

1. 01-14-2021 Agenda (PDF)

Documents:

[01-14-21 AGENDA.PDF](#)

2. 01-14-2021 Agenda Packet (PDF)

Documents:

[1-14-21 AGENDA PACKET.PDF](#)



**CITY OF MARSHALL, TEXAS
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL, 401 SOUTH ALAMO
THURSDAY, JANUARY 14, 2021, 6:00 P.M.**

This meeting will be conducted utilizing a video and audio conferencing tool, as well as, a standard conference call. Instructions and direct links to view the meeting or speak during Citizen Comment can be found at www.marshalltexas.net.

**AGENDA INFORMATION PACKET IS AVAILABLE FOR THE
PUBLIC TO REVIEW ON THE CITY'S WEB SITE AFTER 8:00 A.M.
ON WEDNESDAY BEFORE THE MEETING AT**

www.marshalltexas.net

1. **CALL TO ORDER AND ROLL CALL**
2. **INVOCATION AND PLEDGES**
3. **CITIZEN COMMENTS**

House Bill 2840 requires that a governmental body must allow each member of the public who desires to address the body regarding an item on an agenda the opportunity to do so before or during the body's consideration of the item. The "Citizens Comments" portion of the meeting meets the requirements of this law and is the public's opportunity to speak on any item on, or not on, the agenda. Those who wish to speak will have three minutes to do so unless additional time has been requested.

4. **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**
5. **CONSENT AGENDA**

The items on the Consent Agenda require little or no deliberation by the Council. Approval of the Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations, a copy of which is filed with the minutes of the meeting. A Councilmember may remove items from the Consent Agenda by making such request prior to a motion and vote on the Consent Agenda.

- A. Consider approval of the minutes from the December 10, 2020 Regular meeting.
- B. Street Sweeping Activity Report. (Public Works Director)

- C. Monthly Financial Report. (Finance Director)
- D. Municipal Court Activity Report. (Finance Director)
- E. Consider approval of an Interlocal Agreement with Harrison County for Animal Shelter Services. (City Manager)
- F. Consider approval of a contract with the Harrison County Elections Administrator for the May 1, 2021 Elections. (City Secretary)

6. **CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION**

- A. Discussion of and consideration of the 2021 City Council meeting schedule. (City Manager)
- B. Discussion of and consideration of changes to the Marshall Fire Fighters Relief and Retirement Fund. (Finance Director)
- C. Consider approval to award a contract for the Travis Street Water Main Improvement project. (Public Works Director)
- D. Consider approval of Small Business Grant Fund Applications. (Community & Economic Development Director)

7. **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**

8. **EXECUTIVE SESSION**

- A. Executive Session pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code under Section 551.074 Personnel Matters: Discuss or deliberate the appointment, employment, evaluation, reassignment, or duties of a public officer or employee: City Secretary.
- B. Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Section 551.071 – Consultation with Attorney to discuss matters related to pending or contemplated litigation.

9. **ADJOURNMENT**

Posted: January 11, 2021
5:00 p.m.
N. Smith

This meeting will be conducted in accordance with the Americans with Disabilities Act. Requests for sign interpretive services will be available with at least 72-hour notice prior to the meeting. To make arrangements for these services, please call the City Secretary's Office at 903-935-4446.



**CITY OF MARSHALL, TEXAS
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Page 2

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Page 3

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- A. Consider approval of the minutes from the December 10, 2020 Regular meeting.
Page 5
- B. Street Sweeping Activity Report. (Public Works Director)
Page 11
- C. Monthly Financial Report. (Finance Director)
Page 15
- D. Municipal Court Activity Report. (Finance Director)
Page 19
- E. Consider approval of an Interlocal Agreement with Harrison County for Animal Shelter Services. (City Manager)
Page 26
- F. Consider approval of a contract with the Harrison County Elections Administrator for the May 1, 2021 Elections. (City Secretary)
Page 30

6. **CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION**

- A. Discussion of and consideration of the 2021 City Council meeting schedule. (City Manager)
Page 40
- B. Discussion of and consideration of changes to the Marshall Fire Fighters Relief and Retirement Fund. (Finance Director)
Page 43
- C. Consider approval to award a contract for the Travis Street Water Main Improvement project. (Public Works Director)
Page 46
- D. Consider approval of Small Business Grant Fund Applications. (Tourism & Cultural Arts Director)
Page 50

7. **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**
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Page 56

Marshall City Commission Meeting

January 14, 2021

Page 3

- B. Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Section 551.071
– Consultation with Attorney to discuss matters related to pending or contemplated litigation.
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ITEM 1

CALL TO ORDER AND ROLL CALL

ITEM 2

INVOCATION AND PLEDGES

ITEM 3

CITIZEN COMMENTS

ITEM 4

ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA

ITEM 5A

CONSENT AGENDA

**CONSIDER APPROVAL OF THE
MINUTES FROM THE DECEMBER 10,
2020 REGULAR MEETING**

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MARSHALL
THURSDAY, DECEMBER 10, 2020
6:00 PM

Mayor Pro-Tem Amy Ware called the Regular meeting to order in the Council Chambers, City Hall at 6:00 p.m.

PRESENT:

MAYOR PRO-TEM: Amy Ware, District 4

COUNCIL MEMBERS:

Marvin Bonner, District 1	Leo Morris, District 2
Vernia Calhoun, District 5	Amanda Abraham, District 6
Micah Fenton, District 7	

ABSENT: Terri Brown, District 3 (excused Motion: Morris Second: Abraham
vote 6:0)

ADMINISTRATIVE STAFF PRESENT:

Mark Rohr, City Manager	Reggie Cooper, Fire Chief
Scott Rectenwald, Acting City Attorney	Cliff Carruth, Police Chief
Randy Pritchard, Support Services Superintendent	
Glenna Williams, Acting City Secretary/Finance Director	
Eric Powell, Public Works Director	
Fabio Angell, Community & Economic Development Director	
Mallori James, Tourism & Cultural Arts Director	
Rachel Skowronek, Main Street Manager	
Stormy Nickerson, Management Analysis/Communications Coordinator	
Nikki Smith, Deputy City Secretary/Payroll Accountant	

INVOCATION & PLEDGE:

263. **CITIZEN COMMENTS**

There were no citizen comments.

264. **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

Item G was withdrawn from the Consent Agenda.

265. **CONSENT AGENDA**

Councilmember Morris made a motion to approve the Consent Agenda. Councilmember Calhoun seconded the motion, which passed with a vote of 6:0.

- A. Consider approval of the minutes from the November 12, 2020 Regular meeting.
- B. Monthly financial report.
- C. Street Sweeping Activity Report.
- D. Municipal Court Activity Report.
- E. Consider approval of an Interlocal Agreement with Harrison County for Public Library Services.

Page 2

- F. Consider approval of an Interlocal Agreement with Harrison County for Ambulance/Rescue Services.
- H. Consider approval of the annual Interlocal Agreement with the Marshall-Harrison County Health District.

ORDINANCES

266. CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE 2020 ANNUAL BUDGET TO APPROPRIATE FUNDS FOR PROJECTS APPROVED BY THE CITY COUNCIL.

Glenna Williams, Acting Finance Director, asked for approval of an ordinance amending the 2020 Annual Budget to appropriate funds for projects approved by the City Council.

Councilmembers asked questions and discussed.

Councilmember Calhoun made a motion to approve an Ordinance amending the 2020 Annual Budget to appropriate funds for projects approved by the City Council. Councilmember Bonner seconded the motion, which passed with a vote of 6:0.

267. CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE 2020 ANNUAL BUDGET TO PROVIDE FOR YEAR-END ADJUSTMENTS IN SELECTED DEPARTMENTS.

Glenna Williams asked for approval of an ordinance amending the 2020 Annual Budget to provide for year-end adjustments in selected departments.

Councilmembers asked questions and discussed.

Councilmember Calhoun made a motion to approve an Ordinance amending the 2020 Annual Budget to provide for year-end adjustments in selected departments. Councilmember Morris seconded the motion, which passed with a vote of 6:0.

SECOND READING OF ORDINANCE

268. CONSIDER APPROVAL OF AN ORDINANCE AMENDING CHAPTER 14, GARBAGE, TRASH, AND WEEDS OF THE CODE OF ORDINANCES, REVISING THE SCHEDULE OF REFUSE RATES, PROVIDING FOR MONTHLY CHARGES, AND ESTABLISHING AN EFFECTIVE DATE OF JANUARY 1, 2021.

Eric Powell, Public Works Director, stated there were no changes to this item.

Councilmember Calhoun made a motion to approve an Ordinance amending Chapter 14, Garbage, Trash, and Weeds of the Code of Ordinances, revising the schedule of refuse rates, providing for monthly charges, and establishing an effective date of January 1, 2021. Councilmember Abraham seconded the motion, which passed with a vote of 6:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION

269. **CONSIDER APPROVAL OF SMALL BUSINESS GRANT FUND APPLICATIONS.**

Rachel Skowronek asked for approval of \$2,500 for each business that completed applications between November 4, 2020 and December 2, 2020.

