



**NOTICE OF THE CITY OF BRECKENRIDGE**  
**REGULAR MEETING OF THE BRECKENRIDGE CITY**  
**COMMISSION**

July 05, 2022 at 5:30 PM

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**AGENDA**

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the City Commission will meet in a Regular Meeting of the Breckenridge City Commission on July 05, 2022 at 5:30 PM at the Breckenridge City Offices, 105 N. Rose Avenue, Breckenridge, Texas.

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**American Flag**

**OPEN FORUM**

*This is an opportunity for the public to address the City Commission on any matter of public business, except public hearings. Comments related to public hearings will be heard when the specific hearing begins.*

**SPECIAL PRESENTATIONS AND ANNOUNCEMENTS**

*(Mayoral proclamations, presentations of awards and certificates, and other acknowledgements of significant accomplishments or service to the community.)*

1. Receive update from Stephens County Appraisal District. ~Will Thompson

**STAFF REPORT**

*(Staff Reports are for discussion only. No action may be taken on items listed under this portion of the agenda, other than to provide general direction to staff or to direct staff to place such items of a future agenda for action.)*

**Public Works Director**

2. Consumer Confidence Report.

## CONSENT AGENDA

*Any commission member may request an item on the Consent Agenda to be taken up for individual consideration.*

- [3.](#) Consider approval of the June 7, 2022 Regular Commission meeting minutes as recorded.
- [4.](#) Consider approval of the June 13, 2022 Special Commission meeting minutes as recorded.
- [5.](#) Consider approval of the June 28, 2022 Special Commission meeting minutes as recorded.
- [6.](#) Consider approval of Resolution 22-24 City of Breckenridge Investment Policy.

## ACTION ITEMS

- [7.](#) Consider approval of an amendment to the contract with Republic Services, removing section 5.3 of the contract and replacing it with "Republic to act as collector of Commercial accounts."

## EXECUTIVE SESSION

*Pursuant to Texas Government Code, Annotated, Chapter 551, Subchapter D, Texas Open Meetings Act (the "Act"), City Commission will recess into Executive Session (closed meeting) to discuss the following:*

### Personnel Matters

*§551.074: Personnel matters (to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee):*

8. City Manager
9. Interim City Manager

## RECONVENE INTO OPEN SESSION

*In accordance with Texas Government Code, Section 551, the City Commission will reconvene into Open Session and consider action, if any, on matters discussed in Executive Session.*

## WORKSHOP ITEMS

*(Workshop items are for discussion only. No action may be taken on items listed under this portion of the agenda, other than to provide general direction to staff or to direct staff to place such items on a future agenda for action.)*

## ADJOURN

## CERTIFICATION

I hereby certify that the above notice was posted in the bulletin board at Breckenridge City Hall, 105 North Rose Avenue, Breckenridge, Texas , by **5:30 PM** on the **1st day of JULY 2022**.

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City Secretary



*Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the Breckenridge City Hall 48 hours in advance, at 254-559-8287, and reasonable accommodations will be made for assistance.*



## STEPHENS COUNTY APPRAISAL DISTRICT

### 2022 ESTIMATED VALUES

ENTITY	REAL PROPERTY	BUSINESS PP	INDUSTRIAL	MINERALS	EXEMPTIONS	DEDUCTIONS	EST TOTAL
Stephens County	\$ 1,966,620,005	\$ 22,002,608	\$ 67,354,000	\$ 104,481,000	\$ 1,239,688,400	\$ 99,310,452	\$ 821,458,761
City of Breckenridge	\$ 324,437,260	\$ 15,653,748	\$ 14,523,000	\$ 6,356,000	\$ 61,833,250	\$ 39,065,369	\$ 260,071,389
Stephens Memorial Hospital	\$ 1,966,578,875	\$ 22,106,248	\$ 67,354,000	\$ 104,481,000	\$ 1,239,688,400	\$ 86,373,497	\$ 834,458,226
Breckenridge ISD	\$ 1,806,247,795	\$ 18,462,348	\$ 61,333,000	\$ 99,677,000	\$ 1,106,371,230	\$ 143,891,202	\$ 735,457,711
Albany ISD	\$ 19,340,560	\$ -	\$ 59,000	\$ 464,000	\$ 16,798,900	\$ 87,118	\$ 2,977,542
Graham ISD	\$ 4,795,690		\$ 273,000	\$ 30,000	\$ 4,077,540	\$ 36,649	\$ 984,501
Moran ISD	\$ 54,332,440	\$ 870	\$ 267,000	\$ 2,420,000	\$ 47,501,140	\$ 380,309	\$ 9,138,861
Ranger ISD	\$ 44,746,380	\$ 3,721,510	\$ 4,433,000	\$ 1,097,000	\$ 34,852,690	\$ 4,220,496	\$ 14,924,704
Woodson ISD	\$ 37,210,740	\$ 2,800	\$ 963,000	\$ 791,000	\$ 30,146,450	\$ 393,919	\$ 8,427,171

### 2021 CERTIFIED VALUES FOR COMPARISON

ENTITY	REAL PROPERTY	BUSINESS PP	INDUSTRIAL	MINERALS	EXEMPTIONS	DEDUCTIONS	2021 CERT TOTAL
Stephens County	\$ 1,731,009,543	\$ 21,528,632	\$ 70,700,980	\$ 52,335,780	\$ 1,168,858,630	\$ 92,360,283	\$ 614,356,022
City of Breckenridge	\$ 232,038,227	\$ 16,862,978	\$ 15,178,090	\$ 3,178,326	\$ 22,701,230	\$ 34,203,046	\$ 210,353,345
Stephens Memorial Hospital	\$ 1,731,009,543	\$ 21,716,522	\$ 70,685,980	\$ 52,335,780	\$ 1,168,858,630	\$ 78,859,392	\$ 628,029,803
Breckenridge ISD	\$ 1,576,140,303	\$ 284,560	\$ 82,719,783	\$ 52,335,780	\$ 1,032,464,860	\$ 137,663,032	\$ 541,352,534
Albany ISD	\$ 18,907,000	\$ -	\$ 62,650	\$ 232,184	\$ 17,642,680	\$ 120,888	\$ 1,438,266
Graham ISD	\$ 4,822,320	\$ -	\$ 288,170	\$ 15,092	\$ 4,289,390	\$ 36,649	\$ 799,543
Moran ISD	\$ 52,947,210	\$ 284,560	\$ -	\$ 1,225,105	\$ 48,807,570	\$ 354,248	\$ 5,295,057
Ranger ISD	\$ 42,724,750	\$ -	\$ 4,453,650	\$ 548,928	\$ 34,732,030	\$ 4,097,245	\$ 8,898,053
Woodson ISD	\$ 35,480,740	\$ 2,800	\$ 1,016,390	\$ 395,618	\$ 30,981,830	\$ 437,444	\$ 5,476,274

