

**REGULAR MEETING OF CITY COUNCIL
JULY 21, 2020 – 1:30 P.M.**

PRESENT:	Karen Felker James Marrs II Charles Loftis Milton Ooley	Acting Mayor Council Member Council Member Council Member
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ABSENT:	Marvin Dickson	Council Member
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STAFF:	Eddie Edwards Garrett Spradling Stella E. Sauls Scott Radach Bruce Roberts Jason Anderson Winston P. Sauls	City Manager Assistant City Manager City Secretary Director of Finance Chief, Police Department Director, Public Works Assistant Director, Public Works
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VISITORS:	Tammy Brown Jessie Shuffield Bobby Kenimer Paige Witthar Steve Garcia	Katie Lingor Tish Cantrell Chris Jackson Kim Garcia
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NEWS MEDIA:

QUESTIONS AND COMMENTS FROM CITIZENS: Citizens who have indicated their desire to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter is on the agenda, City Council members are prevented from acting on the subject and may respond only with statements of factual information or existing City policy; however, City Council members may request City staff to place the subject matter on a future agenda. Citizens are limited to three (3) minutes for their presentation to the City Council.

Ms. Tammy Brown with Bennigan's asked what it would take to get the 600 Block of Hemlock St. paved.

Mr. Bobby Kenimer addressed the Council about putting in an RV Park. He commented that he had spoken with Mr. Byrd of Planning and Development and nothing is happening. Mr. Kenimer stated that he asks questions and get no answers and asked the Council what he needed to do to get things moving.

MINUTES APPROVED: Following review of the minutes of the work session and regular meeting of July 7, 2020, motion was made by Council Member Marrs, seconded by Council Member Loftis, to approve the minutes of the work session and regular meeting of July 7, 2020. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

PAYMENT OF EXPENDITURES APPROVED: Following review of the expenditures for the first half of July 2020, motion was made by Council Member Marrs, seconded by Council Members Loftis, to approve payment of the expenditures for the first half of July 2020. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

DONATION OF REAL PROPERTY PRESENTED TO COUNCIL – NO ACTION TAKEN: City Manager Eddie Edwards presented to the Council a request from Butch Turner representative for Megert Legacy. The property for donation is as follows:

- a. 702 Alabama, Lot 10, Block 1, Eastside Addition
- b. 707 Platt, Lot 13, Block 9, Rock Creek Addition
- c. 703 Platt, Lot 14, Block 9, Rock Creek Addition
- d. 702 Derr, Lot 17, Block 9, Rock Creek Addition
- e. 813 McPherson, Lot 11, Block 2, Rock Creek Addition
- f. 834 Bartush, East 50' of Lot 34, Block 2, Rock Creek Addition

The Council decided to take no action at this time.

RESOLUTION R-019-20 2021 DOWNTOWN REVITALIZATION GRANT APPLICATION APPROVED: City Manager Eddie Edwards explained that this is starting the next cycle of the Downtown Revitalization Grant Application process. Mr. Edwards introduced Paige Witthar with Panhandle Regional Planning Commission, she explained that this is an agreement for possible administration of the grant. Following discussion, motion was made by Council Member Ooley, seconded by Council Member Loftis to, approve Resolution R-019-20 entering into an Interlocal Agreement with the Panhandle Regional Planning Commission for grant application for preparation and potential grant management services for a 2021 Downtown Revitalization Grant Application. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

Resolution R-019-20 reads as follows:

RESOLUTION R-019-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE PANHANDLE REGIONAL PLANNING COMMISSION FOR THE SUBMISSION AND POTENTIAL ADMINISTRATION OF A TEXAS DOWNTOWN REVITALIZATION PROGRAM GRANT APPLICATION

WHEREAS, the City of Borger (City) desires to apply to the Texas Department of Agriculture (TDA) for infrastructure assistance through the 2020 Downtown Revitalization Program; and,

WHEREAS, the Interlocal Cooperation Act included in Chapter 791 of the Texas Government Code provides for contractual agreements between governmental entities; and,

WHEREAS, 2 CFR 200.318(e) encourages the use of interlocal agreements from the federal level; and,

WHEREAS, the Texas Department of Agriculture has issued a recommendation that communities applying under the 2020 Downtown Revitalization Program consider contracting professional services for grant application preparation and potential grant administration (if funded) prior to application submission; and,