Councilmember Abraham made a motion to approve \$2,500 to each business that completed applications between November 4, 2020 and December 2, 2020. Councilmember Bonner seconded the motion, which passed with a vote of 6:0.

270. **CONSIDER APPROVAL OF APPOINTMENTS AND REAPPOINTMENTS TO THE VARIOUS CITY BOARDS, COMMISSIONS, AND COMMITTEES.**

Mark Rohr, City Manager, stated an amendment to the Main Street Advisory Board was needed to state the positions for Karen Bickerdike, Joseph Filippazo, Deborah Parker and Deb Sorich are not expiring, Lucy Golladay, Suzanne Carter and Sam Moseley are eligible for reappointment and there are three vacancies needing to be filled.

Councilmember Calhoun made a motion to approve the amendment to the Main Street Advisory Board. Councilmember Bonner seconded the motion, which passed with a vote of 6:0.

Mark Rohr asked for approval of appointments and reappointments of citizens who applied for positions to the various City boards, commissions, and committees as amended.

Councilmember Morris made a motion to approve appointments and reappointments of citizens who applied for positions to various City boards, commissions, and committees as amended. Councilmember Calhoun seconded the motion, which passed with a vote of 6:0.

271. **CONSIDER APPROVAL OF TWO APPOINTMENTS TO THE MARSHALL ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS.**

Rush Harris, Executive Director of MEDCO, asked for approval of two appointments to the Marshall Economic Development Corporation Board of Directors.

Councilmembers asked questions and discussed.

Councilmember Calhoun made a motion to approve two appointments to the Marshall Economic Development Corporation Board of Directors. Councilmember Abraham seconded the motion, which passed with a vote of 6:0.

272. **DISCUSS, CONSIDER, DELIBERATE AND ACT UPON A REQUEST FROM THE HOUSING AUTHORITY OF THE CITY OF MARSHALL TO WAIVE PAYMENT OF AMOUNTS DUE TO THE CITY OF MARSHALL AS PAYMENT IN LIEU OF TAXES (PILOT) FOR YEARS 2017, 2018, 2019, AND 2020.**

Mark Rohr stated this item was recently brought to the attention of City Staff. He stated the funds were not budgeted for since they were not anticipated.

Page 4

Scott Rectenwald, Acting City Attorney, provided information regarding payment due from the Housing Authority. He asked the Council to approve a resolution waiving the payment amounts due to the City of Marshall as Payment in Lieu of Taxes (PILOT) for years 2017, 2018, 2019, and 2020.

Councilmembers asked questions and discussed.

Tom McClurg, Interim Director of the Housing Authority, stated they have a document outlining the duties of the Housing Authority and he would provide that to the Council.

Councilmember Calhoun made a motion to approve a resolution waiving the payment amounts due to the City of Marshall as Payment in Lieu of Taxes (PILOT) for years 2017, 2018, 2019, and 2020. Councilmember Fenton seconded the motion, which passed with a vote of 6:0.

273. STATUS UPDATE ON MUNICIPAL COURT OPERATIONS.

Mark Rohr stated a discussion was needed regarding open dates for the Court.

Glenna Williams asked Brendan Roth, Municipal Judge and Leland Benoit, Municipal Court Administrator to provide an update on Municipal Court operations.

Councilmembers asked questions and discussed.

274. CONSIDER APPROVAL OF THE INTERLOCAL AGREEMENT WITH THE EAST TEXAS COUNCIL OF GOVERNMENTS FOR TRANSPORTATION SERVICES.

Mark Rohr stated the Interlocal Agreement with the East Texas Council of Governments for Transportation Services will expire December 31, 2020. This agreement will be for the term of one year beginning January 1, 2021 with automatic renewals on a year-to-year basis for up to five years. He stated an amendment needed to be made to page 5 of the agreement to insert the annual cost of \$35,000.

Councilmember Calhoun made a motion to amend the agreement to insert the annual cost of \$35,000 on page 5. Councilmember Morris seconded the motion, which passed with a vote of 6:0.

Councilmember Fenton made a motion to approve the Interlocal Agreement with the East Texas Council of Governments for Transportation Services as amended. Councilmember Bonner seconded the motion, which passed with a vote of 6:0.

275. CONSIDER APPROVAL OF A CONTRACT EXTENSION WITH CHEMPRO SERVICES, INC. FOR 2021 VEGETATION MANAGEMENT SERVICES.

Eric Powell asked for approval of the final extension with ChemPro Services, Inc. for vegetation management services at the same price structure as approved in the original contract.

Councilmember Morris made a motion to approve a contract extension with ChemPro Services, Inc. for 2021 vegetation management services. Councilmember Calhoun seconded the motion, which passed with a vote of 6:0.

276. CONSIDER APPROVAL OF FINANCING FOR A NEW BACKHOE FOR THE PUBLIC WORKS DEPARTMENT.

Eric Powell provided information regarding financing for a new backhoe for the Public Works Department. Eric asked for approval to utilize a lease/purchase option as provided by Associated Supply Company, Inc. at a cost of \$24,350 annually for the three year lease term with the option to purchase at the end of the lease.

Councilmembers asked questions and discussed.

Councilmember Bonner made a motion to approve financing for a new backhoe for the Public Works Department. Councilmember Fenton seconded the motion, which passed with a vote of 6:0.

277. REPORT REGARDING A CHECK RECEIVED FROM AEP/SWEPCO, IN THE AMOUNT OF \$13,350.00, FOR THE CITY'S PARTICIPATION IN THE 2020 AEP/SWEPCO LOAD MANAGEMENT PROGRAM.

Eric Powell stated the City received a check in the amount of \$13,350 in recognition of our participation in the 2020 SWEPCO Load Management Program at the City Water Intake Plant on Big Cypress Bayou.

278. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

G. Consider approval of an Interlocal Agreement with Harrison County for Inmate Services.

Councilmember Bonner stated his reasons for pulling this item.

Mark Rohr stated inmate services have been utilized in the past and is anticipated to be used in the future for projects such as the animal adoption center.

Councilmember Abraham made a motion to approve Item G of the Consent Agenda. Councilmember Calhoun seconded the motion, which passed with a vote of 6:0.

279. ADJOURNMENT

Councilmember Bonner made a motion for adjournment. Councilmember Calhoun seconded the motion, which passed with a vote of 6:0.

APPROVED:

**Mayor Pro-Tem of the City Council
of the City of Marshall, Texas**

ATTEST:

Deputy City Secretary

**Ordinances: O-20-27
O-20-28
O-20-29
Resolution: R-20-25**

ITEM 5B

CONSENT AGENDA

STREET SWEEPING ACTIVITY REPORT



TO: Members of the City Council

FROM: Eric Powell, PE 
Director of Public Works/City Engineer

DATE: January 4, 2021

SUBJECT: Street Sweeping Activity Report for December 2020

The Street Sweeping Activity Report for the month of December 2020 is attached for your review.

STREET SWEEPING ACTIVITY REPORT

DECEMBER 2020

STREET NAME	NUMBER OF TIMES SWEPT
N. Allen Blvd.	1
S. Allen Blvd.	1
Ambassador Blvd.	2
Ann Dr.	1
Austin St. (Downtown)	8
Bergstrom Place	1
Bolivar St. (Downtown)	8
S. Bolivar St.	1
Bridle Path	1
Buena Vista Dr.	1
Burleson St. (Downtown)	8
Carters Ferry Rd.	1
Cherrywood Circle	1
Courthouse Square	8
City Hall (surrounding streets)	2
Emory St.	1
Fisher Dr.	1
Fitzgerald St.	1
S. Garrett St.	1
Henley Perry Dr.	1
Hughes St.	1
Jefferson Ave.	1
John Reagan St.	1
E. Houston St.	1
Idylwild Terrace	8
Indian Springs Rd.	1
Linwood Dr.	1
Marshall St.	1
Memorial Dr.	2
Merritt St.	1
Morton St.	1
Nehls St.	1
Norwood St.	1
Palm Plaza	1

Parker St.	1
Pecan St.	1
Pine Burr Circle	1
Pine Burr Terrace	2
Poplar St.	1
Redwood Trail	1
Rosborough Springs Rd.	1
Rusk St. (Downtown)	8
Sallie Sue Dr.	1
Sanford St.	2
Sedberry St.	1
Shirley St.	1
Slone Dr.	1
Starr Circle	1
E. Travis St.	2
University Ave.	1
Van Zandt Ave.	1
Visual Art Center (parking lot/surrounding area)	1
Warren Dr.	2
N. Washington Ave. (Downtown)	8
Wellington St.	1
Wildwood Terrace	2

TOTAL NUMBER STREETS/AREAS SWEPT IN DECEMBER: 56

ITEM 5C

CONSENT AGENDA

MONTHLY FINANCIAL REPORT

MEMORANDUM

To: Mark Rohr, City Manager

From: Glenna Williams, Finance Director

Date: January 14, 2021

Subject: November Revenue and Expense Report Summaries – General Fund and Water and Sewer Enterprise Fund

Attached is the Revenue and Expense Report Summaries for November. This report provides current month, year to date, and budgeted amounts for major revenue categories and expenditures by department. The report also provides a percent of current budget. On average, a department will expend approximately 8.33% of its budget on a monthly basis and this can be used as a benchmark when reviewing this report.