### HISTORIC COMPARISON

ENTITY	2016 CERTIFIED	2017 CERTIFIED	2018 CERTIFIED	2019 CERTIFIED	2020 CERTIFIED	2021 CERTIFIED	2022 ESTIMATED
Stephens County	\$ 541,078,694	\$ 571,718,520	\$ 593,905,054	\$ 608,700,816	\$ 558,878,891	\$ 614,371,483	\$ 821,458,761
City of Breckenridge	\$ 190,747,981	\$ 190,918,605	\$ 191,844,276	\$ 193,485,972	\$ 189,426,374	\$ 210,353,345	\$ 260,071,389
Stephens Memorial Hospital	\$ 554,750,950	\$ 585,472,448	\$ 607,345,349	\$ 621,967,714	\$ 571,953,421	\$ 628,021,806	\$ 834,458,226
Breckenridge ISD	\$ 472,188,292	\$ 501,095,507	\$ 521,788,909	\$ 537,877,009	\$ 490,729,225	\$ 541,398,095	\$ 735,457,711
Albany ISD	\$ 1,934,658	\$ 1,913,101	\$ 1,882,466	\$ 1,600,735	\$ 1,254,008	\$ 1,438,266	\$ 2,977,542
Graham ISD	\$ 346,090	\$ 429,670	\$ 433,610	\$ 582,626	\$ 768,789	\$ 799,433	\$ 984,501
Moran ISD	\$ 4,739,786	\$ 5,567,206	\$ 6,692,091	\$ 5,610,072	\$ 4,564,123	\$ 5,295,057	\$ 9,138,861
Ranger ISD	\$ 6,757,579	\$ 7,196,494	\$ 7,752,197	\$ 7,755,375	\$ 7,547,260	\$ 8,898,053	\$ 14,924,704
Woodson ISD	\$ 3,548,931	\$ 4,007,052	\$ 4,805,299	\$ 5,384,436	\$ 5,169,600	\$ 5,476,274	\$ 8,427,171

2021 Consumer Confidence Report for Public Water System CITY OF BRECKENRIDGE

This is your water quality report for January 1 to December 31, 2021.

For more information regarding this report contact:

CITY OF BRECKENRIDGE provides surface water from Hubbard Creek Lake, Stephens County

Name Houston Satterwhite ACM of Operations

Phone 254-559-8287

Este reporte incluye información importante sobre el agua para tomar. Para asistencia en español, favor de llamar al telefono (254) 559-8287.

Definitions and Abbreviations

Definitions and Abbreviations

The following tables contain scientific terms and measures, some of which may require explanation.

Action Level:

The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

AVG:

Regulatory compliance with some MCLs are based on running annual average of monthly samples.

Level 1 Assessment:

A Level 1 assessment is a study of the water system to identify potential problems and determine (if possible) why total coliform bacteria have been found in our water system.

Level 2 Assessment:

A Level 2 assessment is a very detailed study of the water system to identify potential problems and determine (if possible) why an E. coli MCL violation has occurred and/or why total coliform bacteria have been found in our water system on multiple occasions.

Maximum Contaminant Level or MCL:

The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

Maximum Contaminant Level Goal or MCLG:

The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

Maximum residual disinfectant level or MRDL:

The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

Maximum residual disinfectant level goal or MRDLG:

The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

MFL million fibers per liter (a measure of asbestos)

mrem: millirems per year (a measure of radiation absorbed by the body)

na: not applicable.

NTU nephelometric turbidity units (a measure of turbidity)

pc/L picocuries per liter (a measure of radioactivity)

**Definitions and Abbreviations**

ppb:	micrograms per liter or parts per billion
ppm:	milligrams per liter or parts per million
ppq	parts per quadrillion, or picograms per liter (pg/L)
ppt	parts per trillion, or nanograms per liter (ng/L)
Treatment Technique or TT:	A required process intended to reduce the level of a contaminant in drinking water.

**Information about your Drinking Water**

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the EPAs Safe Drinking Water Hotline at (800) 426-4791.

Contaminants that may be present in source water include:

- Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- Inorganic contaminants, such as salts and metals, which can be naturally-occurring or result from urban storm water runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.
- Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban storm water runoff, and residential uses.
- Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban storm water runoff, and septic systems.
- Radioactive contaminants, which can be naturally-occurring or be the result of oil and gas production and mining activities.

In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the amount of certain contaminants in water provided by public water systems. FDA regulations establish limits for contaminants in bottled water which must provide the same protection for public health.

Contaminants may be found in drinking water that may cause taste, color, or odor problems. These types of problems are not necessarily causes for health concerns. For more information on taste, odor, or color of drinking water, please contact the system's business office.

You may be more vulnerable than the general population to certain microbial contaminants, such as *Cryptosporidium*, in drinking water. Infants, some elderly, or immunocompromised persons such as those undergoing chemotherapy for cancer; persons who have undergone organ transplants; those who are undergoing treatment with steroids; and people with HIV/AIDS or other immune system disorders, can be particularly at risk from infections. You should seek advice about drinking water from your physician or health care providers. Additional guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* are available from the Safe Drinking Water Hotline (800-426-4791).

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. We are responsible for providing high quality drinking water, but we cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.

### Information about Source Water

CITY OF BRECKENRIDGE purchases water from WEST CENTRAL TEXAS MWD. WEST CENTRAL TEXAS MWD provides purchase surface water from Hubbard Creek Lake located in Stephens County. [Insert a table containing any contaminant that was detected in the provider's water for this calendar year, unless that contaminant has been separately monitored in your water system (i.e. THM, HAA5, Lead and Copper, Coliforms)].

