SECONDED BY KIDD. PASSED UNANIMOUSLY (4-0-0).

- (17) Consider authorizing the City Manager, or his designee, to enter into an agreement (Individual Project Order (IPO) No. 064566731) with Kimley-Horn and Associates for the provision of general engineering services under the 2024 rate schedule

THIS ITEM WAS TAKEN OUT OF ORDER. IT WAS CONSIDERED IMMEDIATELY AFTER ITEM 14.

City Manager Joe Ashton stated that staff recommended acceptance of the proposed rate increases. Town Engineer Stuart Williams stated that this general services IPO allows Kimley-Horn to review smaller hourly items on as-needed basis, such as site plans, developments, or small issues on a resident's property. In response to a question from Williams, Mayor Brewster stated his preference for the Council to formally approve these rate changes annually for budgeting purposes.

MOTION TO APPROVE. ACTION AUTHORIZE KIMLEY-HORN IPO NO. 064566731 FOR GENERAL ENGINEERING SERVICES; 2024 RATE SCHEDULE. MOVED BY KIDD. SECONDED BY LOE. PASSED UNANIMOUSLY (4-0-0).

- (18) Consider authorizing the City Manager, or his designee, to execute a Streetlight Maintenance Authorization for LED Replacements with Oncor

City Manager Joe Ashton stated that this agreement would formally authorize Oncor to utilize LED (rather than mercury vapor, which are being phased out entirely).

MOTION TO APPROVE. ACTION APPROVAL OF ONCOR STREETLIGHT MAINTENANCE AUTHORIZATION FOR LED REPLACEMENTS. MOVED BY ROEMMICH. SECONDED BY LOE. MOTION PASSED UNANIMOUSLY (4-0-0).

- (19) Consider authorizing the City Manager, or his designee, to execute a first amendment to an Interlocal Agreement (ILA) with Tarrant County (Commissioners Court Order No. 142356), for improvements to Arrowhead Drive from W Park Row Drive to the cul-de-sac at 1805 Arrowhead Drive, as described in the 2006 Tarrant County Transportation Bond Program (TBP) Precinct 2 Discretionary Funds

Public Works Director Dale Alexander stated that this item (as well as the next) are precautionary measures in case these projects or their cost reimbursements bleed into the coming fiscal year.

MOTION TO APPROVE. ACTION APPROVAL OF THE FIRST AMENDMENT TO AN ILA WITH TARRANT COUNTY (COMMISSIONERS COURT ORDER NO. 142356), FOR IMPROVEMENTS TO ARROWHEAD DRIVE FROM W PARK ROW DRIVE TO THE CUL-DE-SAC AT 1805 ARROWHEAD DRIVE, AS DESCRIBED IN THE 2006 TARRANT COUNTY

TRANSPORTATION BOND PROGRAM (TBP) PRECINCT 2 DISCRETIONARY FUNDS. **MOVED BY KIDD. SECONDED BY LOE. MOTION PASSED UNANIMOUSLY (4-0-0).**

- (20) Consider authorizing the City Manager, or his designee, to execute a first amendment to an Interlocal Agreement (ILA) with Tarrant County (Commissioners Court Order No. 142357), for improvements to Newsom Court from Arrowhead Drive to the cul-de-sac at 1610 Newsom Court, as described in the 2006 Tarrant County Transportation Bond Program (TBP) Precinct 2 Discretionary Funds

MOTION TO APPROVE. ACTION APPROVAL OF THE FIRST AMENDMENT TO AN ILA WITH TARRANT COUNTY (COMMISSIONERS COURT ORDER NO. 142357), FOR IMPROVEMENTS TO NEWSOM COURT FROM ARROWHEAD DRIVE TO THE CUL-DE-SAC AT 1610 NEWSOM COURT, AS DESCRIBED IN THE 2006 TARRANT COUNTY TRANSPORTATION BOND PROGRAM (TBP) PRECINCT 2 DISCRETIONARY FUNDS. MOVED BY KIDD. SECONDED BY ROEMMICH. MOTION PASSED UNANIMOUSLY (4-0-0).

- (21) Receive a presentation and hold a discussion, if desired, of the City Manager’s Proposed Budget for Fiscal Year 2025 (October 1, 2024 through September 30, 2025), including but not necessarily limited to, a general overview of projected revenues and expenditures for all funds and all departments

Mayor Brester noted that the General Fund balance and revenues were lower than projected. City Manager Joe Ashton stated that Director of Finance Sean Smith would share links to the live-update budget this week. There was discussion regarding ending the current fiscal year (FY) under budget, factors contributing to the projected drawdown for FY25, revenue per cent of property tax, a forthcoming fee schedule amendment, residents not being charged for ambulance service, and a decline in sales tax revenue.

