



Village of Jones Creek

7207 Stephen F. Austin
Jones Creek, TX 77541
(979)233-2700

CITY COUNCIL SPECIAL CALLED MEETING AGENDA

The Board of Alderman of the Village of Jones Creek, Texas will hold a Special Called Council Meeting on Tuesday, September 29th, 2020 at the Village Hall located at 7207 Stephen F. Austin Road, beginning at 6:30 p.m. **THERE WILL BE NO PUBLIC ACCESS TO THE CITY HALL FOR THE MEETING** in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) and to slow the spread of the Coronavirus (COVID-19). Instead, the Board will conduct the meeting by telephonic conference in accordance with the order of the Office of the Governor issued March 16, 2020. Any person may participate and address the city council by either:

Join the meeting on Zoom: <https://zoom.us/j/97374530708>

Or dial the following toll free numbers and enter the Meeting ID: 973 7453 0708 and #:

+1 346 248 7799 US (Houston); +1 253 215 8782 US; or +1 301 715 8592 US

Or as an alternate method to join meeting dial the following toll free number: (844) 854-2222

and enter access code: 419942

This written notice, the meeting agenda, and the agenda packet, are posted online at http://www.villageofjonescreektexas.com/city_government/agendas_and_minutes

The public will be permitted to offer public comments telephonically or in person at City Hall as provided by the agenda and as permitted by the presiding officer during the meeting. A recording of the telephonic meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request. The matters to be discussed and acted on at the meeting are:

1. CALL TO ORDER
2. INVOCATION AND PLEDGE OF ALLEGIANCE
3. ROLL CALL OF MEMBERS
4. BUSINESS OF VISITORS (limited to five minutes per person)

Members of the public may request permission to address the Board. Specific factual information or a recitation of existing policy may be furnished in response to an inquiry made by a member of the general public but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open Meetings Act.

5. DISCUSSION/POSSIBLE ACTION

- a. Public Hearing regarding the Village of Jones Creek's proposed 2020 Tax Rate of **\$0.440000** per \$100.00 of assessed value.
- b. Discussion regarding the adoption of **\$0.000000** as the portion of the Tax Rate to fund the debt service of the Village of Jones Creek for Fiscal Year 2020-2021. **(Record Vote)**
- c. Discussion and possible action regarding the adoption of **\$0.440000** as the portion of the Tax Rate to fund the maintenance and operations of the Village of Jones Creek for Fiscal Year 2020-2021. **(Record Vote)**
- d. Discussion and possible action regarding Ordinance 520: **AN ORDINANCE OF THE VILLAGE OF JONES CREEK, TEXAS; PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES OF THE VILLAGE OF JONES CREEK, TEXAS FOR THE YEAR 2020; PROVIDING THE DATE ON WHICH SUCH AD VALOREM TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; PROVIDING FOR SEVERABILITY; AND, REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH. MOTION: "I move that that the property tax rate be increased by the adoption of a tax rate of \$0.440000, which is effectively a 23.81% increase in the tax rate."** (Record Vote)
- e. Discussion and possible action to adopt Procurement Policies and Procedures for Federal Grants.

6. ADJOURNMENT

CERTIFICATION

I hereby certify that Public Notice was placed on the Official Bulletin Board at City Hall and on the City's website on Friday, September 25th, 2020 at 8:00 a.m.

/s/

Kimberly Morris, City Secretary

I hereby certify that this Public Notice was removed from the Official Bulletin Board at City Hall on the _____ day of _____ 2020, at ____:____ a.m. /p.m.

Kimberly Morris, City Secretary

NOTE: ITEMS WILL NOT NECESSARILY BE DISCUSSED AND ACTED ON IN THE ORDER THEY APPEAR ON THE AGENDA. THE BOARD OF ALDERMAN, AT ITS DISCRETION, MAY DISCUSS AND TAKE ACTION ON ANY OR ALL OF THE ITEMS LISTED IN A DIFFERENT ORDER IF A MAJORITY OF THE BOARD SO DETERMINES.