TCEQ completed an assessment of your source water, and results indicate that some of our sources are susceptible to certain contaminants. The sampling requirements for your water system is based on this susceptibility and previous sample data. Any detections of these contaminants will be found in this Consumer Confidence Report. For more information on source water assessments and protection efforts at our system contact Houston Satterwhite, 254-559-8287.

### Coliform Bacteria

Maximum Contaminant Level Goal	Total Coliform Maximum Contaminant Level	Highest No. of Positive	Fecal Coliform or E. Coli Maximum Contaminant Level	Total No. of Positive E. Coli or Fecal Coliform Samples	Violation	Likely Source of Contamination
0	1 positive monthly sample.	1	0	0	N	Naturally present in the environment.

Lead and Copper	Date Sampled	MCLG	Action Level	90 <sup>th</sup> Percentile	# Sites over AL	Units	Violation	Likely Source of Contamination
Copper	09/09/2020	1.3	1.3	0	0	ppm	N	Erosion of natural deposits; Leaching from wood preservatives; Corrosion of household plumbing systems
Lead	09/09/2020	0	.015	0	0	ppb	N	Corrosion of household plumbing systems; Erosion of natural deposits

### 2021 Water Quality Test Results

Disinfection By-Products	Collection Date	Highest Level Detected	Range of Individual Samples	MCLG	MCL	Units	Violation	Likely Source of Contamination
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Halocacetic Acids (HAA5)	2021	23	7.4 - 29.7	No goal for the total	60	ppb	N	By-product of drinking water disinfection.
*The value in the Highest Level or Average Detected column is the highest average of all HAA5 sample results collected at a location over a year								
Total Trihalomethanes (TTHM)	2021	63	34.2 - 76.5	No goal for the total	80	ppb	N	By-product of drinking water disinfection.

\*The value in the Highest Level or Average Detected column is the highest average of all TTHM sample results collected at a location over a year

Inorganic Contaminants	Collection Date	Highest Level Detected	Range of Individual Samples	MCLG	MCL	Units	Violation	Likely Source of Contamination
Barium	2021	0.15	0.15 - 0.15	2	2	ppm	N	Discharge of drilling wastes; Discharge from metal refineries; Erosion of natural deposits.
Cyanide	2021	101	101 - 101	200	200	ppb	N	Discharge from plastic and fertilizer factories; Discharge from steel/metal factories.
Fluoride	2021	0.2	0.186 - 0.186	4	4.0	ppm	N	Erosion of natural deposits; Water additive which promotes strong teeth; Discharge from fertilizer and aluminum factories.
Nitrate [measured as Nitrogen]	2021	0.0533	0.0533 - 0.0533	10	10	ppm	N	Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits.

Radioactive Contaminants	Collection Date	Highest Level Detected	Range of Individual Samples	MCLG	MCL	Units	Violation	Likely Source of Contamination
Beta/photon emitters	03/09/2016	8.6	8.6 - 8.6	0	50	pCi/L*	N	Decay of natural and man-made deposits.

\*EPA considers 50 pCi/L to be the level of concern for beta particles.

## Disinfectant Residual

A blank disinfectant residual table has been added to the CCR template, you will need to add data to the fields. Your data can be taken off the Disinfectant Level Quarterly Operating Reports (DLQOR).

Disinfectant Residual	Year	Average Level	Range of Levels Detected	MRDL	MRDLG	Unit of Measure	Violation (Y/N)	Source in Drinking Water
Chloramine	2021	3.4	1.8-4.4	4	4	ppm	N	Water additive used to control microbes.

Item 2. Turbidity

	Level Detected	Limit (Treatment Technique)	Violation	Likely Source of Contamination
Highest single measurement	0.4 NTU	1 NTU	N	Soil runoff.
Lowest monthly % meeting limit	99%	0.3 NTU	N	Soil runoff.

Information Statement: Turbidity is a measurement of the cloudiness of the water caused by suspended particles. We monitor it because it is a good indicator of water quality and the effectiveness of our filtration system and disinfectants.

Total Organic Carbon

The percentage of Total Organic Carbon (TOC) removal was measured each month and the system met all TOC removal requirements set, unless a TOC violation is noted in the violations section.

**JUNE 07, 2022**

**REGULAR TOWN COMMISSION MEETING OF THE TOWN OF BRECKENRIDGE, TEXAS, HELD ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT.**

MAYOR  
COMMISSIONER PLACE 1  
COMMISSIONER PLACE 2  
MAYOR PRO TEM, PLACE 3  
COMMISSIONER PLACE 4

BOB SIMS  
GREG AKERS  
ROB DURHAM  
VINCE MOORE  
GARY MERCER

CITY MANAGER  
CITY SECRETARY  
PUBLIC WORKS DIRECTOR  
PARKS DIRECTOR  
POLICE CAPTAIN

ERIKA MCCOMIS  
JESSICA SUTTER  
HOUSTON SATTERWHITE  
STACY HARRISON  
JAY WALKER

**CALL TO ORDER**

Mayor called meeting to order at 5:31 p.m.

**OPEN FORUM**

*This is an opportunity for the public to address the City Commission on any matter of public business, except public hearings. Comments related to public hearings will be heard when the specific hearing begins.*

No speakers.

**SPECIAL PRESENTATIONS AND ANNOUNCEMENTS**

1. Receive an update from TxDOT on current highway construction projects ~ Eastland Area Engineer

Jordan Perry addressed the Commission to give an update on construction on US Highway 183. The current contractor has not worked on several occasions. This has put the project behind schedule. It was originally an 18-month project. Currently, the plan shows a completion approximation of April 2023.

**CONSENT AGENDA**

2. Consider approval of the May 3, 2022, Regular Commission meeting minutes as recorded.

3. Consider approval of Resolution 2022-18 to suspend the June 17, 2022 effective date of Oncor Electric delivery company's requested rate change to permit the city time to study the request and to establish reasonable rates; approving cooperation with the steering committee of cities served by Oncor to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals.
4. Consider approval of the Breckenridge Chamber of Commerce Hotel Occupancy Tax Fiscal Year 2022 Second Quarter Financials.
5. Item Number 5 moved to Action Items for consideration.
6. Consider approval of an audit engagement agreement with George, Morgan & Sneed, P.C. for the Fiscal Year 2022 annual audit.