CITY OF MARSHALL
REV/EXP/BUD - SHORT REPORT - NEW
PERIOD ENDING: NOV, 2020

	CURRENT MONTH	CURRENT YTD	PRIOR YTD	REVISED ADOPTED BUDGET	ADOPTED BUDGET	11/12 OF ADOPTED BUDGET	PERCENT OF ADOPTED (11 month norm=91.67%)	REMAINING BUDGET
GENERAL FUND								
REVENUES:								
TAXES	1,553,351	11,502,987	11,004,462	12,467,306	12,467,306	11,428,364	92.3%	A 964,319
LICENSES & PERMITS	12,949	153,654	175,698	178,000	178,000	163,167	86.3%	24,346
INTERGOVERNMENTAL REVENUE	350,353	493,487	112,187	161,235	161,235	147,799	306.1%	B -332,252
FEES	419,858	4,616,780	4,428,453	5,200,894	5,200,894	4,767,486	88.8%	C 584,114
FINES & FORFEITURES	23,785	251,820	544,371	484,332	484,332	443,971	52.0%	D 232,512
MISCELLANEOUS REVENUE	307,417	2,129,045	2,000,098	2,585,831	2,573,331	2,358,887	82.7%	E 444,286
TOTAL GENERAL FUND REVENUE	2,667,713	19,147,773	18,265,269	21,077,598	21,065,098	19,309,673	90.90%	1,917,325
EXPENSES:								
GENERAL GOVERNMENT	45,832	491,753	425,730	555,300	555,300	509,025	88.6%	63,547
FINANCE	34,501	441,778	489,033	522,314	522,314	478,788	84.6%	80,536
POLICE	425,504	4,445,845	5,171,894	5,153,135	5,153,135	4,723,707	86.3%	E 707,290
FIRE	331,192	3,859,001	3,902,512	4,144,820	4,144,820	3,799,418	93.1%	285,819
PUBLIC WORKS	327,030	4,101,656	4,149,793	5,034,940	4,768,142	4,370,797	86.0%	F 666,486
COMMUNITY & ECONOMIC DEV	38,059	479,044	438,455	610,969	598,469	548,597	80.0%	119,425
SUPPORT SERVICES	74,583	820,583	1,420,688	887,855	905,449	829,995	90.6%	G 84,866
TOURISM & CULTURAL ARTS	79,576	895,003	383,081	1,206,297	1,206,297	1,105,772	74.2%	G 311,294
PARKS & RECREATION	33,436	353,485	681,137	439,866	530,892	486,651	66.6%	177,407
NON DEPARTMENTAL	256,086	2,116,874	1,873,249	2,226,990	2,045,370	1,874,923	103.5%	-71,504
APPRAISAL DISTRICT		93,308	93,487	97,910	97,910	89,751	95.3%	4,602
INTERFUND TRANSFERS		318,543		866,316	537,000	492,250	59.3%	H 218,457
CAPITAL OUTLAY			114,473					
TOTAL GENERAL FUND EXPENSES	1,645,798	18,416,874	19,143,532	21,746,712	21,065,098	19,309,673	87.4%	2,648,224
TOTAL GENERAL FUND	1,021,915	730,899	(878,263)	(669,114)				I (730,899)

A - YTD Tax Revenue is up \$499k from prior year. Current YTD tax revenue includes sales taxes (down \$12k from 2019), property taxes (up \$540, and franchise taxes (down \$29k).

B - Intergovernmental Revenue increased \$381k from 2019. \$32k of this increase is for a COVID-19 grant the Fire Dept. received from Emergicon; \$359k is for revenue from a CARES (Coronavirus Relief Fund) grant.

C - An increase in Fee Revenue (up \$188 from 2019) can be attributed to \$79k of additional ambulance revenue and \$221k of higher refuse collection fees. This increase is offset by lower revenue from Tourism and Cultural Arts venues.

D - Fines & Forfeitures revenue is down \$293k from last year. \$208k of this reduction is due to the loss of Traffic Light Revenue; the balance, \$85k, is from lower Municipal Court fines resulting from Covid-19.

E - Offsetting revenue & expenses (totaling \$612k) were recorded in 2019 for the lease purchase of 12 police vehicles; this explains the reduction in Misc Revenue & Police Expenses from prior year.

Also in Miscellaneous revenue is a \$48k reduction in interest earnings, \$431k increase in interfund transfers, and \$143k sale of property.

F - Public Works expenses are \$48k lower than last year. Phase 1 of the street repair program is complete and payment has been made. Phase 2 is under construction and will be completed in 2021. \$173K was paid to State of Texas for Johnson St. Sidewalk.

G - Expenses are lower in many of the departments as some employees were furloughed and venues closed. Most of the employees have returned to work, but not all venues are open. The reduction in revenue should be offset by the reduction in expenditures.

H - Interfund transfers are for payment of debt.

I - General Fund YTD Net Income totals \$731k versus \$-878k in 2019. This increase is primarily a result of lower expenses in many departments and higher property tax revenue. Budget Amendments approved by the Commission are reflected in the Revised Budget column bottom line net loss of \$669k. This balance is slated to be paid out of Reserves.

CITY OF MARSHALL
REV/EXP/BUD - SHORT REPORT - NEW
PERIOD ENDING: NOVEMBER, 2020

	CURRENT MONTH	CURRENT YTD	PRIOR YTD	REVISED ADOPTED BUDGET	ADOPTED BUDGET	11/12 OF ADOPTED BUDGET	PERCENT OF ADOPTED (11 month norm=91.67%)	REMAINING BUDGET
WATER & SEWER ENTERPRISE FUND								
REVENUES:								
PERMITS & FEES	50	14,163	10,079	11,400	11,400	9,500	124.2%	-2,763
WATER & SEWER CHARGES	680,039	8,290,000	8,936,890	10,301,854	10,301,854	8,584,878	80.5%	2,011,854
MISCELLANEOUS REVENUES	14,045	50,256	61,097	72,000	72,000	60,000	69.8%	21,744
TOTAL W&S REVENUE	694,134	8,354,420	9,008,065	10,385,254	10,385,254	8,654,378	80.4%	A 2,030,834
EXPENSES:								
ADMINISTRATION	26,847	324,313	287,613	371,424	398,310	331,925	81.4%	73,997
WATER PRODUCTION	205,625	1,222,159	1,314,862	1,729,835	1,735,906	1,446,588	70.4%	513,747
DISTRIBUTION/COLLECTION	110,749	1,384,489	1,316,145	2,485,866	2,483,027	2,069,189	55.8%	B 1,098,538
WASTEWATER TREATMENT	149,648	1,175,718	1,301,461	1,711,986	1,718,056	1,431,713	68.4%	542,338
WATER BILLING	42,701	440,524	438,444	512,884	512,884	427,403	85.9%	72,360
ENGINEERING	3,620	31,114	56,330	31,576	31,576	26,313	98.5%	462
NON DEPARTMENTAL	84,576	1,021,898	913,080	1,029,769	990,267	825,223	103.2%	C -31,631
INTERFUND TRANSFERS	0	3,064,029	3,872,573	2,515,228	2,515,228	2,096,023	121.8%	D -548,801
TOTAL W&S EXPENSES	623,765	8,664,244	9,500,508	10,388,568	10,385,254	8,654,378	83.4%	1,721,010
TOTAL WATER & SEWER FUND	70,368	(309,824)	(492,443)	(3,314)	0	0		E 309,824

A - Water & Sewer revenue is down \$654k from 2019, and is at 80.4% of budget. We anticipate revenue will increase as more customers pay on outstanding bills and business use resumes.

B - Expenses are down from the prior year due to the reduction of debt payments.

C - Nondepartmental expenses are higher than prior year and budget due to higher insurance premiums and drag-up payments (vacation & sick payout) for terminated employees.

D - Interfund transfers to general fund have increased from prior year.

E - The net loss is \$-310k. The revenue is down from the prior year due to Covid 19 and loss of revenue from a major customer.

