

A regular meeting of the Groves City Council was held February 26, 2024, in the Groves City Council Chamber with Mayor Chris Borne, Mayor Pro Tem Mark McAdams, Councilmember Rhonda Dugas, Councilmember Paul Oliver, and Councilmember Pete Konidis in attendance. Mayor Borne called the meeting to order and welcomed the attendees. Councilmember Paul Oliver then led the prayer and pledge of allegiance.

APPROVE THE MINUTES OF THE FEBRUARY 12, 2024, CITY COUNCIL MEETING: Councilmember Pete Konidis moved to approve the minutes of the February 12, 2024, City Council meeting as written and Mayor Pro Tem Mark McAdams seconded. Mayor Borne asked for questions or comments and there were none. Motion passed unanimously.

Mayor Borne then asked for reports and there were two reports from Interim City Marshal Chris Robin.

PRESENTATION OF THE 2023 UCR/NIBIRS REPORT: Marshal Robin informed Council that the statistics for 2023 compared to 2022 increased by about 14 crimes but still remains well below the average. Marshal Robin also stated that the clearance rate of the cases that they are getting to the District Attorney's office, the results of the justice that they are seeking in those remains at a high and acceptable level. Marshal Robin also informed Council that they are not fully staffed at this time but he believes getting to a full staff will assist with these numbers. Mayor Borne asked Mr. Robin if a crime is committed but is still in the prosecution stage does it remain on this report and Mr. Robin stated it does. There were no further questions.

PRESENTATION OF THE 2023 RACIAL PROFILING REPORT: Interim City Marshal Robin informed Council that the State of Texas requires any agency that makes routine traffic stops and has audio/visual equipment, report this to their governing body along with TCOLE. Mr. Robin informed Council that racism is not tolerated in this agency in any form or fashion and the Groves Police Department does not condone any selective enforcement of any kind. Marshal Robin stated that he doesn't see any reason to believe that any of that is occurring here, and that the numbers fall within parameters that you would expect with our demographics. There were no further questions.

Mayor Borne then asked for Citizen Comments and there were none.

DELIBERATE AND ACT ON A PROPOSAL TO CONDUCT A UTILITIES RATE ANALYSIS: Councilmember Konidis made a motion to deliberate and act on a proposal to conduct a Utilities Rate Analysis and Mayor Pro Tem McAdams

seconded. City Manager Kevin Carruth then addressed Council stating that our utility system is a critical function that we provide our citizens and businesses. This is also an important revenue stream for us and is about 30% of total revenue and. Mr. Carruth then stated that out of everything we do this is the one thing that should be run most like a business. The rate structure should not only support the operations throughout the year but also provide a sinking fund for future capital improvements. Mr. Carruth then stated that the City has done quite a bit in the last few years but in decades prior, not so much was done. Mr. Carruth then brought up a presentation that was done last year by Michael Tentrup, and in that presentation, we were informed the system was built in the 40's and 50's with a 30-year life span so some things should have been replaced in the 70's and 80's. Mr. Carruth informed Council that we still have about 4.3 million dollars' worth of pipe bursting that has been identified that was kind of a second phase and we also have the Wastewater Plant that needs attention. Mr. Carruth also stated that we need improvements at the Water Plant and with the lines. Mr. Carruth then informed Council that in order to have a rate structure that will allow us to reinvest into the system so that we don't wind up with fines from TCEQ, in the end pushes you to do the same improvements that have to be done anyway. A well-reasoned rate structure will get you there and bringing in a consultant who does this day in and day out will help us get that rate structure. City Manager Kevin Carruth informed Council that staff is recommending a multi-year approach.

Councilmember Dugas then stated that in the years past Council has been doing rate increases by a dollar here and a dollar there and she is curious how much this will affect the water bills considering the concerns from citizens about pricing of some of the current bills. City Manager Kevin Carruth stated that depends on how aggressive Council wants to address the infrastructure needs, and that we are significantly behind on addressing those needs. Mr. Carruth then stated that we have to get started on that journey, and if we don't it will continue to fall apart and we will end up with TCEQ fines. Mr. Carruth also stated that we already have people who can't flush their toilets when it rains and that's unacceptable. Mayor Borne stated that basically we tell them what we want to do, how long we want it to take, and they will tell us how to adjust our rates through the billing cycle to be able to pay for it. Mayor Borne then stated that his recommendation would be to accept the multi-year deal for options one through three and review option four and five when we get there. Councilmember Konidis amended his motion to include the option for the multi-year pricing and Mayor Pro Tem McAdams seconded. Mayor Borne then asked City Manager Kevin Carruth if the payments would start with next years budget and Mr.