Motion made to approve consent agenda items 2,3,4, and 6 as presented by Commissioner Durham, Seconded by Commissioner Mercer. **The motion passed 5-0.**

### PUBLIC HEARING ITEMS

7. Public hearing and consider approval of Ordinance 2022-08 providing for a Specific Use Permit for the placement of a tiny house in a General Dwelling ("R4") District on property commonly known as 509 N. Shelton Street.

Public Hearing opened at 5:52 p.m.

Public Hearing Closed at 5:52 p.m.

City Manager McComis stated this item was approved by Planning and Zoning Committee in October of 2020. However, it was never brought before Commission to be approved by ordinance.

Motion made to approve Ordinance 2022-08 as presented by Mayor Pro Tem Moore, Seconded by Commissioner Durham. **The motion passed 5-0.**

### ACTION ITEMS

5. Conduct approval of a recommendation from the Breckenridge Planning and Zoning Commission to approve a request to vacate the Popular Buildings Plat, filed in Cabinet 1, Page 116 of the Plat Records of Stephens County, Texas.

City Manager McComis stated this was a request by Mike Griffith to vacate a plat he filed to convert into apartments. It will be reverted to the regular plat. The request was approved by Planning and Zoning commission as is.

Motion made to approve Planning and Zoning commission recommendation to vacate the Popular Buildings Plat, filed in Cabinet 1, Page 115 of the Plat Records of Stephens County, Texas by Commissioner Mercer, Seconded by Mayor Pro Tem Moore.

**The motion passed 5-0**

8. Discuss and consider the adoption of Ordinance 2022-09 authorizing the issuance of City of Breckenridge, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2022A, in the principal amount of \$2,935,000 and awarding the sale of such Certificates of Obligation to the Texas Water Development Board.

City Manager advised Commission that items 8-12 are all similar items. Items 8 and 9 are in reference to wastewater. Eric Macha with Hilltop addressed Commission and explained that last year the City of Breckenridge applied for funding through the Texas Water Development Board. In total city received \$4,162,420. In funding. This will be broken down into three amounts. \$1,020,00.00 in a 0% loan. \$1,915,000 will carry a subsidized interest rate and \$1,227,420 in Principal Forgiveness grant money. By doing this, the City has saved \$3,413,060 in principal interest payments. The first payment will be due in 2024, with the final payment in 2053. Eric stated that action item 8 would approve the loan portion and action item 9 would approve the Grant. Closing will be on July 13, 2022.

Motion made to approve Ordinance 2022-09 as presented by Commissioner Durham, Seconded by Mayor Pro Tem Moore. **The motion passed 5-0.**

9. Discuss and consider adoption of Resolution 2022-19 approving the execution and delivery of a Principal Forgiveness Agreement for sewer system improvements; and resolving other matters relating to the subject.

Motion made to approve Resolution 2022-19 as presented by Mayor Pro Tem Moore, Seconded by Commissioner Mercer. **The motion passed 5-0.**

10. Discuss and consider adoption of Ordinance 2022-10 authorizing the issuance of City of Breckenridge, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2022B, in the principal amount of \$2,325,000 and awarding the sale of such Certificates of Obligation to the Texas Water Development Board.

Eric Macha with Hilltop stated to the Commission that Items number 10 and 11 are in reference to drinking water. The City will receive a total of \$3,637,809.00 in funding. This is broken down into three payments. \$1,020,000.00 as a zero percent loan, \$1,300,000 that will have a subsidized interest rate, and \$1,312,809 in Principal Forgiveness grant money. The City is saving an estimated \$3,336,835 in principal interest payments. This will have a July 13, 2022, closing date. The first payment will be due in 2024, with the final payment being in 2053.

Motion made to approve Ordinance 2022-10 as presented by Commissioner Mercer,  
Seconded by Commissioner Durham. **The motion passed 5-0.**

11. Discuss and consider adoption of Resolution 2022-20 approving the execution and delivery of a Principal Forgiveness Agreement for water system improvements; and resolving other matters relating to the subject.

Motion made to approve Resolution 2022-20 as presented by Commissioner Mercer,  
Seconded by Mayor Pro Tem Moore. **The motion passed 5-0.**

12. Discuss and consider adoption of Resolution 2022-21 authorizing and directing establishment of four construction accounts and a sinking fund with Depository Bank pursuant to Bond Ordinances and Principal Forgiveness Agreements with the Texas Water Development Board; appointing authorized signatories with respect to such accounts; and resolving other matters relating to the subject.

City Manager explained that we must have four different bank accounts for each of the clean water and Drinking Water funds payments.

Motion made to approve Resolution 2022-21 as presented by Mayor Pro Tem Moore,  
Seconded by Commissioner Mercer. **The motion passed 5-0.**

13. Discuss and consider approval of Resolution 2022-22 authorizing the submission of an application to the Texas Community Development Block Grant Program-2022 Downtown Revitalization Program and authorizing the Mayor and City Manager as authorized representatives.

Ken Coignet with Public Management addressed Commission, stating that action items 13 and 14 are regarding the City's application for the Downtown Revitalization Grant Program previously discussed. The City is applying for \$500,000.00, with \$75,000 being paid by the City. The application is due July 8, 2022, and will not be awarded until late 2022. Therefore, payment will not be made until the next fiscal year.

Motion made to approve Resolution 2022-22 as presented by Mayor Pro Tem Moore,  
Seconded by Commissioner Durham. **The motion passed 5-0.**

14. Discuss and consider approval of Resolution 2022-23 determining that an area of the downtown contains conditions that are detrimental to the community and constitute a slum and blighted area for the 2022 Downtown Revitalization Program grant application.

Ken Coignet explained that as part of receiving the 2022 Downtown Revitalization Grant the City is required to designate an area of the City as having conditions of slum and blight. The area being designated currently has cracked sidewalks and is not currently ADA compliant. The Grant will provide updated sidewalks and ramps.