ITEM 5D

CONSENT AGENDA

MUNICIPAL COURT ACTIVITY REPORT

Cases Filed

STEP Site	Traffic	Penal	City Ordinance	Parking	Other	Total
0	167	25	2	5	10	209

Financial

State Costs	City Costs	Fines	Tech Fund	Bld Security	Total
\$11,242.31	\$5,379.41	\$6,753.12	\$1,397.00	\$10,968.89	\$35,740.73

Trials/Hearings

Jury	Bench	Appealed	Total
0	0	0	0

Warrants

Issued	Recalled	Served	Fees Collected	Amount Collected	Outstanding
35	22	65	\$1,477.60	\$14,531.10	\$2,749,130

Dispositions

Paid	Time Served	Dismissed	Appealed	Total
119	39	48	0	216

Office of Court Administration – Austin, TX

- OCA monthly report data compiled from the **October 2019** report (submitted 11/19/2019) revealed the following data:

Active cases: 1,338

Inactive cases: 4,962

- OCA monthly report data compiled from the **November 2019** report (12/19/2019) revealed the following data:

Active cases: 1,187

Inactive cases: 5,147

- OCA monthly report data compiled from the **December 2019** report (submitted 01/21/2020) revealed the following data:

Active cases: 1,071

Inactive cases: 5,193

- OCA monthly report data compiled from the **January 2020** report (submitted 02/20/2020) revealed the following data:

Active cases: 947

Inactive cases: 5,259

- OCA monthly report data compiled from the **February 2020** report (submitted 03/17/2020) revealed the following data:

Active cases: 847

Inactive cases: 5,292

- OCA monthly report data compiled from the **March 2020** report (submitted 04/21/2020) revealed the following data:

Active cases: 812

Inactive cases: 5,254

- OCA monthly report data compiled from the **April 2020** report (submitted 05/20/2020) revealed the following data:

Active cases: 619
Inactive cases: 5,291

- OCA monthly report data compiled from the **May 2020** report (submitted 06/17/2020) revealed the following data:

Active cases: 628
Inactive cases: 5,347

- OCA monthly report data compiled from the **June 2020** report (submitted 07/15/2020) revealed the following data:

Active cases: 740
Inactive cases: 5,297

- OCA monthly report data compiled from the **July 2020** report (submitted 08/20/2020) revealed the following data:

Active cases: 794
Inactive cases: 5,248

- OCA monthly report data compiled from the **August 2020** report (submitted 09/16/2020) revealed the following data:

Active cases: 1,001
Inactive cases: 5,221

- OCA monthly report data compiled from the **September 2020** report (submitted 10/19/2020) revealed the following data:

Active cases: 1,014
Inactive cases: 5,272

- OCA monthly report data compiled from the **October 2020** report (submitted 11/12/2020) revealed the following data:

Active cases: 1,004
Inactive cases: 5,230

- OCA monthly report data compiled from the **November 2020** report (submitted 12/15/2020) revealed the following data:

Active cases: 883

Inactive cases: 5,346

Update on Municipal Court recent plan to reduce inactive cases **December 2020 Report**

No Changes from previous report.

Since the last commission report an interview board convened and an officer from the Marshall Police Department was selected to be assigned to Court Services. Officer Jose Burciaga was selected from five applicants. We look forward to working with Officer Burciaga with regards to the warrant service and community service program. *(Previously reported)*

The Amnesty program and warrant round up will be implemented upon the arrival of Officer Burciaga to the courts in addition to the court restrictions being lifted by the Texas Supreme Court and Office of Court Administration. *(Previously reported)*

I have received a response from DPS regarding the OMNIBase program and I am working to finalize the MOU with Texas Department of Public Safety and the City of Marshall.

MOU has been forwarded from DPS to Judicial Staff for review of procedure regarding process of payment and documentation.

Leland J Benoit

Municipal Court Administrator

Community Service Applications

As of this report date (01.05.21) municipal court has 13 applications that were distributed to defendants at previous court proceedings. These were forwarded to Lt. Huffman at the Police Department for review and assignment to various entities for completion of hours.

It should be noted that the Marshall Municipal Court has granted a temporary extension for completion of community service hours for Covid-19 concerns. Judicial staff approved this measure as state and national guidelines recommend limited personal contact with others and because of expressed concerns from parents of minors.

ITEM 5E

CONSENT AGENDA

**CONSIDER APPROVAL OF AN
INTERLOCAL AGREEMENT WITH
HARRISON COUNTY FOR ANIMAL
SHELTER SERVICES**

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF MARSHALL, TEXAS AND
HARRISON COUNTY, TEXAS FOR ANIMAL SHELTER SERVICES FOR HARRISON
COUNTY FOR 2020 - 2021**

STATE OF TEXAS

COUNTY OF HARRISON

THIS AGREEMENT is by and between the City of Marshall, Texas, a Texas Home-Rule Municipality, acting by and through its City Manager, heretofore duly authorized by the City Commission of said City, hereinafter called "City of Marshall" and Harrison County, Texas, and acting by and through its County Judge, hereunto duly authorized by the Commissioners' Court of said County, hereinafter called "Harrison County", upon the terms, provisions and conditions set forth below:

WHEREAS, Chapter 791 of the Texas Government Code authorizes all local governments to contract with each other to provide a governmental function or service that each party to the contract is authorized to perform individually and in which the contracting parties are mutually interested, such as police protection and public health and welfare; and

WHEREAS, the City operates Animal Shelter/Impoundment Services in its normal duties for the purpose of reducing general animal control problems in the City, including but not limited to, reporting human exposure to rabies, quarantine and testing of biting animals, reduction of the stray animal population, restraint of dangerous animals, protecting its citizens from the dangers and problems associated with animals at large; and other related services as prescribed by the Texas Health and Safety Code; and

WHEREAS, the County has a need for certain Animal Shelter Services and is not equipped to render such services and the County has historically relied on the City to provide such animal shelter services; and

WHEREAS, the City's records indicate that Harrison County citizens, residing outside of the city limits of Marshall, delivered, dropped off, or otherwise deposited animals that were impounded at the Marshall Animal Shelter during the year; and

WHEREAS, both the City and the County find it mutually desirable to enter into this Agreement to enable the City of Marshall to continue to provide Animal Shelter and Impoundment Services to the citizens of the County and the City;

NOW, THEREFORE in consideration of the mutual covenants hereinafter set forth, the County and City agree:

1. City of Marshall, through the Marshall Police Department, Animal Control Division, agrees to furnish animal shelter services to the citizens of Harrison County, Texas, for a period of one (1) year, beginning October 1, 2020 and ending September 30, 2021, in accordance with the terms, provisions and conditions as set forth below.

2. The City shall secure and hold certification with the State Health Department for animal control and quarantine services, as evidence of qualification.

3. In consideration of the Animal Shelter services to be provided by the City of Marshall pursuant to this agreement, Harrison County agrees to pay, to the City of Marshall the total sum of **\$39,100.00**. The cash sum shall be paid to the City of Marshall in twelve (12) equal monthly installments of **\$3,258.33**. These funds paid by the County must be used by the City of Marshall to operate and maintain the Marshall Animal Shelter and the services provided at that facility.

4. The City of Marshall will furnish and operate an animal shelter facility within the corporate city limits of Marshall for use by Harrison County and City of Marshall residents. In addition, the City of Marshall Animal Control Division will perform such duties as required within Harrison County to assure proper impoundment of suspected rabid domestic pets or other cats or dogs that have been legally impounded by the Harrison County Animal Control authority. The City's Animal Shelter Services do not include trapping nuisance animals, removal of deceased animals or conducting cruelty investigations.

5. The City, except as otherwise provided in this Agreement, shall have the sole control, administration, and direction of policies and operations of the Marshall Animal Shelter.

6. No party to this Agreement waives or relinquishes any immunity or defense on behalf of itself, its officers, employees, and agents as a result of its execution of this Agreement and performance to the covenants contained herein. Each party specifically reserves any claim it may have to sovereign, qualified, or official immunity as a defense to any action arising in conjunction with this Agreement.

7. This agreement shall be for a period of one (1) year, beginning October 1, 2020 and ending September 30, 2021.

8. It is understood and agreed by and between the City and County that either party to this agreement shall have the right to cancel this agreement on the 1st day of each month during the term covered by this Agreement, provided that the party desiring to cancel the same

shall notify the other party in writing of its desire to cancel this agreement at least sixty (60) days before the desired date of cancellation of same.

WITNESS THE EXECUTION HEREOF, in duplicate, this ____ day of _____, 2020.

ATTEST:

CITY OF MARSHALL

BY: _____
Glenna Williams, City Secretary

BY: _____
Mark Rohr, City Manager

ATTEST:

HARRISON COUNTY

BY: _____
Liz Whipkey, County Clerk

BY: _____
Chad Sims, County Judge

ITEM 5F

CONSENT AGENDA

**CONSIDER APPROVAL OF A CONTRACT
WITH THE HARRISON COUNTY
ELECTIONS ADMINISTRATOR FOR THE
MAY 1, 2021 ELECTIONS**

Harrison County Elections Office
P.O. Box 8409
Marshall, Texas 75671
harrisoncountytexas.org/elections



Phone: 903-935-4822
Fax: 903-938-1509
415 E. Burleson St.
Marshall – 75670

CONTRACT FOR ELECTIONS SERVICES

THE STATE OF TEXAS

COUNTY OF HARRISON

This contract, is made this 14th day of January, 2021, by and between the City of Marshall Texas, hereinafter called THE CITY, acting by and through Glenna Williams, Acting City Secretary/Finance Director and Donald Robinette, Elections Administrator of Harrison County, Texas, hereinafter the CONTRACTING OFFICER, pursuant to Texas Election Code Sec.31.092, for the conducting and supervision of the:

Election for City Council Members for Districts 1, 2, 3, and 4

To be held on Saturday, May 1, 2021.

