

City of Pine Forest



Signed and agreed this 17th day of October, 2022.

Cathy Nagel, Mayor

Jesse Santana, Council Place 1

James McCullar, Council Place 2

Bobby Bernhardt

Bobby Bernhardt, Council Place 3

Cynthia Worsham

Cynthia Worsham, Council Place 4

Wesley Brown, Council Place 5

Attest: _____
City Attorney, Paul Fukuda



CITY OF PINE FOREST
305 NAGEL STREET
VIDOR, TX 77662
MAYOR: Cathy Nagel



PHONE: 409-786-4100
FAX: 409-786-4100
EMAIL: Cityofpineforest@gt.rr.com

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REGULAR MEETING: Monday September 12, 2022 at 6:00 PM, held at Pine Forest City Hall.

Council Present: Mayor Cathy Nagel, Mayor Pro-Tem/Council Member Place 2 James McCullar, Council Member Place 3 Bobby Bernhardt, and Council Member Place 5 Wesley Brown

Council Absent: Council Member Place 1 Jesse Santana and Council Member Place 4 Cynthia Worsham

Others Present: Noone

Item 1: Meeting Called to order at 6:00PM.

Item 2: Invocation.

Item 3: Pledges to the Unites States Flag and Texas State Flag.

Item 4: Citizen/Visitor's Forum: N/A

Item 5: Mayors Comments: Mayor Cathy Nagel informs council that the next day (September 13, 2022) following this meeting at Commissioners Court, they will be transferring the Police car information over to the city.

Item 6: Place 5 Council Member Wesley Brown made a motion to approve the Consent Agenda. Place 2 Council Member/Mayor Pro-Tem James McCullar 2nd the motion. **MOTION CARRIED BY ALL PRESENT**

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Item 7:

A. Report from Chief Bill Meza:

Routine Patrolling

Issuing more traffic violations

B. Report from Grant Coordinator (Lacey Turner):

Infrastructure:

Fittz & Shipman just finished the 100% design plans which were approved a few council meetings ago. I met with Langford, GLO & Fittz and Shipman this past month via conference call. Everything is on track.

Our next step is the archaeological dig. The contract was awarded for this service and should begin soon. Once the dig results come back, we will be able to move forward with the construction phase of the project.

Hurricane Harvey:

I spoke with Brian Contreras our TDEM/State Rep. on July 26th. I have sent close-out docs back to the State for review, he is now stating that the funds can be released prior to completion, being that it is a small cat Z project instead of waiting to be reimbursed after the work has been completed.

I have also forwarded Orange County all of the Scope and costing and coordinates for the approved, assigned Lakeview Cutoff pieces. The County stated that we could piggy back off of their current road projects and they could do the work for us without having to hire an engineer directly. We were awarded \$65,290.56 from FEMA and will have a 10% match. We were told by Traylor & Associates that the City can use part of the funds from the ARPA grant to cover the 10% match (\$6500). Once this is complete, we will finally be complete with all Hurricane Harvey projects.

I was also told FEMA made some adjustments to the DAC and we should be getting an additional \$1800 for Administrative cost associated with Hurricane Harvey that will go back into the general account. We are scheduled for this Friday to hold the RTM meeting to close out with FEMA, so we will officially be done with FEMA for Hurricane Harvey projects.

ARPA: American Rescue Plan Act:

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We currently have \$31,418.75 remaining funds from the 1st tranche and should be receiving another \$64,427.54 for the 2nd and final tranche of funds soon. Out of this total, we will be designating \$6,500 for the 10% Harvey road project match, and upcoming newsletter fees for postage, toner & paper. The Generac was installed on 8/4 and Centerpoint came out on 9/8 and ran a natural gas line to the property. We will now have to go out for bid to hire a plumber to connect the Generac to the gas line and then once it has been installed, it will have its final inspection by Allpro that installed the Generac to make sure everything is properly installed. We are hoping to be able to Utilize the remaining ARPA funds on street repairs unless Council has any other suggestions.

CDBG 2019 Floods & Hurricane Imelda:

Applications were due by August 1st. This is what we needed the community surveys for. We actually submitted 2 applications. One application was for Streets and drainage in the amount of 1 million, 10 thousand. The projects we selected were street improvements to improve drainage along Hulett Street & Kilmer Drive. The 2nd application was for development and construction for a water plant to provide water to the City in the amount of 1 million 10 thousand. We procured Traylor & Associates and Fittz & Shipman to work with on this Grant. Now we wait for approval of the applications.