Motion made to approve Resolution 2022-23 as presented by Commissioner Mercer, Seconded by Commissioner Akers. **The motion passed 5-0.**

15. Discuss and consider awarding a bid for the revamp of the existing prison lift station and authorize the Mayor to execute all necessary documents on behalf of the City.

Sage Diller with EHT stated lift station 4, which services the prison, was put into service in 1993 and is currently a self-priming pump configuration. This lift station has created many problematic issues in the past few years, requiring maintenance. Two Request or proposal (RFP) type proposals were generated. RFP 1 retrofits Lift Station 4 from a self-priming pump configuration to a submersible pump configuration, including all necessary piping and valve modification. This type is easier to service and maintain. RFP 2 is to replace the current pump with a like configuration. Proposals were open on June 3, 2022. Three (3) submissions were received for RFP 1. Dowtech specialty Contractors submitted the lowest cost bid in the amount of \$264,434.00. Two (2) proposals were received for RFP 2. The Lowest proposal was from Patterson Professional Services in the amount of \$187,425.00. The recommendation was made for RFP 1 to Dowtech Specialty Contractors.

Motion made to award a bid to Dowtech Specialty Contractors and authorize the Mayor to execute all necessary documents on behalf of the City by Commissioner Durham, Seconded by Commissioner Mercer. **The motion passed 5-0.**

16. Discuss and consider approval of Ordinance 2022-11 amending Chapter 20, "Traffic", of the Breckenridge Code of Ordinances by adding Article VII, "Motorized Carts"; allowing for the use of motorized carts on authorized streets within the City and establishing regulations concerning the operation of motorized carts.

Ericka McComis stated that the police department had received multiple requests from citizens requesting to use motorized carts on city streets. Research was completed to determine a way this could be done. Captain Jay Walker stated that resident's motorized carts would need to be insured, have headlights, taillights, be a licensed driver, and only allowed on city streets.

Motion made to deny Ordinance 2022-11 as presented by Commissioner Akers, Seconded by Commissioner Mercer. **The motion passed 4-1 with Mayor Pro Tem Moore voting Nay.**

17. Discuss and consider appropriate action on Resolution 2022-17 appointing a commissioner to serve as Mayor Pro-Tem.

Motion made to appoint Rob Durham to serve as Mayor Pro Tem by Mayor Pro Tem Moore, Seconded by Commissioner Akers. **The motion passed 5-0.**

**RECEIVE REQUESTS FROM COMMISSION MEMBERS/STAFF FOR ITEMS TO BE PLACED ON NEXT MEETING AGENDA**

*Discussion under this section must be limited to whether or not the Commission wishes to include a potential item on a future agenda.*

Commissioner Durham requested further discussion on the appointment process for board members of the Economic Development Corporation at a later date.

**ADJOURN**

There being no further business, the Mayor adjourned the regular session at 6:46 p.m.

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Bob Sims, Mayor

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Jessica Sutter, City Secretary



# Commission Meeting Agenda Item Memorandum

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**ITEM TYPE**

Consent Agenda

**MEETING DATE:**

July 5, 2022

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**PRESENTER:**

Jessica Sutter, City Secretary

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**ITEM DESCRIPTION:**

Consider approval of the June 7, 2022 Regular Commission meeting minutes as recorded.

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**BACKGROUND INFORMATION:**

The minutes of the City Commission Meeting are recorded by the City Secretary and presented to the Commission for approval.

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**FISCAL IMPACT:**

- ☒ Not Applicable  
☐ Proposed Expenditure:  
☐ General Ledger Code:  
☐ Proposed Revenue:  
☐ Budget Amendment Required: No  
☐ Financial Review Completed by:

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**LEGAL REVIEW:**

Not applicable.

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**ATTACHMENTS:**

A. Minutes

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**RECOMMENDED MOTION AND/OR ACTION:**

Move to approve the minutes of the City Commission of Breckenridge as recorded.

**JUNE 13, 2022**

**SPECIAL TOWN COMMISSION MEETING OF THE TOWN OF BRECKENRIDGE, TEXAS, HELD ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:**

MAYOR  
COMMISSIONER PLACE 1  
MAYOR PRO TEM  
COMMISSIONER PLACE 4

BOB SIMS  
GREG AKERS  
ROB DURHAM  
GARY MERCER

CITY MANAGER  
CITY SECRETARY

ERIKA MCCOMIS  
JESSICA SUTTER

**ABSENT**

COMMISSIONER PLACE 3

VINCE MOORE

**CALL MEETING TO ORDER**

Mayor Sims called the regular meeting to order at 5:52 p.m.

**OPEN FORUM**

This is an opportunity for the public to address the City Commission on any matter of public business, except public hearings.

No speakers.

**EXECUTIVE SESSION**

*Pursuant to Texas Government Code, Annotated, Chapter 551, Subchapter D, Texas Open Meetings Act (the "Act"), City Commission will recess into Executive Session (closed meeting) to discuss the following:*

**Personnel Matters**

*§551.074: Personnel matters (to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee):*

1. City Manager

**RECONVENE INTO OPEN SESSION**

At 7:04 p.m., the City Commission reconvened into open session.

Commissioner Akers moved to accept the resignation of Erika McComis as City Manager, Mayor Pro Tem Durham seconded the motion. **The motion passed 4-0**

Commissioner Durham made a motion to execute a contract with Texas First Group for Interim Services. Commissioner Mercer seconded the motion. **The motion passed 4-0.**

**WORKSHOP ITEMS**

*(Workshop items are for discussion only. No action may be taken on items listed under this portion of the agenda, other than to provide general direction to staff or to direct staff to place such items on a future agenda for action.)*

1. Discussion on the city pool hours of operation.

At 7:07 p.m., City Manager McComis called Commissioner Vince Moore, who joined via speakerphone call. McComis explained to commissioners that at this time, the city pool is not open on the weekends for open swim due to a shortage of management staff. There is only one pool manager who cannot work extended shifts. At the end of June, a second manager is planning to join the management staff, which will allow the city pool to be open on the weekends during limited times based on currently booked parties. July 2, the pool will be open swim from 1-5. Stacy Harrison is working to staff lifeguards for Sunday openings.

**ADJOURN**

There being no further business, the Mayor adjourned the special session at 7:17 p.m.