This contract is entered into in consideration of the mutual covenants and agreements hereinafter set out. It is agreed as follows:

I. The Contracting Officer, in connection with holding of said elections, shall assume the following responsibilities:

a. Appoint or shall be allowed to delegate the positions of Early Voting Clerk, Central Counting Station Manager, Tabulation Supervisor and Assistant Tabulation Supervisor, as provided for in Texas Election Code, Sec. 31.094 and 31.095.

b. The Harrison County Elections Office shall take responsibility for processing Early Voting Ballot my Mail requests.

c. Procure and distribute election supplies, including the preparation of election kits and the printing and distribution of ballots for both Early Voting and Election Day.

d. Procure, arrange for the programming and distribution of all election equipment. This includes the use of HAVA mandated electronic equipment purchased from Hart InterCivic. The new equipment is the HART VERITY DUO system, allowing for both paper and electronic voting.

e. Arrange for the publication of a Notice for the date, time and place of the Public Logic and Accuracy Test of the election equipment, and oversee said test.

f. Post notice of the date, time and place of a school of instruction for election judges and clerks, and conduct said school of instruction.

g. Arrange for the programming and testing materials to be used to test the voting equipment.

h. Arrange for the handling and distribution of election returns, preparation of the tabulation for the official canvass, and will, if needed arrange for the manual validation as required in the Texas Election Code, Sec. 127.201.

i. In accordance with Sec. 31.098 of the Texas Election Code, the Contracting Officer is authorized to contract with third-parties for election services and supplies. The cost of such third-party services is to be the responsibility of the CITY.

j. Arrange for the programming of the voting system based on the information provided by the CITY. This information shall include the correct spelling of all candidates' names, the office sought, order of names on the ballot and the English and Spanish translation of the office. The CITY shall pay for the cost of such programming.

k. Provide sufficient time for the CITY to review the ballot before it is finalized.

l. Arrange for the counting of votes registered on the electronic units in accordance with Chapter 127 of the Texas Election Code.

m. Submit precinct by precinct reports to the Texas Secretary of State's office of all election returns for said election.

n. After completion of the unofficial tabulation of precinct results, the Harrison County elections Office shall distribute the election records to the CITY, except for those records that must be distributed to the Voter Registrar, in accordance with Sec. 66.051 of the Texas Election Code.

The Harrison County Elections Office is hereby appointed the custodian of ballots cast on the HART VERITY DUO voting system consisting of the backup, and preservation of records in accordance with Chapter 66 of the Texas Election Code and other applicable law. The Harrison County elections Office shall also maintain custody of the records pertaining to the operation of the HART VERITY DUO voting system. Said records and election documents will be destroyed after the retention period (22 months from Election Day) which is mandated by Texas Election Law unless the CITY notifies the Harrison County Elections Office in writing of their desire to collect said election records and or documents. This written notice must be received by the Harrison County Elections Office no later than 5 business days before the date to destroy said records and or documents.

o. The Contracting Office shall tabulate the votes registered on the electronic units in accordance with Chapter 127 of the Texas Election Code, supervise the handling and distribution of election returns, voted ballots, etc., tabulate unofficial returns, assist in preparing the tabulation for the official canvass and certify the election results for representatives of the CITY.

II. THE CITY, in connection with holding the council member elections to be held on Saturday, May 1, 2021 shall assume the following responsibilities and shall directly bear any attendant costs for the same:

a. Approve the appointment of the Election Day Judges and Clerks, as well as the Early Voting Ballot Board and Central County Station Judges and Clerks to be used in said elections.

b. Shall pay for any and all expenses involved with Early Voting Ballot by Mail requests for said elections.

c. The use of Harrison County elections Office Poll Pads and MIFI equipment to qualify voters by personal appearance during Early Voting and on Election Day.

d. The use of Harrison County elections Office HART VERITY DUO voting equipment to process and tally all voted ballots for said elections. NOTE: The Harrison County Elections Office shall manage all Early Voting election equipment, ballots and supplies at the Elections Office and for any Branch polling locations. Election Day voting equipment, ballots and supplies shall be picked up by the Election Day Judge and delivered back to the Elections Office at the close of Election Day voting.

e. Preparation of all election orders, resolutions, notices and other pertinent documents for adoption or execution by the appropriate office of body.

f. Posting or publications of elections notices.

g. The printing costs of any and all related materials for all ballots, Election Day and Early Voting, and all election materials for election kits involved with said elections as well as vendor programming. The vendor price list for ballots follows this schedule: 1 to 5 races costs \$1500.00; 6-10 costs \$2530.00; 11-20 costs \$3300.00; 21-40 costs \$4180 and 41 to 75 races costs \$5260.

Additionally: if there is a cancellation or postponement of an election for whatever reason, there is a cancellation fee to the vendor. The cancellation fee to the vendor is based on: if the ballots are at the proofing stage, then only one half the cost is billed, but if ballots are passed the proofing and audio ballots or more have been completed, then the entire cost is billed to the jurisdiction holding the election, i.e. city, school.

h. In the event of equipment failure, THE CITY will share in the expense for the necessary personnel for the purpose of hand counting all ballots cast in said election.

i. Pay an administrative fee not to exceed ten percent (10%) of the total amount of the contract to the Harrison County Elections Office; said payment to be deposited to the Election Contracts Fund of Harrison County.

j. Take all action necessary under law for calling the election, canvassing the returns and declaring the results.

k. Deliver to the Harrison County Elections Office as soon as possible, but not later than the 45th day before the election, the candidates that are to be printed on the ballot with the exact form, wording, spelling and Spanish translation that is to be used on the official ballot.

l. Provide the services necessary to translate any election documents into Spanish.

m. Pay the cost of conducting said elections within thirty (30) days from the date of billing; the cost will be determined by the actual cost schedule submitted with billing.

III. GENERAL CONDITIONS

a. A total of one Early Voting location, for the purpose of Early Voting by personal appearance on the CITY ballot initiatives, will be used for this/these elections:

Main Elections Office, 415 E Burleson, Marshall TX 75671

April 19th through April 23rd from 8:00 AM to 5:00 PM and

April 26th and 27th from 7:00 AM to 7:00 PM.

b. A total of 1 Election Day voting location, for the purpose of Election Day voting by personal appearance on the CITY ballot initiatives, will be open on Saturday, May 1, 2021:

Marshall Convention Center 7:00 AM-7:00 PM

c. THE CITY agrees to save and hold harmless the Harrison County Elections Administrator and the Harrison County Elections Office from any and all claims made arising out of the failure or omission of the City to perform their obligations under this contract.

d. The Harrison County Elections Administrator and the Harrison County Elections Office agrees to save and hold harmless the City from any and all claims made arising out of the failure or omission of the Harrison County Elections Administrator or the Harrison County Elections Office to perform their obligations under this contract.

e. Should a lawsuit be filed as a result of this election, THE CITY agrees to provide (including the authority to select) and pay the legal fees and any associated costs of a defense by competent legal counsel and representation for the Harrison County Elections Administrator and Harrison County Elections Office personnel. Nothing in this agreement shall be construed as a waiver of any immunity or defense to which the CITY is entitled under statutory, constitutional or common law.

f. In the event of a recount, THE CITY agrees to pay any expenses incurred by the Harrison County Elections Office not covered by the charges assessed to that person requesting the recount. This would include, but not be limited to, the overtime of any Harrison County

Elections Office personnel required to work beyond regular office hours in order to conduct said recount of this election.

g. Force Majeure Clause: Unless otherwise agreed in the contract between the parties, where a party fails to perform one or more of its contractual duties, the consequences set out in this clause will follow if and to the extent that the party establishes that (a) it's failure to perform was caused by an impediment beyond its reasonable control and (b) that it could not reasonably have avoided or overcome the effects of the impediment.

This provision shall become effective only if the party failing to perform notifies the other party within a reasonable time of the extent and nature of the Force Majeure event, limits delay in performance to that required by the event and takes all reasonable steps to minimize damages and resume performance.

One or more of the following impediments would invoke this clause: war, armed conflicts or the serious threat thereof, hostilities, invasion, act of a foreign enemy, extensive military mobilization, civil war, riot, rebellion, revolution, military or usurped power, insurrection, civil commotion or disorder, mob violence, act of civil disobedience, act of terrorism, sabotage or piracy;

Plague, epidemic, pandemic, outbreaks of infectious disease or any other public health crisis, including quarantine, social distancing, isolation or other order, rule, regulation or direction, curfew restriction, expropriation, compulsory acquisition, seizure of works, requisition, nationalization;

Act of God or natural disaster such as but not limited to violent storm, cyclone, typhoon, hurricane, tornado, earthquake, landslide, flood, damage or destruction by lightning, drought;

Explosion, fire destruction of machines, equipment and of any kind of installation, prolonged breakdown of transport, telecommunication or electric current; shortage or inability to obtain critical material or supplies to the extent not subject to the reasonable control of the subject party ("force majeure event").

h. The Harrison County Elections Office will take the necessary precautions toward protecting the public by means of sanitizing, providing sneeze shields, PPE for workers, and a limited amount of PPE for the public, provided that CDC guidelines are still in place at the time of the election.

IV. THE CONTRACTING OFFICE shall keep the original, signed contract onsite at the Elections Office and will file copies of this contract with the Harrison County Treasurer and the Harrison County Auditor. THE CITY shall maintain a copy of the contract as its central office.

