

The City Commission of the City of Canyon 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, Mayor Pro-Tem Cody Jones, Paul R. Lyons Kelsey Ward and Randy Ray.

Also present were the following City Staff: City Manager Joe Price, Assistant City Manager Jon Behrens, HR Recruitment and Onboarding Manager Vivienne Sutton, IT Director Shaun Holtman, Communications Director Megan Nelson, Director of Human Resources Hector Mendoza, City Manager Intern Vaneesha Patel, Director of Finance Joel Wright, Police Chief Steve Brush, Director of Public Works Dan Reese, Assistant Director of Public Works Chris Enriquez, Sewer Department Supervisor John Poole, Utility Supervisor Eric Whitten, City Engineer Dwight Brandt, and City Attorney Chuck Hester.

Item 1. Call to Order.

Mayor Hinders called the meeting to order at 4:33 p.m.

Item 2. Invocation.

Mayor Pro-Tem Jones gave the invocation.

Item 3. Pledge of Allegiance.

The Pledge of Allegiance was led by Commissioner Lyons.

Item 4. Approval of Minutes of the Meeting of June 7, 2021.

Commissioner Ray moved, duly seconded by Mayor Pro-Tem Jones to approve the minutes of June 7, 2021 as presented. Motion carried unanimously.

Item 5. Public Comment – Comments from Interested Citizens.

No public comment was made.

Item 6. First Reading of Resolution No. 21-2021, A Resolution of the City Commission of the City of Canyon Approving a Project Funding Agreement Between Mass Hotels LLC and Canyon Economic Development Corporation Relating to Funding a Hotel Project and Job Creation Incentives for New Hampton Inn & Suites to be Located at 3101 4th Ave.

Canyon Economic Development Corporation President Don Lee presented Resolution No. 21-2021 for the first of two required readings. Mr. Lee stated the Canyon Economic Development Corporation held a public hearing May 13, 2021 with no opposition to the project. Mr. Lee said the economic impact of more available rooms in Canyon helps the attractions and local businesses. Mr. Lee said the approved project is for \$486,000 paid over a 5-year time frame.

First reading only, no action.

RESOLUTION NO. 21-2021
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
CANYON APPROVING PROJECT FUNDING AGREEMENT
BETWEEN MASS HOTELS LLC AND CANYON ECONOMIC
DEVELOPMENT CORPORATION RELATING TO FUNDING A
HOTEL PROJECT AND JOB CREATION INCENTIVES

- Item 7. Consider and Take Appropriate Action on a Development Agreement for Extraterritorial Jurisdiction Development Between the City of Canyon and Property Owner, N&B Properties, Inc., Known as Hunter Estates Unit 2.

City Manager Joe Price presented a Development Agreement for a proposed development for property owned by N&B Properties, Inc., east of Helium Road, West of FM 2590 and just north of West Country Club Road know as Hunter Estates Unit 2. Mr. Price stated the development would be completely in the ETJ of the City of Canyon and is not required to annex into the city limits or meet zoning or building code standards of the City of Canyon. Mr. Price said this would be the first subdivision in the ETJ that will incorporate the 5% review and inspection fee with the City performing inspections of public improvements.

After discussion, Commissioner Lyons moved, duly seconded by Commissioner Ray to adopt the ETJ Development Agreement for Hunter Estates Subdivision as presented. Motion carried unanimously.

- Item 8. Consider and Take Appropriate Action on Hunsley Road Erosion Control Project.

Director of Public Works Dan Reese presented a proposal to repair the ditch on the north side of Hunsley Rd where recent rains have created an erosion issue. Mr. Reese stated this area has been monitored for several years and the continued efforts to control the erosion using material on hand to keep the ditch filled and maintained has been unsuccessful. Mr. Reese said the erosion is now encroaching on the roadway and has put the culvert of the Gagestone entrance in jeopardy of failing. Mr. Reese stated the City Engineer has been engaged to create a solution as erosion mitigation actions are now necessary. Mr. Reese stated the City Engineer has been charged with finding alternate options to lining the channel with concrete along the bottom with rock rip-rap slope protection and a couple of retaining walls. Mr. Reese stated the estimated cost was around \$725,000 for that solution. Mr. Reese said this project should be treated as an emergency and funded with City reserves. With the emergency declaration it is allowed to move forward and waive the typical procurement procedures as allowed by Texas Local Government code, Ch. §252.022. City Engineer Dwight Brandt addressed the Commissioners explaining the channel of the drainage ditch is not big enough to handle a 25 year storm event and the proposal was to expand the channel out placing concrete and or rip-rap rock. Mr. Brandt stated the driveway west of the ditch has no culvert creating more issues. Mr. Brandt said it would be necessary to remove that driveway and put in a pipe culvert driveway.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Ray to authorize the City Manager to use the emergency expenditure waiving the procurement procedures as

allowed by Texas Local Government Code, Ch. §252.022, for the repair and construction of drainage improvements along Hunsley Road not to exceed \$349,999.99. Motion carried with Commissioner Lyons voting against.

- NOTE: The Mayor announced the City Commission would move to Item 11, Executive Session at this time.

Item 11. Executive Session Pursuant to §551.071 Consultation with Attorney, and §551.072 Deliberations about Real Property.

Mayor Hinders indicated the Commission would adjourn into Executive Session at 5:24 pm.

Item 12. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Upon Returning from Executive Session at 5:24 pm, No action was taken

- NOTE: The Mayor moved to address Item 9.

Item 9. Consider and Take Appropriate Action on Purchase of Land in Section 4, Block 1, TTRR. Ry. Co. Survey, Randall County Texas.

City Attorney Chuck Hester presented an opportunity to purchase property for water rights. Mr. Hester stated negotiations have been taking place between the City of Canyon legal team and management for the purchase of approximately 624 acres for the proposed development of a municipal well field as directed from the City Commission. Mr. Hester stated an agreement has been reached for land cost of \$6600.00 per acre.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Lyons to authorize the City Manager to enter into a contract for the purchase of approximately 624 acres in Section 4, Block 1, TTRR Ry. Co. Survey, Randall County for the amount of \$6600.00 per acre. Motion carried unanimously.

Item 10. Consider and Take Appropriate Action on Resolution No. 31-3021, A Resolution of the City of Canyon City Commission Considering All Matters Incident and Related to Approving and Authorizing Publication and Posting of Notice of Intention to Issue Certificates of Obligation.

Director of Finance Joel Wright presented Resolution No. 31-2021 for consideration. Mr. Wright stated to provide the means to purchase the approximate 64 acres in Section 4, Block 1, TTRR Ry. Co. Survey, Randall County for \$6600.00 per acre, the City would need to issue certificates of obligation in a principal amount of not more than \$4,150,000.00. Mr. Wright said the City may determine to fund some portion of the purchase price using cash reserves and fund the remaining portion of the purchase using certificates of obligation.

After discussion, Commissioner Ward moved, duly seconded by Commissioner Ray to adopt Resolution No. 31-2021 as presented. Motion carried unanimously.

RESOLUTION NO. 31-2021
A RESOLUTION CONSIDERING ALL MATTERS INCIDENT AND
RELATED TO APPROVING AND AUTHORIZING PUBLICATION
AND POSTING OF NOTICE OF INTENTION TO ISSUE
CERTIFICATES OF OBLIGATION

Item 13. Adjourn.

There being no further business, Mayor Pro-Tem Jones moved this meeting be adjourned at

Gary Hinders, Mayor

ATTEST:

Gretchen Mercer, City Secretary