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Bob Sims, Mayor

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Jessica Sutter, City Secretary



# Commission Meeting Agenda Item Memorandum

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**ITEM TYPE**

Consent Agenda

**MEETING DATE:**

July 5, 2022

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**PRESENTER:**

Jessica Sutter, City Secretary

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**ITEM DESCRIPTION:**

Consider approval of the June 13, 2022 Special Commission meeting minutes as recorded.

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**BACKGROUND INFORMATION:**

The minutes of the City Commission Meeting are recorded by the City Secretary and presented to the Commission for approval.

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**FISCAL IMPACT:**

- ☒ Not Applicable  
☐ Proposed Expenditure:  
☐ General Ledger Code:  
☐ Proposed Revenue:  
☐ Budget Amendment Required: No  
☐ Financial Review Completed by:

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**LEGAL REVIEW:**

Not applicable.

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**ATTACHMENTS:**

A. Minutes

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**RECOMMENDED MOTION AND/OR ACTION:**

Move to approve the minutes of the City Commission of Breckenridge as recorded.

**JUNE 28, 2022**

**SPECIAL TOWN COMMISSION MEETING OF THE TOWN OF BRECKENRIDGE, TEXAS, HELD ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:**

MAYOR  
COMMISSIONER PLACE 1  
MAYOR PRO TEM  
COMMISSIONER PLACE 3

BOB SIMS  
GREG AKERS  
ROB DURHAM  
VINCE MOORE

CITY SECRETARY

JESSICA SUTTER

**ABSENT**

COMMISSIONER PLACE 4

GARY MERCER

**CALL MEETING TO ORDER**

Mayor Sims called the regular meeting to order at 5:45 p.m.

**OPEN FORUM**

This is an opportunity for the public to address the City Commission on any matter of public business, except public hearings.

No speakers.

**EXECUTIVE SESSION**

*Pursuant to Texas Government Code, Annotated, Chapter 551, Subchapter D, Texas Open Meetings Act (the "Act"), City Commission will recess into Executive Session (closed meeting) to discuss the following:*

**Personnel Matters**

*§551.074: Personnel matters (to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee):*

1. Interim City Manager

**RECONVENE INTO OPEN SESSION**

At 6:55 p.m., the City Commission reconvened into open session with no action taken.

## ADJOURN

There being no further business, the Mayor adjourned the special session at 6:56 p.m.

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Bob Sims, Mayor

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Jessica Sutter, City Secretary



# Commission Meeting Agenda Item Memorandum

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**ITEM TYPE**

Consent Agenda

**MEETING DATE:**

July 5, 2022

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**PRESENTER:**

Jessica Sutter, City Secretary

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**ITEM DESCRIPTION:**

Consider approval of the June 28, 2022 Special Commission meeting minutes as recorded.

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**BACKGROUND INFORMATION:**

The minutes of the City Commission Meeting are recorded by the City Secretary and presented to the Commission for approval.

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**FISCAL IMPACT:**

- ☒ Not Applicable
- ☐ Proposed Expenditure:
- ☐ General Ledger Code:
- ☐ Proposed Revenue:
- ☐ Budget Amendment Required: No
- ☐ Financial Review Completed by:

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**LEGAL REVIEW:**

Not applicable.

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**ATTACHMENTS:**

A. Minutes

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**RECOMMENDED MOTION AND/OR ACTION:**

Move to approve the minutes of the City Commission of Breckenridge as recorded.

**RESOLUTION NO. 22-24****A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BRECKENRIDGE, TEXAS, APPROVING AN INVESTMENT POLICY.**

**WHEREAS**, Chapter 2256 of the Government Code, commonly known as the “Public Funds Investment Act,” requires the city to adopt an Investment Policy by rule, order, ordinance, or resolution; and

**WHEREAS**, the Public Funds Investment Act requires the treasurer (City Secretary); the chief financial officer (City Secretary), if not the treasurer; and the Investment Officer (City Secretary) of the city to attend investment training; and

**WHEREAS**, the City of Breckenridge approves the investment training courses sponsored by the Texas Municipal League, University of North Texas-Center for Public Management, and the Government Treasurers Organization of Texas; and

**WHEREAS**, the treasurer (City Secretary); the chief financial officer (City Secretary), if not the treasurer; and the investment officer (City Secretary) of the city have attended investment training courses sponsored by the Texas Municipal League, University of North Texas-Center for Public Management, or the Government Treasurers Organization of Texas, as required by the Public Funds Investment Act; and

**WHEREAS**, the attached Investment Policy and incorporated revisions comply with the Public Funds Investment Act, as amended, and authorize the investment of city funds in safe and prudent investments.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Commission of the City of Breckenridge:

That the City of Breckenridge has complied with the requirements of the Public Funds Investment Act, Chapter 2256.008, Government Code, and the Investment Policy, as amended, attached hereto as “Exhibit A” is hereby adopted as the Investment Policy of the city effective July 7, 2020.

**PASSED, ADOPTED, AND APPROVED** by the City Commission of the City of Breckenridge this the 6<sup>th</sup> day of July 2021.

\_\_\_\_\_  
Bob Sims, Mayor

**ATTEST:**

\_\_\_\_\_  
Jessica Sutter, City Secretary

S E A L



# Commission Meeting Agenda Item Memorandum

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**ITEM TYPE**

Consent Agenda

**MEETING DATE:**

June 7, 2022

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**PRESENTER:**

Jessica Sutter, City Secretary

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**ITEM DESCRIPTION:**

Consider approval of Resolution 22-24 City of Breckenridge Investment Policy.

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**BACKGROUND INFORMATION:**

In accordance with Chapter 2256 of the Government Code, or Public Investment Act the city must adopt an investment policy requiring the City treasurer (City Secretary), Chief financial Officer to attend investent training.

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**FISCAL IMPACT:**

- ☒ Not Applicable  
☐ Proposed Expenditure:  
☐ General Ledger Code:  
☐ Proposed Revenue:  
☐ Budget Amendment Required: No  
☐ Financial Review Completed by:

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**LEGAL REVIEW:**

Not applicable.