V. DAMAGE TO HARRISON COUNTY ELECTIONS OFFICE VOTING EQUIPMENT

THE CITY recognizes and acknowledges responsibility for any actual expenses for repairs and or replacement for any damage or loss of equipment that occurs while the Harrison County Elections Office voting equipment is onsite for this/these elections and not covered under the Hart InterCivic warranty.

VI. THE CITY acknowledges that the following local political subdivisions located wholly or partly within Harrison County, will be holding an election at the same time as the CITY on the 1st of May, 2021 unless one or more of such local political subdivisions cancels its election in accordance with Section 2.053 of the Texas Election Code: Marshall Independent School District.

VII. THE CITY does hereby agree to hold a Joint Election under Section 271.002 of the Texas Election Code with the other local political subdivision listed above that is also holding an election on the 1st of May, 2021 in all or part of the same territory and to execute with such other local political subdivision a Joint Election Agreement.

In the event of such a Joint election, the CITY does hereby agree to share in the expenses common to all contracting parties.

It is also agreed upon that the CITY gives its consent to use the same Early Voting location and the services of the Election Clerks assigned.

It is agreed upon that the CITY gives its consent to use the same Election Day polling location and services of the Election Clerks assigned.

The CONTRACTING Officer agrees to charge only once for the use of voting equipment at a shared polling location and will divide the charges equally among the local political subdivisions using the same polling locations.

VIII. If the CITY cancels its election pursuant to Section 2.053 of the Texas Election Code, the CITY shall not be responsible for any expenses involved with or incurred by the other local political subdivisions involved in the Joint Election Agreement.

Should the school cancel their election, The CITY acknowledges that it will be totally responsible for any and all expenses involved with the holding of the city election.

IX. THIS CONTRACT is made and performed in Harrison County Texas.

Signed and executed this 14th day of January, 2021

Mayor

Secretary

Elections Administrator, Donald Robinette

Seal of the Harrison County Elections Office

TO THE CITY OF MARSHALL:	ESTIMATED COST OF ELECTION SERVICES CONTRACT	
DESCRIPTION	SOLE	JOINT
Ballot Production Services	\$1500.00	\$1500.00
Shipping MBB's, Ballots	100.00	50.00
Configuration/Testing	400.00	200.00
Poll-book Configuration Programming Testing	300.00	150.00
Ballot by mail, estimated 603 @ \$2.00 each	1206.00	603.00
MNM publish of Logic Accuracy Test	120.00	60.00
Election kit supplies, EV	54.00	27.00
Election kit supplies, ED	54.00	27.00
Rental poll books, 6	600.00	300.00
Rental voting machine 2 sets EV	900.00	450.00
Rental voting machine 2 sets ED	900.00	450.00
MIFI connections	108.00	54.00
Transportation of voting equipment	25.00	12.50
EARLY Voting clerks: 5 @78 hrs. @ \$9.50	3705.00	1852.50
Election DAY Judge Fee	25.00	12.50
Election Day 1 Judge and 4 clerks, 14 hrs.	665.00	332.50
5 member EVBB, CCSB, 8 hrs. ea.	380.00	190.00
LPBB 3 Member 4 hr. ea.	114.00	57.00
Judge fee x 3	75.00	37.50
Overtime	300.00	150.00
Technical Support	300.00	150.00
SUBTOTAL	\$11831.00	\$6665.50
ADMINISTRATIVE FEE 10%	1183.10	666.55
ESTIMATED TOTALS	\$13,014.10	\$7332.05

Harrison County Elections Office

To CITY OF MARSHALL —Election Contract—Scope of Work—Uniform Election

Voting Entities: CITY OF MARSHALL, MISD,

Registered Voters: CITY 12,056; MISD 18,847

Projected Voter Turnout/number of ballots: 6,000

Absentee Ballot Estimate: 600

Qualifying Voters: KnowInk Apple 3 E tablets with polling application

Voting systems: HART VERITY DUO

Poll worker training: Yes in person at elections office.

Election Day: Saturday, May 1, 2021

Early Voting Timeframe: 7 days: April 19th through April 23rd from 8 to 5 and

Monday and Tuesday April 26th and 27th from 7:00 AM to 7:00 PM.

Number of Early voting locations: ONE, MAIN OFFICE

Equipment to be used: 2 complete sets of HART VERITY DUO VOTING EQUIPMENT,

3 e Poll Books with MIFI

Poll workers: 5

Number of Election DAY voting locations: 1 MARSHALL CONVENTION CENTER

Equipment to be used: 2 complete sets of HART VERITY DUO & 3 e poll books with MIFI

Poll workers: 5; 1 lead Judges and 4 clerks

Equipment Delivery and Pickup by Election Judge and clerks.

Payments should be made payable to “Harrison County” within 30 days of receipt of invoice.

For any questions please contact the Harrison County Election Office at 903-935-4822.

Thank You for the opportunity to administer your election!

ITEM 6A

DISCUSSION OF AND CONSIDERATION OF THE 2021 CITY COUNCIL MEETING SCHEDULE

MEMORANDUM

To: Members of the City Council

From: Mark Rohr, City Manager

Date: January 8, 2021

Subject: Discussion of and Consideration of the 2021 City Council Meeting Schedule

City staff has been requested to provide the Council a meeting schedule for the year. In addition to the Regular City Council meetings scheduled every 2nd and 4th Thursday of each month, this list consists of known Special-Called meetings that can be scheduled in advance.

Please be aware that this schedule is subject to change due to circumstances or events that we are not aware of at this time.

We have also included a list of community events that the Council is regularly invited to attend. We will provide future invitations as we are notified.

2021 City Commission Meeting Schedule

Date	Time	City Commission Meeting Type	Reason
Thursday, January 14, 2021	6:00 p.m.	Regular	
Thursday, January 28, 2021	6:00 p.m.	Regular	
Thursday, February 11, 2021	6:00 p.m.	Regular	
Thursday, February 25, 2021	6:00 p.m.	Regular	
Thursday, March 18, 2021	6:00 p.m.	Special-Called	Spring Break March 8 th – 12 th
Thursday, March 25, 2021	6:00 p.m.	Regular	
Thursday, April 8, 2021	6:30 p.m.	Regular	Start time 6:30 p.m. due to Student Government Day
Thursday, April 22, 2021	6:00 p.m.	Regular	
Wednesday, May 12, 2021	6:00 p.m.	Special-Called	Canvass Election
Thursday, May 13, 2021	6:00 p.m.	Regular	
Thursday, May 27, 2021	6:00 p.m.	Regular	
Thursday, June 10, 2021	6:00 p.m.	Regular	
Thursday, June 24, 2021	6:00 p.m.	Regular	
Thursday, July 8, 2021	6:00 p.m.	Regular	
Thursday, July 22, 2021	6:00 p.m.	Regular	
Thursday, August 12, 2021	6:00 p.m.	Regular	
Thursday, August 19, 2021	6:00 p.m.	Special-Called	Budget Workshop (if necessary)
Thursday, August 26, 2021	6:00 p.m.	Regular	
Thursday, September 2, 2021	6:00 p.m.	Special-Called	1 st Public Hearing – Proposed Tax Rate (if needed)
Tuesday, September 7, 2021	6:00 p.m.	Special-Called	2 nd Public Hearing – Proposed Tax Rate (if needed)
Thursday, September 9, 2021	6:00 p.m.	Regular	
Thursday, September 23, 2021	6:00 p.m.	Regular	
Thursday, October 14, 2021	6:00 p.m.	Regular	
Thursday, October 28, 2021	6:00 p.m.	Regular	
Thursday, November 11, 2021	6:00 p.m.	Regular	
Thursday, December 9, 2021	6:00 p.m.		
Monday, December 13, 2021	6:00 p.m.	Special-Called	2 nd Reading of Budget Amendment Ordinances
Date not scheduled		Special-Called	Joint meeting with MEDCO

ITEM 6B

DISCUSSION OF AND CONSIDERATION OF CHANGES TO THE MARSHALL FIRE FIGHTERS RELIEF AND RETIREMENT FUND

MEMORANDUM

To: Mark Rohr, City Manager

From: Glenna Williams, Finance Director

Date: January 14, 2021

Subject: Changes to the Fire Fighter's Relief and Retirement Pension Plan
that will have a positive impact on the Fund's sustainability

The Fire Fighter's Relief and Retirement Plan, FFRRP, Board enacted the following changes to ensure the Plan remains sound and is sustainable:

- Increased the employee contribution rate from 14% to 16% for 2021

In addition to the above change the Board sent a letter to the City Manager on July 6, 2020 requesting an increase in the employer retirement contribution rate by 2% to be effective January 1, 2021. In response to this request the City Council and City Manager provided for a 1% increase in the contribution rate in the 2021 budget with intentions of an additional 1% increase in the 2022 budget.

Money has been set aside in the 2021 budget to fund these changes. We are asking for formal approval of this appropriation.