III. EXECUTIVE SESSION

The Council did not meet in Executive Session during this meeting.

IV. RECONVENE AND TAKE ACTION PURSUANT TO EXECUTIVE DISCUSSION, IF NECESSARY

V. ADJOURNMENT

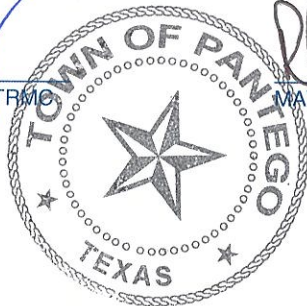
Mayor Brewster adjourned the meeting at 7:33 p.m.

ATTEST:

Leslie E. Galloway
CITY SECRETARY LESLIE E. GALLOWAY, MPA, TRM

APPROVED:

Russell "Russ" Brewster
MAYOR RUSSELL "RUSS" BREWSTER



STATE OF TEXAS §
 § **Amendment to Interlocal Agreement for**
 § **Newsom Court Improvements**
COUNTY OF TARRANT §

BACKGROUND

Tarrant County (“COUNTY”) and the Town of Pantego (“TOWN”) entered into an Interlocal Agreement approved by Tarrant County Commissioners Court Order No. 142357, for financial support of up to \$699,214.00, for the funding of improvements to Newsom Court from Arrowhead Dr. to the Cul-De-Sac at 1610 Newsom Ct. (“PROJECT”) as described in the 2006 Tarrant County Bond Program.

Therefore, the COUNTY and the TOWN agree to the following revisions. Paragraphs III, IV, and V from the original Interlocal Agreement are repealed and replaced with the following language:

III.
TERM

This ILA shall become effective upon the approval of both parties and shall terminate on September 30, 2025, unless terminated as described in Section XII in the original ILA or extended in writing and approved by both parties.

IV.
FISCAL FUNDING ACKNOWLEDGEMENT

Tarrant County bond funds will be encumbered on a fiscal year basis in accordance with the Certification of Available Funds shown herein. In the event no funds or insufficient funds are appropriated and budgeted or are otherwise unavailable by any means whatsoever in any fiscal period for payments due under this ILA Amendment, then the affected party will immediately notify the other party of such occurrence and this Amendment may be terminated on the last day of the fiscal period for which appropriations were received without penalty or expense to the affected party of any kind whatsoever, except to the portions of annual payments herein agreed upon for which funds shall have been appropriated.

V.
REIMBURSEMENT PROCESS

The COUNTY agrees to reimburse the TOWN for the actual eligible PROJECT costs in an amount not to exceed \$699,214.00. Any reimbursement request from the TOWN should include: 1) a copy of the invoice or billing for design services, right-of-way acquisition purchase, and construction; and 2) a copy of the check, a certification letter, or other documentation to verify the TOWN’s proof of payment. The final reimbursement payment to the TOWN will be contingent upon the TOWN Manager or Mayor providing written notification to the COUNTY that the project is complete along with identification of final project costs. COUNTY bond funds for the Project

are allocated as follows:

County Payment by Phase*

Design:	\$0.00
ROW Acquisition:	\$0.00
Construction:	<u>\$699,214.00</u>
TOTAL:	\$699,214.00

TBP Funding Category: 2006 Discretionary, Precinct 2 (Commissioner Alisa Simmons)

** Reimbursement payments will be issued by the COUNTY for eligible expenses incurred during the Fiscal Year for which bond funds are certified by the Tarrant County Auditor.*

The TOWN understands that the TOWN will be responsible for cost overruns and any other expenses incurred by the TOWN in performing the services described herein. The TOWN agrees that the COUNTY retains control over when reimbursement payments will be disbursed to the TOWN.

In addition to the foregoing replacement language, Attachment A is removed and deleted from the original Interlocal Agreement in full. All other paragraphs, terms and language outside of paragraphs III, IV, V, and Attachment A remain unchanged and in effect.

APPROVED on this day the ____ day of _____, 2024, by Tarrant County.

Commissioners Court Order No. _____.

TARRANT COUNTY, TEXAS

TOWN OF PANTEGO

Tim O'Hare, County Judge

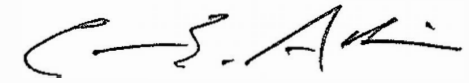


Russell Brewster, Mayor

Alisa Simmons, Commissioner Pct 2

APPROVED AS TO FORM:

Criminal District Attorney's Office*



Town Attorney



Town Secretary (If applicable)

* By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead, those parties should seek contract review from independent counsel.

CERTIFICATION OF AVAILABLE FUNDS IN THE AMOUNT OF:

§ _____ as follows:

Fiscal year ending September 30, 2025: \$0.00

Auditor's Office