H20 Hazard Mitigation Plan- (Orange County Community wide grant):

This is a grant that the county is submitting as a whole. We have attended several in-person and online meetings with the County and surrounding cities to brain storm eligible projects for each City and we also have several community wide projects that the county has chosen that will benefit the entire county. We have submitted our Action Plan to the County for review and have selected these eligible projects based upon our City needs such as assistance with Flood insurance premiums due to Hurricane Harvey, street & drainage improvements including water retention, detention ponds, upgrading culverts and clearing debris due to severe storms and weather, reconstruct city-wide flood prone properties, canopy cover in public park area for extreme heat & weather, area wide emergency alert system "Reverse 911" and digital weather signs, NOAA weather radios for police station and emergency response personnel, construct a community wide evacuation center, build safe room shelters in high risk areas for residents during severe weather alerts, and install outdoor city-wide warning siren. These projects are not guaranteed to be funded, but we at least have a good action plan to move forward with. The County will be submitting this application by , and then it will be a waiting stage. Will update when I have more information.

Update from Stevie with Orange County on H20

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Below is the remaining time line of the SETRPC Regional Hazard Mitigation Plan Update /Orange County Hazard Mitigation Plan Update:

- Orange County draft Plan will be submitted to Orange County and the participating jurisdiction, ISDs, and special districts for review by the end of this week, early next. We will request a 2 week review period in which any revisions or feedback will be due back to us.
- My mid August review feedback will be provided back to H2O and we will incorporate revisions into the Plan to submit to TDEM by August 31st, 2022.
- TDEM is usually a 6-week review period, however we are experiencing a longer review process on their end, so as of right now we are informing our clients to expect anywhere from 12-18 week review with TDEM.
- Once they complete their review, we will make any necessary revisions to submit to FEMA; if not revisions come from their review it will be send to FEMA for review and approval

I know Orange County plan expires on September 10th, 2022, in which we discussed with SETRPC and they further discussed on their 7/12/22 meeting the following:

- A letter can be sent requesting additional time to get approval to TDEM/FEMA for applications.
- This letter is called “Extraordinary Circumstance Letter (ECL)” – FEMA allows 12 months for ECL’s. If the counties or any of the participating jurisdictions have applied under 4485 or previous disasters, they can submit an extraordinary circumstance letter stating they will have an approved and adopted plan within 12 months of accepting the award and that will cover them, IF the plan isn’t approved at the time of the award from the grant.
- The extraordinary circumstance letter covers them for 12 months, however there shouldn’t be any reason for this review to take anywhere near that amount of time.
- Even with the plans being expired, the Counties and jurisdictions will remain eligible for Public Assistance funds due to a tropical storm. And then once the HMGP funds become available for the disaster and jurisdictions want to apply for mitigation funding, they can still submit a letter of extraordinary circumstances

CDBG 23-24

Though they haven’t yet been released, CDBG applications should be available soon. We just got the final list of approved COG priorities, so we’re ready to get the ball rolling. We do still have a few questions lingering with TDA, but I feel comfortable that we have enough information in hand to talk intelligently about any changes or new additions to the program.

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New for this year:

- Increased application amount – up to \$500,000
- Match would only be \$10,000 (yes, \$10,000!!!)
- Eligible activities – wait for it – include parks! Also, streets, water/sewer and all the normal CDBG eligible activities.

Just like last cycle, all applications are electronically entered in the TDA-GO system. There's not much change to the process leading up to submittal (PH, Resolution, etc.), but a few extra steps are needed early on to ensure everyone has access to the portal.

This year's scoring includes 3 criteria – 1) Were you funded in the last 3 cycles? 2) What is your poverty rate? and 3) Are you contributing enough match to get the maximum points for matching funds (a.k.a. – buying some points!!!)? Based on our projections, I believe the City would have a great chance at being funded.

We will be pursuing this grant, next step is procurement after council approval which is on this agenda.

FMA Grant (piggy back with county)-

submitted 1 household. 140 Nagel Street due to excessive flooding. No current update on this.