MARSHALL, TEXAS FIREMEN'S RELIEF AND RETIREMENT FUND
P.O. Box 698
Marshall, Texas 75671-0698

July 6, 2020

Mark Rohr, City Manager
 City of Marshall, Texas
 401 S. Alamo Boulevard
 Marshall, Texas 75670

The Texas Pension Review Board strongly encourages Funds and Cities to jointly develop a long-term risk-sharing plan and to make the necessary changes to contribution levels to ensure that a healthy amortization period is maintained.

In response to that challenge, on June 19, 2020, the membership of the Marshall Firemen's Relief and Retirement Fund elected to increase their employee retirement contribution by 2%, beginning January 1, 2021. Currently, fire department employees contribute 14% of their gross annual salary to their retirement and this election will increase employee retirement contributions to 16% of their gross annual salary. The election was canvassed and approved by the Board of Trustees on June 25, 2020, during our regular monthly board meeting.

We ask that the city join us by considering and approving an increase in the employer retirement contribution rate to the Marshall Firemen's Relief and Retirement Fund by 2%, beginning January 1, 2021. Currently, the City of Marshall, as the employer, contributes 19.8% of gross annual salary, per member. This request would increase the employer retirement contribution rate to 21.8% of gross annual salary, per member.

Proposal Summary	2020	2021
Employee Contribution	14%	16%
Employer Contribution	19.8%	21.8%
Total Contribution	33.8%	37.8%

We request to be considered in the budget planning process and that this proposed increase in employer contributions be approved and included in the 2021 City of Marshall budget. The action taken by our membership and the proposed increase in employer contributions will go a long way in resolving the current funding issues that the Firefighter pension is currently facing.

Sincerely,


 Joey Dunagan
 Chairman


 Joey Hudson
 Vice-Chairman

CC Terri Brown, Mayor
 Trustee, Marshall Firemen's Relief and Retirement Fund

ITEM 6C

**CONSIDER APPROVAL TO AWARD A
CONTRACT FOR THE TRAVIS STREET
WATER MAIN IMPROVEMENT
PROJECT**



TO: Members of the City Council

FROM: Eric Powell, PE *EAP*
Director of Public Works/City Engineer

DATE: January 4, 2021

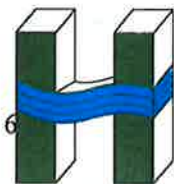
SUBJECT: Travis St. Water Main Improvement Project – Bid Summary and Award Recommendation

On Tuesday, December 15, 2020, the City received bids for the Travis St. Water Main Improvement Project. There were five (5) bids submitted, opened publicly, and read aloud. Bids were received from:

1) D and D Pipeline Consultants, LLC, Longview, Texas	\$589,541.16
2) ASB Utility Construction, LLC, Shreveport, Louisiana	\$591,715.00
3) Wicker Construction, Inc., Shreveport, Louisiana	\$613,734.00
4) Terry Black Construction, Alto, Texas	\$654,705.00
5) Pulley Construction, Inc., Bossier City, Louisiana	\$724,000.00

A copy of the bid summary is also attached for your review.

Based on the bids submitted, I recommend that we award a contract for services to D and D Pipeline Consultants, LLC, of Longview, Texas, in the amount of \$589,541.16.



HAYES ENGINEERING, INC.

Texas Registered Engineering Firm F-1465 www.hayesengineering.net

2126 ALPINE ST. LONGVIEW, TX 75601-3401

V 903.758.2010 F 903.758.2099

December 16, 2020

Mr. Mark Rohr, City Manager
City of Marshall
P.O. Box 698
Marshall, TX 75671

RE: Travis Street 12" Water Main Improvements

Dear Mr. Rohr:

Please find enclosed one copy of the bid tabulation for the above referenced project. I recommend award to the low bidder, D and D Pipeline Consultants, LLC, for their bid in the amount of \$589,541.16.

If you have any questions or comments, please advise.

Sincerely,
HAYES ENGINEERING, INC


Stanley R. Hayes, P.E.
Principal

Enclosure

SRH/sbc

cc: Eric Powell, P.E., Public Works Director/City Engineer



CITY OF MARSHALL, TX
 TRAVIS STREET 12" WATER MAIN IMPROVEMENTS
 Tuesday, December 15, 2020 at 2:00 p.m.
 BID TABULATION

ITEM	QTY	UNIT	DESCRIPTION	D and D Pipeline Consultants, LLC Longview, TX	ASB Utility Construction, LLC Shreveport, LA	Wicker Construction, Inc. Shreveport, LA	Terry Black Construction Alto, TX	Pulley Construction, Inc. Bossier City, LA
General Items								
1	1	LS	Mobilization, Bonds & Insurance	\$30,000.00	\$57,500.00	\$26,750.00	\$18,000.00	\$40,000.00
2	1	LS	Traffic Control & Barricades	\$4,000.00	\$5,000.00	\$500.00	\$5,000.00	\$15,000.00
3	1	LS	SWPPP & Erosion Control per TCEQ requirements	\$100.00	\$10,000.00	\$500.00	\$1,500.00	\$2,000.00
4	1	LS	Trench Safety	\$100.00	\$5,000.00	\$500.00	\$1,000.00	\$2,000.00
5	8,000	SY	Topsoil and Hydromulch	\$4.00	\$20,000.00	\$8.50	\$2.00	\$20,000.00
6	400	SY	Topsoil and Sod	\$10.00	\$4,000.00	\$8.00	\$10.00	\$4,800.00
Water Items								
1	3,752	LF	Furnish & install 12" water main	\$38.33	\$35.00	\$57.00	\$55.00	\$60.00
2	340	LF	Furnish & install 6" water main	\$30.00	\$22.00	\$55.00	\$47.00	\$50.00
3	117	LF	Furnish & install 2" water main	\$20.00	\$15.00	\$40.00	\$28.00	\$45.00
4	184	LF	Dry bore & encase 12" VM in 18" x 0.375" SEP	\$283.00	\$41,400.00	\$330.00	\$231.00	\$380.00
5	308	LF	Bore 12" water main under drives	\$77.00	\$50.00	\$105.00	\$81.00	\$90.00
6	21	LF	Bore 12" water main under sidewalks and steps	\$77.00	\$1,617.00	\$105.00	\$100.00	\$180.00
7	194	LF	Directional bore 12" water main	\$88.00	\$17,480.00	\$130.00	\$117.00	\$110.00
8	510	LF	Directional bore 6" water main	\$39.00	\$35,700.00	\$75.00	\$43.00	\$70.00
9	12	EA	Furnish & install 12" gate valve w/ adj. valve box	\$3,075.00	\$2,500.00	\$2,100.00	\$2,190.00	\$3,500.00
10	13	EA	Furnish & install 6" gate valve w/ adj. valve box	\$1,650.00	\$1,200.00	\$825.00	\$1,540.00	\$2,500.00
11	1	EA	Furnish & install 4" gate valve w/ adj. valve box	\$1,250.00	\$1,000.00	\$725.00	\$1,387.00	\$2,000.00
12	7	EA	Furnish & install 2" gate valve w/ adj. valve box	\$900.00	\$800.00	\$575.00	\$953.00	\$1,300.00
13	1	EA	Tie into ex. 12" VM w/ 12" lap sleeve & w/ w/adj. w/ box	\$2,900.00	\$3,500.00	\$3,700.00	\$4,946.00	\$7,500.00
14	1	EA	Tie into existing 20" water main w/ fittings	\$3,000.00	\$4,000.00	\$1,900.00	\$3,328.00	\$5,000.00
15	3	EA	Tie into existing 12" water main w/ fittings	\$2,680.00	\$1,800.00	\$1,200.00	\$1,676.00	\$2,500.00
16	6	EA	Tie into existing 6" water main w/ fittings	\$1,900.00	\$1,300.00	\$900.00	\$1,687.00	\$2,500.00
17	1	EA	Tie into existing 4" water main w/ fittings	\$1,800.00	\$1,200.00	\$800.00	\$1,616.00	\$2,500.00
18	7	EA	Tie into existing 2" water main w/ fittings	\$4,000.00	\$4,000.00	\$3,550.00	\$5,123.00	\$8,400.00
19	10	EA	Furnish & install fire hydrant assembly	\$4,000.00	\$3,000.00	\$675.00	\$866.00	\$1,200.00
20	6	EA	Remove & salvage existing fire hydrant assembly	\$1,000.00	\$1,000.00	\$1,850.00	\$1,422.00	\$1,000.00
21	1	EA	Plug & abandon existing 20" water main	\$1,000.00	\$500.00	\$1,000.00	\$2,748.00	\$1,500.00
22	3	EA	Plug & abandon existing 12" water main	\$600.00	\$300.00	\$600.00	\$754.00	\$2,400.00
23	6	EA	Plug & abandon existing 6" water main	\$750.00	\$300.00	\$500.00	\$500.00	\$400.00
24	1	EA	Plug & abandon existing 2" water main	\$400.00	\$150.00	\$400.00	\$500.00	\$200.00
25	7	EA	Abandon existing 12" gate valve	\$400.00	\$150.00	\$300.00	\$500.00	\$1,800.00
26	1	EA	Abandon existing 6" gate valve	\$300.00	\$150.00	\$300.00	\$500.00	\$200.00
27	9	EA	Abandon existing 4" gate valve	\$300.00	\$150.00	\$300.00	\$500.00	\$200.00
28	1	EA	Abandon existing 2" gate valve	\$300.00	\$150.00	\$300.00	\$500.00	\$200.00
29	1	EA	Abandon existing 12" gate valve	\$300.00	\$150.00	\$300.00	\$500.00	\$200.00
30	25	EA	F&I short side water service & reconnect ex. service	\$900.00	\$600.00	\$750.00	\$825.00	\$1,000.00
31	22	EA	F&I long side water service & reconnect ex. service	\$1,500.00	\$1,800.00	\$950.00	\$1,822.00	\$2,500.00
32	326	SY	Open cut & repair asphalt pavement	\$48.00	\$58,680.00	\$50.00	\$50.00	\$65,200.00
33	8	SY	Open cut & repair concrete pavement	\$59.00	\$190.00	\$100.00	\$100.00	\$1,840.00
34	24	SY	Open cut & repair concrete sidewalk	\$50.00	\$4,560.00	\$75.00	\$100.00	\$1,920.00
35	11	SY	Open cut & repair gravel surface	\$30.00	\$440.00	\$30.00	\$50.00	\$60.00
36	1	LS	Testing & sterilization of water mains	\$4,000.00	\$5,000.00	\$750.00	\$2,500.00	\$3,725.00
TOTAL AMOUNT BID				\$ 589,541.16	\$ 591,715.00	\$ 613,734.00	\$ 654,705.00	\$ 724,000.00