This notice is being posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code). In compliance with the American with Disabilities Act, on request the Village of Jones Creek will provide for reasonable accommodations for persons attending meetings of its Board of Aldermen. Request for such accommodations or for interpreter services should be received 48 hours prior to any meeting. Please contact the Village Secretary's office at 979-233-2700 to request such accommodations.

ORDINANCE NO. 520

AN ORDINANCE OF THE CITY COUNCIL OF THE VILLAGE OF JONES CREEK, TEXAS; PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES OF THE VILLAGE OF JONES CREEK, TEXAS FOR THE YEAR 2020; PROVIDING THE DATE ON WHICH SUCH AD VALOREM TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; PROVIDING FOR SEVERABILITY; AND, REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH.

* * * * *

WHEREAS, Section 26.05 of the Texas Property Tax Code (the “Tax Code”) provides that before the latter of September 30th or the 60th day after the date a municipality receives the certified appraisal roll the governing body of the municipality shall adopt a tax rate for the municipality for the current tax year; and

WHEREAS, Section 26.05 of the Tax Code further provides that where the tax rate consists of two components – one which will impose the amount of taxes needed to pay the municipality’s debt service, and the other which will impose the amount of taxes needed to fund maintenance and operation expenditures for the next year – and each of the two components must be separately approved by the governing body of the municipality; and

WHEREAS, the proposed tax rate of **forty-four cents (\$0.44) on each one hundred dollars (\$100) of assessed valuation** for the current tax year of the Village of Jones Creek, Texas, (the “City”) consists of two (2) such components: a tax rate of **zero cents (\$0.0000) for debt service**; and, a tax rate of **forty-four cents (\$0.44) for maintenance and operation expenditures**; and

WHEREAS, by separate motions adopted by the City Council of the City (the “Council”), at a meeting of the Council held on the September 29, 2020, the Council separately approved the tax rate of **zero cents (\$0.0000) for debt service**, and a tax rate of **forty-four cents (\$0.44) for maintenance and operation expenditures**; and

WHEREAS, all notices and hearings required by law as a prerequisite to the adoption of this Ordinance have been timely and properly given and held; and

WHEREAS, having separately approved the tax rate for debt service and maintenance and operation expenditures, it is necessary and appropriate for the Council to now formally adopt this Ordinance providing for the levy and collection of ad valorem taxes for the year 2020 for the City; and **NOW, THEREFORE**

**BE IT ORDAINED BY THE CITY COUNCIL
OF THE VILLAGE OF JONES CREEK, TEXAS:**

SECTION 1. THAT the facts and matters set forth in the preamble of this Ordinance are found to be true and correct and are hereby adopted, ratified, and confirmed.

SECTION 2. THAT there is hereby levied, for the tax year 2020, to fund the City's Fiscal Year 2020-2021 Municipal Budget, an ad valorem tax at the total rate of **forty-four cents (\$0.44) on each one hundred dollars (\$100) of assessed valuation** on all property – real, personal, and mixed – within the corporate limits of the Village of Jones Creek, Texas (the "City"), upon which an ad valorem tax is authorized by law to be levied by the City Council of the City (the "Council"). All such taxes shall be assessed and collected in current money of the United States of America.

SECTION 3. THAT of the total ad valorem tax levied in Section 2 of this Ordinance, **zero cents (\$0.0000)** is levied for the purpose of paying the interest on bonds, warrants, certificates of obligation, or other lawfully authorized evidence of indebtedness issued by the City, including the various installments of principal due on the serial bonds, warrants, certificates of obligation, or other lawfully authorized evidence of indebtedness issued by the City, as such installments shall respectively mature in the City's Fiscal Year 2020-2021 Municipal Budget.

SECTION 4. THAT of the total ad valorem tax levied in Section 2 of this Ordinance, **forty-four cents (\$0.44)** is levied to fund maintenance and operation expenditures of the City for the Fiscal Year 2020-2021 Municipal Budget.

SECTION 5. THAT the following statements are true and, therefore, required by law:

"THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S RATE."