C. Report from the CFO (Connie Stanton):

We are at the end of this fiscal year. September 30 is the last and we will start a new one on October 1st. We have set up the hearings to adopt the budget and the tax rate. Tax rate did not change and unless there are any changes we will go with the budget that was discussed in the Budget Workshop.

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D. Report from Road Committee:

Wesley did some tree trimming around the bridge. He also cleaned the two sides of the bridge.

Item 8: Place 5 Council Member Wesley Brown made a motion to go out for bids for IT services. Place 3 Council Member Bobby Bernhardt 2nd the motion. **MOTION CARRIED BY ALL PRESENT**

Item 9: Discussion and possible action on valuation and sale of Grad-All. Still waiting for Mustang Cat to get back in touch with us on the appraisal.

Item 10: Discussion and possible action on quoted road repairs on Medford. **TABLED AND MOVED TO THE OCTOBER AGENDA**

Item 11. Place 5 Council Member Wesley Brown made a motion to get a quote on a new surface or cost of a battery exchange. **MOTION CARRIED BY ALL PRESENT**

Item 14: Place 5 Council Member Wesley Brown made a motion to eliminate policy No. 131 (Employment of Minors and Interns) from the personnel manual. Place 3 Council Member Bobby Bernhardt 2nd the motion. **MOTION CARRIED BY ALL PRESENT**

Item 18: Discussion and possible action on the process for updating policies. **DISCUSSION ONLY**

Item 12: Place 5 Council Member Wesley Brown made a motion to adopt new policy 330.2 to replace policy No. 330.1 Travel Policy. Place 3 Council Member Bobby Bernhardt 2nd the motion. **MOTION CARRIED BY ALL PRESENT**

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Item 13: Council Member Place 5 Wesley Brown made a motion to delete policy 130 Recruiting and Selection (contains 6 weeks hiring freeze) and replace it with Policy .031 Temporary Hiring Freeze (contains 8 weeks hiring freeze that is tied to Policy No. 40, Application Process). Place Council Member James McCullar/Mayor Pro-Tem 5th the motion. **MOTION CARRIED BY ALL PRESENT**

Item 15: Council Member Place 5 Wesley Brown made a motion to revise Policy No. 450. (Corrective Action and Discipline) Council Member Place 2 James McCullar/Mayor Pro-Tem 2nd the motion. **MOTION CARRIED BY ALL PRESENT**

Item 16: Council Member Place 5 Wesley Brown made a motion to revise Section 1.2 Agenda Procedures and Decorum. Place 3 Council Member Bobby Bernhardt 2nd the motion. **MOTION CARRIED BY ALL PRESENT**

Item 17: Council Member Place 5 Wesley Brown made a motion to adopt Policy No. 630.2 that will replace Policy No. 630.1. (Training) Council Member Place 2 James McCullar/Mayor Pro-Tem 2nd the motion. **MOTION CARRIED BY ALL PRESENT**

Item 19: Council Member Place 5 Wesley Brown made a motion to authorize Connie Stanton to sign the needed forms and send back to make changes to the current TML Insurance Policy. Council Member Place 2 James McCullar/Mayor Pro-Tem 2nd the motion. **MOTION CARRIED BY ALL PRESENT**

Item 20: Council Member Place 5 Wesley Brown made a motion to award Bruno's Landscaping to do the fence clearing and leveling of the dirt pile. Council Member Place 2 James McCullar/Mayor Pro-Tem 2nd the motion. **MOTION CARRIED BY ALL PRESENT**

Item 21: Council Member Place 5 Wesley Brown made a motion to pursue a 2023/24 TxCDBG grant and authorize the procurement of a grant administrator to assist in the application and implementation, if awarded. Council Member Place 3 Bobby Bernhardt 2nd the motion. **MOTION CARRIED BY ALL PRESENT**

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Item 22: Council Member Place 5 Wesley Brown made a motion to approve Mayor Cathy Nagel to attend the TML Economic Development Conference on November 16, 2022 thru November 18, 2022 in Bastrop Texas. The cost of registration thru October 31, 2022 is \$270 and after October 31, 2022 is \$295. **TABLED**

Item 23: Council Member Place 5 Wesley Brown made a motion to adjourn. Council Member Place 3 Bobby Bernhardt 2nd the motion. **MOTION CARRIED BY ALL PRESENT**

Adjournment @ 7:48 pm