HAYES ENGINEERING, INC.
 TEXAS REGISTERED ENGINEERING FIRM #1485
 STANLEY R. HAYES, P.E.
 PRINCIPAL

REGISTERED PROFESSIONAL ENGINEER
 STANLEY R. HAYES, P.E.
 72441

ITEM 6D

CONSIDER APPROVAL OF SMALL BUSINESS GRANT FUND APPLICATIONS

Memorandum

Date: January 4, 2021

To: Mark Rohr, City Manager

From: Shameia Ruffins, Community Development Coordinator

Subject: Approval of Small Business Grant Fund Recommendations

The following recommendations have been made by staff in relation to the Small Business Grant Fund. This fund was approved on September 24, 2020 by the City Commission with a 6:0 vote.

The purpose of the SBGF is to help Marshall small businesses adapt their business model to changing business conditions because of the COVID-19 pandemic. This is a reimbursement grant for up to \$2,500 of eligible costs including equipment, software, supplies, safety equipment, and financial support. Eligible businesses include, but are not limited to, retail (storefront), food and beverage, personal care (barbershop, nail salons, spas, etc.), automobile, mobile (food) vendors, maintenance, education/training, health/wellness, art galleries, gyms, and small manufacturing businesses. Businesses must have 25 or fewer employees and have been open and operating as of January 1, 2020.

Funding for the program is provided to the City of Marshall through the U.S. Department of Housing and Urban Development's Community Block Development Grant. Currently, the City has delegated \$138,536.000 of our received COVID money to the Small Business Grant Fund. The approved application process says that upon receipt, staff will review the application for completion. Based on the review, City staff will make recommendations for approval by City Commission.

Thus far, we have approved 18 applications of which 6 were approved during the previous commission meeting held on December 10, 2020. A total of 8 pending applications today would bring us to a total of 26 applications. Staff has assisted several business owners on getting their application started, and will continue to spread the word on this local opportunity. We anticipate this to be an ongoing agenda item over the next few weeks as we continue to receive applications.

Staff is looking for the City Commission's approval for the eight (8) Small Business Grant Fund applications that were received in completion between December 3, 2020 and January 4, 2021.

Small Business Grant Fund was initially funded in June/2020 with \$138,536.00 of the \$212,544.00 Covid-19 Funds which were originally received in July of 2020.

To date we have expended \$44,948.40 of the Small Business Grant Funds.

Available funding left totals \$93,587.60 (about 37 more small businesses can be assisted)

See attached documents.

Staff Recommendations

Choices Barber & Beauty Shop - \$2,500.00

Staff is recommending the max reimbursement of \$2,500 to Choices Barber & Beauty Shop under the eligibility category of supplies, and financial support.

Choices Barber & Beauty Shop adapted their business to limit the number of people in store at one time. They are working off of appointments only, which has lessened their daily foot traffic of walk-ins. They purchased hand sanitizer, gloves, and disinfectant for guests to use upon arrival, as well as have masks available. Thermometers have also been purchased so that clients have their temperature taken upon arrival, and the barber cleans and sanitizes their station between each guest. The company's Business insurance has also been maintained during this pandemic. Receipts totaling \$2,921.04 were submitted.

Porky's Smokehouse & Grill - \$2,500.00

Staff is recommending the max reimbursement of \$2,500 to Porky's Smokehouse & Grill under the eligibility category of supplies, equipment and financial support.

Porky's Smokehouse & Grill adapted their business by hiring additional workers and applying double shifts to the current employees causing a increase in wages. Porky's also installed Plexiglas in accordance with the CDC Guidelines. The business also installed phone answering machines to assist with overflow of daily calls due to the restaurant limiting in person visits. Receipts in the amount of \$3,776.23 have been submitted.

Soul Palace- \$2,500.00

Staff is recommending the max reimbursement of \$2,500.00 to Soul Palace under the eligibility category of financial support.

Soul Palace was given no grace due to the pandemic as far as maintaining their monthly rent unfortunately the owner of the building could not waive any fees. Soul Palace also maintained utilities during the pandemic regardless of business hours and modifications made to adapt to the safety of Covid-19. Receipts totaling \$2,514.35 were submitted.

What about Burgers Grill (Mobile Vendor) -\$2,500.00

Staff is recommending the max reimbursement of \$2,500.00 to What about Burgers Grill under the eligibility category of financial support.

What about Burgers Grill is seeking reimbursement on the basis of financial support due to the increase of customers caused by COVID-19. During the beginning stages of the pandemic lots of restaurants were closed, some only allowing drive thru services. As a result What about Burgers Grill had an increase in customers causing an increase in wages to be paid to employees due to longer hours? Insurance fees on the Mobile Vendor have also been maintained to insure business. Receipts totaling \$2,921.78 have been received.

Patterson Floors & Customs-\$2,500.00

Staff is recommending the max reimbursement of \$2,500.00 to Patterson Floors & Customs under the eligibility category of supplies and financial support.

Michael Patterson adapted his business by purchasing products such as steering wheel coverings, gear shift protectors, seat covers, floor mate protectors to name a few during the pandemic. Receipts of monthly rent were also submitted. Michael included that they were not given the option to fall behind on any rent payments during this difficult time, however he's grateful for this program. Receipts totaling \$4,268.00 were submitted.

Pic N Pay Deli -\$2,500.00

Staff is recommending the max reimbursement of \$2,500.00 to Pic N Pay Deli under the eligibility category of financial support.

Pic N Pay Deli not only created a drive thru friendly restaurant, but they also maintained monthly rent during the crisis of the pandemic and are very grateful for any financial help during this time. Receipts totaling \$4,500.00 were submitted.

Shields Insurance Agency -\$2,500.00

Staff is recommending the max reimbursement of \$2,500.00 to Shields Insurance Agency under the eligibility category of financial support.

Shields Insurance Agency has had a drastic drop in business due to lack of employees being able to report to work during this pandemic. However the business is now down to 2 employees which compensation is still required. Due to lack of business incoming revenue has been down. Payroll receipts totaling \$3,459.88 have been submitted.

East Texas Driving School -\$2,500.00

Staff is recommending the max reimbursement of \$2,500.00 to East Texas Driving School under the eligibility category of financial support.

East Texas Driving School stresses that this has been a very stressful year for the business. Many have been afraid to allow their children to physically attend classes due to covid-19. Before the pandemic classes were always maxed out with about 20 students per class, now the numbers are 10 or fewer. During this pandemic Angela (Who Manages The Program) states that she has had no grace as far as paying rent for the building that she teaches out of, she has fell behind a month or so, so at this time this grant would definitely help alleviate some of the financial stress. Receipts totaling \$5,600.00 were submitted.

ITEM 7

CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

ITEM 8A

EXECUTIVE SESSION

**AN EXECUTIVE SESSION PURSUANT TO
THE OPEN MEETINGS ACT, CHAPTER
551 OF THE TEXAS GOVERNMENT
CODE UNDER SECTION 551.074
PERSONNEL MATTERS: DISCUSS OR
DELIBERATE THE APPOINTMENT,
EMPLOYMENT, EVALUATION,
REASSIGNMENT, OR DUTIES OF A
PUBLIC OFFICER OR EMPLOYEE: CITY
SECRETARY**

ITEM 8B

EXECUTIVE SESSION

**PURSUANT TO THE OPEN MEETINGS
ACT, CHAPTER 551, TEXAS
GOVERNMENT CODE, SECTION 551.071 –
CONSULTATION WITH ATTORNEY TO
DISCUSS MATTERS RELATED TO
PENDING OR CONTEMPLATED
LITIGATION**

ITEM 9

ADJOURNMENT