

The City Commission of the City of Canyon met at 4:30 pm in the City Commission Chambers of the Civic Complex. Mayor Gary Hinders presided over the meeting with the following Commissioners in attendance, Kelsey Ward, and Paul R. Lyons. Commissioner Randy Ray arrived at 8:55 am. Mayor Pro-Tem Cody Jones arrived at 9:16 am.

Also present were the following City Staff: City Manager Joe Price, Assistant City Manager Jon Behrens, City Secretary Gretchen Mercer, IT Director Shaun Holtman, Finance Director Joel Wright, Budgeting and Purchasing Manager Beau Boyer, Business and Community Development Interim Director Larry Tucker, Chief of Police Steve Brush, Police Captain Matt Coggins, Fire Chief Dennis Gwyn, Planning and Development Director Danny Cornelius, Planning and Development Assistant Director Craig Brown, Municipal Court Judge Jennifer Cates, Municipal Court Clerk Sheila Roach, Parks Director Brian Noel, Director of Public Works Dan Reese, Street and Solid Waste Superintendent Brendon Banner, Water Superintendent Eric Whitten, Wastewater Superintendent John Poole, Public Works Administrative Assistant Sarah Jusiak, EDC Administrative Assistant Brittney Bates, Main Street Program Coordinator Kirstie Proctor, City Engineer Adolfo Garcia, and City Attorney Chuck Hester.

Item 1. Call to Order.

Mayor Hinders called the meeting to order at 8:35 a.m.

Item 2. Invocation.

Commissioner Ward gave the invocation.

Item 3. Pledge of Allegiance.

The Pledge of Allegiance was led by Commissioner Lyons.

Item 4. Approval of the Minutes of the Meeting of June 20, 2022

Commissioner Lyons moved, duly seconded by Commissioner Ward to approve the minutes of June 20, 2022 as presented. Motion carried unanimously.

Item 5. Public Comment – Comments from Interested Citizens.

No comments were made.

NOTE – MAYOR HINDERS MOVED TO ITEM 8.

Item 8. Consider and Take Appropriate Action on Resolution No. 17-2022, A Resolution of the City Commission of the City of Canyon Approving a Project Funding Agreement Between C Mad Tea Co. LLC dba HTeaO and Canyon Economic Development Corporation Relating to Direct Financial Assistance and Job Creation Incentives.

Economic Development Corporation Interim Director Larry Tucker presented Resolution No. 17-2022 for the first of two required readings. Mr. Tucker said The CEDC Board unanimously approved project funding for C Mad Tea Co, LLC dba HTeaO. Mr. Tucker said C Mad Tea Co,

LLC, dba HTeaO is a new business and the funding would provide job incentives and direct funding assistance not to exceed \$204,000. Mr. Tucker stated a public hearing was held July 14, 2022 with no opposition.

No action required, first reading only.

RESOLUTION NO. 17-2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON APPROVING PROJECT FUNDING AGREEMENT BETWEEN C MAD TEA CO, LLC AND CANYON ECONOMIC DEVELOPMENT CORPORATION RELATING TO DIRECT FINANCIAL ASSISTANCE AND JOB CREATION INCENTIVES.

- Item 9. Consider and Take Appropriate Action on Resolution No. 18-2022, A Resolution of the City Commission of the City of Canyon Approving a Project Funding Agreement Between Canyon Main Street and Canyon Economic Development Corporation Relating to Creation of a Mural Project for the City of Canyon.

Economic Development Corporation Interim Director Larry Tucker presented Resolution No. 18-2022 for the first of two required readings. Mr. Tucker said The CEDC Board unanimously approved project funding for the Canyon Main Street Mural Project for \$12,500. Mr. Tucker said this was for the creation of a mural in Canyon with the location to be recommended by the Canyon Main Street Design Committee. Mr. Tucker stated a public hearing was held July 14, 2022 with no opposition.

No action required, first reading only.

RESOLUTION NO. 18-2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON APPROVING PROJECT FUNDING AGREEMENT BETWEEN CANYON MAIN STREET AND CANYON ECONOMIC DEVELOPMENT CORPORATION RELATING TO NEW MURAL PROJECT FOR CITY OF CANYON.

NOTE – MAYOR HINDERS MOVED TO ITEM 11.

- Item 11. Consider and Take Appropriate Action on Ordinance No. 1158, An Ordinance of the City of Canyon, Texas, Amending Section 33.31 (A) of the Code of Ordinances to Provide for Collection of Hotel Occupancy Tax Within the Extraterritorial Jurisdiction of the City of Canyon; Repealing Portions of Ordinances in Conflict with the Amended Ordinance; Providing for Severability; Providing for a Penalty and Providing for an Effective Date.