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**ATTACHMENTS:**

Resolution 22-24  
Exhibit A

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**RECOMMENDED MOTION AND/OR ACTION:**

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**EXHIBIT A**  
**CITY OF BRECKENRIDGE INVESTMENT POLICY**  
**OBJECTIVES**

The investment policy of the City of Breckenridge shall be to:

1. Assure the safety and preservation of principal.
2. Maintain sufficient liquidity to provide adequate and timely operating needs.
3. Gain public trust from prudent investment activities.
4. Attain a rate of return that shall be the best possible rate for the City of Breckenridge under government backed securities

**AUTHORIZED**

The City of Breckenridge funds governed by this policy may be invested in the instruments described below, all of which are authorized by Chapter 2256 of the Texas Government Code (Public Funds Investment Act). Investment of the City of Breckenridge funds in any instrument or security not authorized for investment under the Act is prohibited.

1. Obligations, including letter of credit, of the United States of America, its agencies and instrumentalities.
2. Certificates of Deposit or share certificates issued by a depository institution that has its main office or branch office in Texas and is:
  - 1) Guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
  - 2) Secured by obligations in a manner and amount provided by law for deposits of the City of Breckenridge, including mortgage backed securities directly issued by a federal agency or instrumentality that have a market value of not less than the principal amount of the certificates;
  - 3) Secured in any other manner and amount provided by law for deposits of the City of Breckenridge.

**TRAINING REQUIREMENTS**

Designated investment Officer(s) shall attend an investment training session no less than once in a two year period (based on the anniversary date of prior training of investment officer(s)) and shall receive not less than ten hours of instruction relating to investment responsibilities. The investment training shall be provided by an independent source approved by the City Commission. For purposed of this policy, and “independent source”

from which investment training shall be obtained shall include Texas Municipal League, University of North Texas-Center of Public Management, or the Government Treasurers Organization of Texas.

### **INTERNAL CONTROLS**

A system of internal controls shall be documented in writing. Also, they shall be designated to prevent losses of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets or imprudent actions by employees and officers of the City of Breckenridge. Controls deemed most important shall include:

1. Control of collusion.
2. Separation of transaction authority from accounting and record keeping.
3. Custodial safekeeping.
4. Avoidance of physical delivery securities.
5. Clear delegation of authority to subordinate staff members.
6. Written confirmation of telephone (voice) transactions for investments and wire transfers.
7. Development of wire transfer agreement with the depository bank or third party custodian.

### **SAFEKEEPING AND CUSTODIAL AGREEMENTS**

The City of Breckenridge shall contract with a bank or banks for the safekeeping of securities either owned by the City of Breckenridge as part of its investment portfolio or held as collateral to secure demand or time deposits. Securities owned by the City of Breckenridge shall be held in the City of Breckenridge's name as evidence by safekeeping receipts of the institution holding the securities.

Collateral for deposits will be held by a third party custodian designated by the City of Breckenridge and pledged to the City of Breckenridge as evidence by safekeeping receipts of the institution with which the collateral is deposited. Original safekeeping receipts shall be obtained. Collateral may be held by the depository bank's trust department, a Federal Reserve Bank of a Federal Reserve Bank, a Federal Home Loan Bank, or a third party bank approved by the City of Breckenridge.

## **COLLATERAL POLICY**

Consistent with the requirements of the Public Funds Collateral Act, it is the policy of the City of Breckenridge to require the full collateralization of all City of Breckenridge funds on deposit with a depository bank, other than investments. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102% of market value of principal and accrued interest on the deposits or investments less an amount insured by the FDIC. At its discretion, the City of Breckenridge may require a higher level of collateralization for certain investment securities. Securities pledged as collateral shall be held by an independent third party

with which the City of Breckenridge has a current custodial agreement. The Chief Financial Officer is responsible for entering into collateralization agreements with third party custodians in compliance with this Policy. The agreements are to specify the acceptable investment securities for collateral, including provisions relating to possession of the collateral, valuation of securities. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City of Breckenridge and retained. Collateral shall be reviewed at least monthly to assure that the market value of the pledged securities is adequate. The City of Breckenridge shall accept only the following types of collateral:

1. Obligation of the U.S. or its agencies and instrumentalities
2. Direct obligations of the State of Texas or its agencies and instrumentalities.
3. Obligations of states, agencies counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized rating firm not less than A or its equivalent with a remaining maturity of (10) years or less.
4. A surety bond issued by an insurance company rates as to investment quality by a nationally recognized rating firm not less than A.
5. A letter of credit issued to the City of Breckenridge by the Federal Home Loan Bank.

Investment officials shall be bonded

All Collateral shall be subject to inspection and audit by the Chief Financial Officer or the City's independent auditor.

## **DELIVERY VS. PAYMENT**

Securities shall be purchased using the delivery vs. payment method with the exception of investment pools and mutual funds. Funds will be released after notification that the purchased security has been received.

## **PORTFOLIO REPORT**

A quarterly management portfolio shall be prepared by the investment officer relating to investments of the City of Breckenridge and appropriate collateral pledged for those investment instruments requiring security. A comprehensive report on the investment program and investment activity shall be presented annually to the governing body. The annual report shall include a review of the activities and yield return for the 12 months, suggest policies and improvements that might enhance the investment program, and include an investment plan for the ensuing fiscal year.

## **SAFETY, PRUDENCE, AND PUBLIC TRUST**

The investment officer shall exhibit prudence and discretion in the selection and management of securities. Investment officers shall avoid any transaction that might impair public confidence in the City's ability to govern effectively. Skill and judgment shall be exercised in order that no individual or group of transactions undertaken would jeopardize the total capital sum of the overall portfolio. The City of Breckenridge shall not allow speculation (such as anticipating an appreciation of capital through changes in market interest rates) in the selection of any investments. Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.

The investment portfolio shall be diversified to reduce the risk of loss of investment income from over-concentration of assets in a specific issue, a specific issue size, or a specific class of securities. Nevertheless, the City of Breckenridge recognizes that in a diversified portfolio, occasional measured losses are inevitable and must be considered within the context of the overall portfolio's investment return. Also, it is intended that investments in all funds shall be managed in such a way that any market price losses resulting from interest rate volatility shall be offset by income received from the balance of the portfolio during a 12-month period.