"THE TAX RATE WILL EFFECTIVELY BE RAISED BY THREE POINT SEVENTEEN PERCENT (3.17%) PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A ONE-HUNDRED THOUSAND DOLLAR (\$100,000) HOME BY APPROXIMATELY TWENTY-THREE DOLLARS (\$23)."

SECTION 6. THAT the ad valorem taxes levied through this Ordinance, in the total amount of **forty-four cents (\$0.44) on each one hundred dollars (\$100) of assessed valuation**, as reflected by Sections 2, 3, and 4 of this Ordinance, shall be due and payable on or before January 31, 2021, and any ad valorem taxes due the City and not paid on or before January 31, 2021 shall bear penalty and interest as prescribed in the Texas Tax Code.

SECTION 7. THAT in the event any clause, phrase, provision, sentence, or part of this Ordinance, or the application of this Ordinance, to any person or circumstance shall, for any reason, be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole, or in part, other than the part declared to be invalid or unconstitutional, and the Council declares that it would have passed each and every part of this Ordinance notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 8. THAT all other ordinances, and any parts of other ordinances, in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

**PASSED, APPROVED, AND ADOPTED ON SEPTEMBER 29, 2020
BY THE COUNCIL THROUGH A RECORD VOTE AS FOLLOWS:**

<u>Name/Position</u>	<u>Action</u>
Gordon Schlemmer, Mayor	For Against Abstain Absent No Vote
Glenn Jordan, Councilman	For Against Abstain Absent No Vote
Terry Jeffers, Councilman	For Against Abstain Absent No Vote
Corey Thomas, Councilman	For Against Abstain Absent No Vote
Nicole Hardesty, Councilwoman	For Against Abstain Absent No Vote
Justin Wright, Councilman	For Against Abstain Absent No Vote

SIGNED

GORDON SCHLEMMER, MAYOR

ATTEST:

Kimberly Morris, City Secretary

APPROVED AS TO FORM:

Caleb Villarreal, City Attorney



Village of Jones Creek

7207 Stephen F. Austin
Jones Creek, TX 77541
(979)233-2700

VILLAGE OF JONES CREEK Procurement Policies and Procedures for Federal Grants

Policies

1. Those closely involved in the establishment of the written selection criteria and selection shall have no potential conflicts of interest with any of the individuals, firms, or agencies under review (e.g., family relationships, close friendships, business dealings). Any person who might potentially receive benefits from grant-assisted activities may not participate in the decision-making process. Nepotism and conflict of interest regulations can be found in the Texas Government Code Chapter 573, Texas Local Government Code Chapter 171, and 2 CFR 200.318 – 2 CFR 200.326 and Appendix II to Part 200.
2. All procurement transactions will be conducted in a manner providing full and open competition.
 - a. No unreasonable requirements are placed on firms in order for them to qualify;
 - b. No unnecessary experience or excessive bonding required;
 - c. Noncompetitive pricing practices between firms or between affiliated companies is disallowed;
 - d. Noncompetitive contracts to consultants that are on retainer contracts;
 - e. No organizational conflicts of interest;
 - f. If a “brand name” product is specified, an equal or like product is acceptable; and
 - g. A vendor that intends to respond to the Request for Proposals, Request for Qualifications and/or Invitation for Bid may not participate in the development or drafting of specifications, requirements, statements of work, or invitations for bids or requests for proposals, including, but not limited to, the development of the scoring criteria, the final selection of firms to be contacted, or the scoring of proposals.
3. All procurement transactions shall incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured.
4. All procurement transactions shall identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
5. If the Village of Jones Creek uses a prequalified list when acquiring goods or services, the Village of Jones Creek will ensure the list is updated regularly, provides enough qualified sources to ensure maximum open and free competition.
6. All procurement transactions must conform to applicable local, state, and federal laws and regulations.
7. Small and minority businesses, women's business enterprises, and labor surplus area firms are encouraged to participate. If the awarded vendor is a prime contractor and may use subcontractors, the following affirmative steps are required of the prime contractor:
 - a. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 - b. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
 - c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

- d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- e. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

Procedures

Procurement Cycle Steps

Need Defined—Village of Jones Creek City Secretary/Administrator's Office submits request and specifications. Purchaser reviews request and specifications for unnecessary or duplicative items in accordance with 2 CFR 200.318 (d).