Carruth then informed Council that the first year's payment would come out of this year's budget. Councilmember Oliver asked if this would be paid-up front and Mr. Carruth stated it would be progress payments. There were no further questions and the motion passed unanimously.

DELIBERATE AND ACT TO AUTHORIZE THE CITY MANAGER TO ISSUE REQUESTS FOR PROPOSALS FOR ADMINISTRATIVE SERVICES AND REQUESTS FOR QUALIFICATIONS FOR ENGINEERING SERVICES FOR THE AMERICAN RESCUE PLAN: Mayor Pro Tem McAdams made a motion to deliberate and act to authorize the City Manager to issue requests for proposals for administrative services and requests for qualifications for engineering services for the American Rescue Plan. Councilmember Oliver seconded. City Manager Kevin Carruth stated that the City received \$6.1 million from the American Rescue Plan in 2020 and \$4.2 million of that went to streets along with \$750,000 to the Taft Lift Station. Mr. Carruth then stated that this was handled by Waxman who was our grant administrator for those projects. We were in the process to receive RFP's for 1.8 million dollars to upgrade the Waste Water Treatment Plant improvements and in reviewing what had been done, while we had followed our procedures and state procurement regulations, it was not clear to him that we had followed the federal procurement regulations when it came to using this money. Mr. Carruth then informed Council that if we have not met the procurement requirements when we get audited they would claw back the money. Mr. Carruth then reiterated to Council that he's not saying that we haven't met the requirements but he also can't stand in front of Council and say that we have. Mr. Carruth then informed Council by issuing an RFP for administrative services, this would allow us to bring on a grant administrator who specializes in doing that. The fee for the grant administrator is reimbursable by the grant so it would not have to come out of the general fund. Mayor Borne stated that the City used a consultant for the first \$4.95 million but opted to do it ourselves on the last of the funds. Mr. Carruth stated that if we do this it will delay the project 6-8 weeks and it will not be a problem with us meeting the deadline for obligating the funds. Mayor Borne then stated that this motion would be to allow City Manager Kevin Carruth to go out for RFP's for an Engineering Service for the American Rescue Plan. There were no further questions and the motion passed unanimously.

INVOICES: City Manager Kevin Carruth presented invoices for payment totaling \$175,624.41 as follows:

Burton Accounting, P.L.L.C.	Internal Auditor.	\$17,450.00
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Chameleon Industries	Polymer for Water Plant.	\$32,512.80
Fuelman of Lafayette	Gas and diesel for January 2024.	\$16,300.17
Republic Services, Inc.	Sludge disposal for January 2024.	\$7,961.23
Soutex Surveyors, Inc.	Engineering pay request No. IV for surveying plan set, and bidding for the installation of a new screening system and grit classifier. RE: 2021 CLRF ARP Project.	\$10,050.00
Tyler Technologies, Inc.	Incode annual costs.	\$76,350.21
Wathen, DeShong & Juncker, L.L.P.	Interim Bill for FYE 2023 Audit.	\$15,000.00

Mayor Pro Tem McAdams made a motion to approve the invoice list for February 26, 2024 totaling \$175,624.41 and Councilmember Dugas seconded. Mayor Borne asked for questions. Councilmember Dugas asked about the payment for Wathen, DeShong & Juncker, L.L.P. and how much the next payment to them will be and Finance Director Lamar Ozley stated we owe around \$22,000. Councilmember Dugas also asked Mr. Ozley if they could send their audit findings ahead of time, maybe a week ahead of time before they present to Council. Mr. Ozley stated that he would absolutely pass that request along to the auditors. Mayor Borne asked about Chameleon Industries and the Polymer for the Water Plant and Water Plant Supervisor David Molbert stated the pricing is about the same and it is ordered when needed. There were no further questions. Motion passed unanimously.

EXECUTIVE SESSION: THE CITY COUNCIL WILL MEET IN EXECUTIVE SESSION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 551.071 WHICH AUTHORIZES A GOVERNMENTAL BODY TO CONSULT WITH ITS ATTORNEY IN AN EXECUTIVE SESSION TO SEEK HIS OR HER ADVICE ON LEGAL MATTERS.

City Council convened into Executive Session at 5:51 p.m.

RECONVENE OPEN SESSION: Council reconvened into open session at 6:52 p.m.

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Mayor Borne asked for Councilmember Comments and Mayor Pro Tem Dugas stated that she had a great time at the Fireman's Banquet and also appreciated the Fire Department giving City employees CPR lessons. There were no further comments.

There was no further business and Mayor Borne adjourned the meeting at 6:53 p.m.



Mayor

ATTEST:



City Clerk