## **LIQUIDITY**

To meet the investment objectives of the City of Breckenridge the maturity of investments shall be targeted to coincide with the flow needs of the City of Breckenridge. Assets of the City of Breckenridge shall be invested in instruments whose maturities do not exceed approved periods as determined by the City of Breckenridge City Commission at the time of purchase. Assets held in debt retirement funds may be invested in maturities exceeding one year.

## **DELEGATION OF INVESTMENT AUTHORITY**

The city Commission designates the City Treasurer (City Secretary) and/or the Chief Financial Officer (City Secretary) as the City of Breckenridge's Investment Officer(s). An investment Officer is authorized to execute investment transactions on behalf of the City of Breckenridge. No person may engage in an investment transaction or the management of the City of Breckenridge funds except as provided under the terms of this Investment Policy as approved by the City Commission. The investment authority granted to the investing officers is effective until rescinded by the City Commission.

## **INVESTMENT STRATEGY**

The City of Breckenridge manages investment portfolios utilizing specific investment considerations designed to address the unique characteristics of the fund groups represented in the investment portfolios.

Investment strategies for Operating Funds have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. A secondary objective is to maintain an investment portfolio which experiences minimal volatility during economic cycles. Preservation of principal may be accomplished by purchasing high quality, short to medium term securities that complement each other in a laddered or barbell portfolio structure. A dollar weighted average maturity of 365 days or less will be calculated using the stated maturity date for each security. Purchased securities will have a stated final maturity of three years or less.

Investment strategies for Debt Service Interest and Sinking funds have as their primary objective the assurance of investment liquidity adequate to cover obligations on required payment dates. Securities purchased shall not have a stated final maturity date which exceeds the unfunded required payment date.

Investment strategies for Reserve Funds have as the primary objective the ability to generate a dependable revenue stream with a low degree of volatility. Except as may be otherwise required, securities should be of high quality, with short to intermediate term maturities. Purchased securities will have a stated final maturity of five years or less.

## **ETHICS AND CONFLICT OF INTEREST**

An investment officer of the City who has a personal business relationship with an organization seeking to sell an investment business with the City shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity to an individual selling to sell an investment to the City shall file a statement disclosing that relationship. This section is prescribed by chapter 2256.005 of the Government Code.

## **BRECKENRIDGE CEMETERY PERPETUAL CARE FUND**

The Breckenridge Cemetery Perpetual Care Fund, as established by a trust agreement executed May 11, 194, is not considered public funds and is therefore not subject to the foregoing sections of this policy, but rather all funds in the Breckenridge Cemetery Perpetual Care Funds shall be invested according to Section 113.056 of the Texas Trust Code.

**APPROVED THIS 5<sup>TH</sup> DAY OF JULY 2022**

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Bob Sims, Mayor

ATTEST:

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Jessica Sutter, City Secretary

SEAL

## CITY OF BRECKENRIDGE TEXAS AND BFI WASTE SERVICES OF TEXAS, LP; CONTRACT FOR SOLID WASTE COLLECTION AND DISPOSAL

The City of Breckenridge, Texas hereinafter referred to as the "CITY" and BFI Waste Services of Texas, LP. DBA Republic Services of Abilene. Hereinafter referred to as "CONTRACTOR" have entered into a contract for solid waste collection and Disposal effective August 1<sup>st</sup> 2017 executed July 3<sup>rd</sup> 2017.

The contract provides for the collection and disposal of all residential and commercial, acceptable waste and special waste as defined in the contract which is generated within the corporate limits of the city, and further grants the contractor a license and permit to use the public streets, alley ways, easements and throughfares within the CITY for said business during the term of this contract.

It is the mutual interest of the City and the Contractor to amend this contract to include the following.

Section 5.3 CITY AS TO COLLECTOR: Delete in its entirety and replace with "The CITY shall submit statements directly to residential customers only, CONTRACTOR shall be responsible for direct billing all commercial and industrial customers.

EXHIBIT A, Replace in its entirety and replace with attached new EXHIBIT A, Republic will bill commercial customers the same rate as the City utilized prior.

Notices to CONTRACTOR shall be sent to:

General Manager  
Republic Services  
4709 Pine Street  
Abilene, Texas 79601

Notices to CITY shall be sent to:

Mayor  
City of Breckenridge TX  
105 N. Rose  
Breckenridge TX 76424

All other terms and conditions to the contract for Solid Waste Collection and Disposal are unchanged and remain in full force and effect.

This Amendment to the contract between the City of Breckenridge, Texas, and BFI Services of Texas LP DBA Republic Services of Abilene, is mutually agreed and accepted.

IN WITNESS WHEREOF, We the contracting parties, by our duly authorized agents hereto affix our signatures and seals this the \_\_\_\_\_ day of \_\_\_\_\_ 2022.

CITY OF BRECKENRIDGE  
A Municipal Corporation of  
Stephens County, Texas

By: \_\_\_\_\_  
Mayor

(Seal of the City of  
Breckenridge Texas

ATTEST:

\_\_\_\_\_  
City Secretary

CONTRACTOR

By: \_\_\_\_\_  
Bill Firestone,  
General Manager  
Republic Services of Abilene



# Commission Meeting Agenda Item Memorandum

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**ITEM TYPE**

Action Item

**MEETING DATE:**

June 7, 2022

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**PRESENTER:**

Jessica Sutter

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**ITEM DESCRIPTION:**

Consider approval of an amendment to the contract with Republic Services, removing section 5.3 of the contract and replacing it with "Republic to act as collector of Commercial accounts."

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**BACKGROUND INFORMATION:**

Effective May 1, 2022, Republic service began direct billing all commercial customers inside the city limits.

Republic will bill the commercial rates previously billed by the city to each customer and continue to pay the contracted 4% Franchise fee to the City.

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**FISCAL IMPACT:**
☒ Not Applicable

☐ Proposed Expenditure:

☐ General Ledger Code:

☐ Proposed Revenue:

☐ Budget Amendment Required: No

☐ Financial Review Completed by:

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**LEGAL REVIEW:**

Not applicable.

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**ATTACHMENTS:**

Updated Contract with Ammendments

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**RECOMMENDED MOTION AND/OR ACTION:**

Move to approve or deny an ammendment to the contract with Republic Services as presented.