Assistant City Manager Jon Behrens presented Ordinance No. 1158 for consideration. Mr. Behrens stated the City of Canyon currently collects a 7% local hotel tax from all short-term rentals

and hotels with the city limits of Canyon. Mr. Behrens the adoption of Ordinance No. 1158 would allow the city to also collect hotel tax within the extraterritorial jurisdiction (ETJ) of Canyon.

After discussion, Commissioner Ward moved, duly seconded by Commissioner Lyons to adopt Ordinance No. 1158 amending section 33.31 (A) of the Code of Ordinances to provide for collection of hotel occupancy tax within the Extraterritorial Jurisdiction of the City of Canyon. Motion carried unanimously.

ORDINANCE NO. 1158

AN ORDINANCE OF THE CITY OF CANYON, TEXAS, AMENDING SECTION 33.31 (A) OF THE CODE OF ORDINANCES TO PROVIDE FOR COLLECTION OF HOTEL OCCUPANCY TAX WITHIN THE CITY LIMITS OF THE CITY OF CANYON, THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF CANYON; OBLIGATING HOTELS TO COLLECT THE HOTEL OCCUPANCY TAX FOR OCCUPANCY ARRANGED BY OCCUPANTS, ONLINE TRAVEL COMPANIES OR OTHER THIRD PARTY AGENTS; REPEALING PORTIONS OF ORDINANCES IN CONFLICT WITH THE AMENDED ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY AND PROVIDING FOR AN EFFECTIVE DATE.

- Item 12. Consider and Take Appropriate Action on Ordinance No. 1159, An Ordinance of the City Commission of the City of Canyon, Texas, Amending Ordinance No. 1147 – TIRZ #1 Downtown Canyon; Section 2 – Findings, Section 4 – Board of Directors, and Section 8 – Tax Increment Contribution; Providing a Severability Clause; and Declaring an Effective Date.

Assistant City Manager Jon Behrens presented Ordinance No. 1159 for consideration. Mr. Behrens said with the adoption of Ordinance No. 1147 establishing the Downtown TIRZ Zone #1 the City of Canyon was the only taxing entity that was participating in the TIRZ. Mr. Behrens stated the Randall County Commissioners voted to join the TIRZ at the July 12, 2022 Commission meeting and signed a participation agreement with the City of Canyon. Mr. Behrens said with the addition of Randall County to the TIRZ, the structure of the Board of Directors needed updating.

After discussion, Commissioner Lyons moved, duly seconded by Commissioner Ward to adopt Ordinance No. 1159 amending Ordinance No. 1147 Section 2, Section 4, and Section 8. Motion carried unanimously.

ORDINANCE NO. 1159

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS, AMENDING ORDINANCE NO. 1147 – TIRZ #1 DOWNTOWN CANYON; SECTION 2 – FINDINGS, SECTION 4 – BOARD OF DIRECTORS, AND SECTION 8 – TAX INCREMENT CONTRIBUTION; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

NOTE – MAYOR HINDERS MOVED TO ITEM 10.

Item 10. Consider and Take Appropriate Action on a Plat for Hackberry Creek Unit No. 1, a Subdivision Within the Extraterritorial Jurisdiction of the City of Canyon.

Director of Planning and Development Danny Cornelius presented a Plat for Hackberry Creek Unit No. 1. Mr. Cornelius submitted by Dustin Davis, representing Duckbutter, Inc, Mr. Cornelius said Hackberry Creek Unit No. 1, a 20.05 acre, 6 lot development is not located in Canyon City Limits, but is located in the ETJ and the City of Canyon has the authority to approve plats within the ETJ. Mr. Cornelius said the drainage report had been submitted and approved as well as the Base Flood Elevations for the flood zone. Mr. Cornelius said there will not be any public improvements associated with the subdivision.

After discussion, Commissioner Lyons moved, duly seconded by Mayor Pro-Tem Jones to approve the plat for Hackberry Creek Unit No. 1. Motion carried unanimously.

NOTE – MAYOR HINDERS MOVED TO ITEM 6.

Item 6. Work Session – Budget Worksession.

Purchasing and Budget Manager Beau Boyer presented the 2022 – 2023 proposed City of Canyon Budget.

After discussion, the Commission scheduled a 2nd Budget Worksession for Tuesday, July 26, 2022 beginning at 4:30 pm.

Item 7. Consider and Take Appropriate Action on Resolution No. 19-2022, A Resolution of the City Commission of the City of Canyon, Texas to Provide for Intergovernmental Cooperation in Funding Children’s Health and Safety Through Child Abuse Prevention, Prosecution, and Intervention Programs Provided by the Bridge Children’s Advocacy Center in Amarillo, Texas.