WHEREAS, the City is desirous to contract the grant application preparation and if funded, potential grant administration services of its 2020 Downtown Revitalization application for Community Development Funds through an interlocal cooperation contractual agreement with the Panhandle Regional Planning Commission (PRPC); and,

WHEREAS, the PRPC shall provide grant application preparation services related to the 2020 Downtown Revitalization Program at no cost; and,

WHEREAS, administrative fees related to project management of any funded 2020 downtown revitalization project will be agreed to through an amendment to the Interlocal Agreement if City of Borger receives funding through the 2020 Downtown Revitalization Program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, THAT:

1. The Acting Mayor is authorized to execute the attached Interlocal Agreement Contract with the PRPC pursuant to the Interlocal Cooperation Act for grant application preparation and if funded, potential grant management services for the City’s activities related to the 2020 Downtown Revitalization Program.

PASSED, APPROVED, AND ADOPTED, on this the 21st day of July, 2020, at a regular meeting of the City Council of the City of Borger, Texas which meeting was held in compliance with the Open Meetings Act, Texas Gov’t Code, §551.001, et. seq. at which meeting a quorum was present and voting.

RESOLUTION R-020-20 COMMERCIAL BUILDING IMPROVEMENT PROGRAM INCENTIVE AGREEMENT: Executive Director of B.E.D.C. Katie Lingor explained that Steve Garcia of Custom’s by Steve has plans to buy a vacant building locate at 618 S. Main St. to expand his auto body shop. Following discussion, motion was made by Council Member Loftis, seconded by Council Member Marrs, to approve Resolution R-020-20 approving the incentive agreement between the Borger Economic Development Corporation and Customs by Steve, LLC in an amount not to exceed \$50,000.00.

Executive Director of B.E.D.C. Katie Lingor explained that Steve Garcia of Custom’s by Steve has plans to buy a vacant building locate at 618 S. Main St. to expand his auto body shop. Following discussion, motion was made by Council Member Loftis, seconded by Council Member Marrs, to approve Resolution R-020-20 approving the incentive agreement between the Borger Economic Development Corporation and Customs by Steve, LLC in an amount not to exceed \$50,000.00.

Ayes: All members present voted aye.

Nays: None.

Resolution R-012-20 reads as follows:

RESOLUTION R-020-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, APPROVING A LOAN AGREEMENT, INCENTIVE AGREEMENT, AND PROMISSORY NOTE BETWEEN THE BORGER ECONOMIC DEVELOPMENT CORPORATION ("BEDC") AND CUSTOMS BY STEVE, LLC.; AND AUTHORIZING REPRESENTATIVES OF THE CORPORATION TO EXECUTE ANY AND ALL INSTRUMENTS PERTAINING TO THE PROJECT

WHEREAS, the BEDC is a development corporation under Section 4A of the Development Corporation Act (the "Act"); and,

WHEREAS, under the Act, the BEDC operating as a development corporation has authority to expend tax proceeds for economic development as authorized by the Act and its Articles of Incorporation subject to the authority and approval of the City Council; and,

WHEREAS, the BEDC Board has considered and recommended an economic development agreement with Customs by Steve, LLC and pursuant to Section 501.073 of the Act, submitted those agreements to the City Council for final approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, THAT:

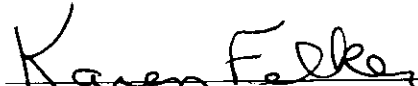
1. the City Council has reviewed and approved the referenced project and authorizes representatives of the Corporation to execute and finalize the below referenced instruments and/or any other financial instruments required for completion of the referenced Project:
 - a. Incentive Agreement – attached hereto as Exhibit 1.

PASSED, APPROVED, AND ADOPTED, on this the 21st day of July, 2020, at a regular meeting of the City Council of the City of Borger, Texas which meeting was held in compliance with the Open Meetings Act, Texas Gov't Code, §551.001, et. seq. at which meeting a quorum was present and voting.


MEETING ADJOURNED: There being no further business, motion was made by Council Member Marrs, seconded by Council Member Loftis, to adjourn the meeting. The motion carried by the following motion.

Ayes: All members present voted aye.

Nays: None.


Acting Mayor

ATTEST:



City Secretary