Procurement Method Selected—Based on type and estimated cost of good/service as well as purchasing authority, purchaser determines the procurement method that will result in a best value acquisition for the Village of Jones Creek.

Contract Cost and Price - A cost or price analysis must be conducted in connection with every procurement action more than the federal Simplified Acquisition Threshold including contract modifications (2 CFR 200.323).

The simplified acquisition threshold for federal procurement actions is currently set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 (Definitions) and in accordance with 41 U.S.C. 1908 as \$50,000, but this threshold is periodically adjusted for inflation. 2 C.F.R. §200.88

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, an independent estimate must be made before receiving bids or proposals. 2 C.F.R. § 200.323(a).

Cost analysis is the evaluation of the separate elements (e.g., labor, materials, etc.) that make up a contractor's total cost proposal or price (for both new contracts and modifications) to determine if they are allowable, directly related to the requirement and ultimately, reasonable.

Price analysis is essentially price comparison. It is the evaluation of a proposed price (i.e., lump sum) without analyzing any of the separate cost elements of which it is composed.

Solicitation— Village of Jones Creek creates the appropriate solicitation document, with terms and conditions and evaluation criteria clearly defined, and notifies vendor sources for an informal or formal bid process.

Receipt of Bids and Responses to Solicitation—Vendors submit their response to the solicitation.

Evaluation and Awards— Village of Jones Creek reviews the responses from vendors, determines compliance with the solicitation and makes an award recommendation based on the pre-defined best value criteria.

Negotiation of Profit - Federal Guidelines require negotiations of profit as a separate element of the price for each contract and modification in which there is no price competition and, in all cases, where cost analysis must be performed. 2 C.F.R. § 200.323(b)

The Village of Jones Creek will use one of the following five methods of procurement described at 2 CFR Section 200.320: (1) procurement by micro-purchases, (2) procurement by small purchase procedures, (3) procurement by sealed bids, (4) procurement by competitive proposals, or (5) procurement by noncompetitive proposals.

1. Simplified Acquisition Procedures for Purchases Below Micro-Purchase Threshold

For purposes of this section, the micro-purchase threshold is \$3,000.

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (§200.67 Micro-purchase). To the extent practicable, the Village of Jones Creek must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

2. Small Purchase

Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that cost less than the lesser of the Federal Simplified Acquisition Threshold or the \$50,000 threshold defined in state law (Local Government Code §262.003 for counties and §252.021 for municipalities. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.

For service contracts that are under the small purchase threshold and do not fall under professional services as defined in Section 2254.002(2) of Local Government Code, the Village of Jones Creek may receive quotes and award the contract to any reasonable and responsible bidder. The local governing body has the final authority to award contracts.

3. Construction and Materials Contracts

In order for sealed bidding to be feasible, the following conditions should be present:

- a. A complete, adequate, and realistic specification or purchase description is available;
- b. Two or more responsible bidders are willing and able to compete effectively for the business; and
- c. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

- a. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;
- b. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
- c. All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;
- d. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
- e. Any or all bids may be rejected if there is a sound documented reason.

4. Professional Services Contracts

This method is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- a. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
- b. Proposals must be solicited from an adequate number of qualified sources;
- c. The Village of Jones Creek must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
- d. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
- e. The Village of Jones Creek may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

5. Noncompetitive Proposals

This method may be used only when one or more of the following circumstances apply:

- a. The item is available only from a single source;
- b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- c. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request; or
- d. After solicitation of a number of sources, competition is determined inadequate.

These Policies and Procedures are implemented through of the Village of Jones Creek's administrative team of:

LIST TITLES ONLY HERE:

City Secretary/Administrator

Mayor

Mayor Pro-tem

Gordon Schlemmer, Mayor

Date