City Attorney Chuck Hester presented Resolution No. 19-2022 for consideration. Mr. Hester said in 1995 legislation was adopted allowing Counties to charge a child safety fee on motor vehicle registrations. After deduction of a 10% administrative fee and a proportional share for County residents living in unincorporated areas of the County, the balance would be paid to municipalities in the County. On June 14, 2022 the Randall County Commissioners voted to impose the child safety fee of \$1.50 per registration and to remit the county portion of the fee to the Bridge. The adoption of Resolution No. 19-2022 directs that the portion of the fee otherwise payable to the City of Canyon be remitted to the Bridge to further the work of child abuse prevention, prosecution, and intervention.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Ray to adopt Resolution No. 19-2022 providing for intergovernmental cooperation in funding Children's Health and Safety through child abuse prevention, prosecution, and intervention programs provided by the Bridge Children's Advocacy Center in Amarillo, Texas. Motion carried unanimously.

RESOLUTION NO. 19-2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS TO PROVIDE FOR INTERGOVERNMENTAL COOPERATION IN FUNDING CHILDREN'S HEALTH AND SAFETY THROUGH CHILD ABUSE PREVENTION, PROSECUTION, AND INTERVENTION PROGRAMS PROVIDED BY THE BRIDGE CHILDREN'S ADVOCACY CENTER IN AMARILLO, TEXAS.

MAYOR HINDERS INDICATED THE COMMISSION WOULD TAKE A 10 MINUTE BREAK AT 11:02 A.M.

NOTE – MAYOR HINDERS MOVED TO ITEM 13

Item 13. Consider and Take Appropriate Action on Proposed Agreement with Payments for Remote Electronic Payment Solution for City of Canyon Utility Billing Customer Convenience.

This item was put aside for a future meeting.

Item 14. Consider and Take Appropriate Action on TML Health Benefits Pool Board of Trustees Election – Notice of Opportunity to Submit the Name of Qualified Person for Election.

City Manager Joe Price presented information for the opportunity to submit a name to serve a 3 year term on the TML Health Benefits Pool Board of Trustees. Mr. Price stated he was currently serving on the board and would like to serve another term if elected.

After discussion, Commissioner Ray moved, duly seconded by Commissioner Ward to submit City Manager Joe Price for election to the TML Health Board of Trustees Region 2 for a 3 year term beginning October 1, 2022.

Item 15. Consider and Take Appropriate Action on Development Funding Report- Freese & Nichols, and Authorizing the City Manager to Move Forward with the Development and Release of a Request for Qualifications (RFQ) Related to Professional Services for the Review and Updating of the City's Infrastructure Systems, Needs for Expansion and funding Options.

Assistant City Manager Jon Behrens introduced Chance Sparks, Heather Keister and Dan Sefco of Freese and Nichols who presented a review of ways to address infrastructure expansion, funding methods and recommended actions that would help the City of Canyon with continued growth in a fiscally responsible way.

After discussion, Commissioner Lyons moved to not move forward with the development and release of a RFQ related to professional services for the review and updating of the city's infrastructure systems, needs for expansion and funding options. Motion died due to lack of a second.

Commissioner Ray moved, duly seconded by Mayor Pro-Tem Jones to put aside the consideration of the development and release of a RFQ related to professional services for the review and updating of the city's infrastructure systems, needs for expansion and funding options. Motion carried 4-1 with Commissioner Lyons voting against.

Item 16. Presentation from City Engineer Updating Status of Current Public Works Projects.

City Engineer Adolpho Garcia updated the Commission on the status of current projects within the City of Canyon.

No action, informational only.

Commissioner Ray left the meeting at 12:40 pm.

Item 17. Executive Session Pursuant to §551.071 Consultation with Attorney, §551.072 Deliberations about Real Property, §551.074 Board Appointments (Board of Community Development) and §551.074 Personnel Matters (Municipal Court Judge and City Attorney).

Mayor Hinders indicated the City Commission would adjourn into Executive Session at 12:46 pm.

Item 18. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Upon returning from Executive Session at 2:01 pm, the following action was taken.

Mayor Hinders moved, duly seconded by Mayor Pro-Tem Jones to appoint Lynden Harrison, Lindsay Mayhew, and Matthew Wright to the Board of City Development. Motion carried unanimously.

Mayor Pro-Tem Jones moved, duly seconded by Commissioner Ward to appoint City Attorney Chuck Hester for another year with a 3% merit and COLA, if approved. Motion carried unanimously.

Item 19. Adjourn.

There being no further business, Commissioner Ward moved this meeting be adjourned at 2:02 pm.

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Secretary4