Minutes of Regular Meeting held June 8, 2020

Regular meeting with the following present: Mayor Mark Bowen; Aldermen Jerry Stone, Erik Dahler, Ruben Gonzalez, Sam Cortez, Laura Reyna; City Secretary Josie Campa; Director of Public Works James McGrath; Fire Marshal Matt Dear; Police Chief Richard Priest; City Attorney Tom Cate.

Visitors: Anita Saucedo, Danny Robison, Mr. & Mrs. Jerry Barnhill, Sam Parks, Christopher Bowen, J.J. King, Mark Lovelace, Frankie Carrillo, Marisa and Rudy Carrillo, Barret Horak, Dylon Pencil, Lydia McGrath, K.K. Calame, Gabriel Romero.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE
Mayor Bowen opened the regular meeting at 6:37 p.m. and led everyone in the pledge to the flag.

VISITORS’/CITIZENS’ COMMENTS
Police Chief Richard Priest presented Danny Robison with a 20-year recognition plaque. The Chief told everyone that Cpl. Robison served as a Reserve Officer for nineteen (19) years and has been a full time officer for a year now.

APPROVAL OF MINUTES AND APPROVAL OF PAYMENT OF BILLS
City Secretary Josie Campa added one late bill from Texas Fleet Fuel for gasoline that totaled $1,500.50. Alderman Gonzalez asked that page 5 of the May minutes be corrected to read the AT & T price could be anywhere from $5,500.00 to $6,300.00 per month. Alderman Gonzalez made the motion that Council approve the minutes of the May 11th regular meeting, as corrected and the June 2nd special meeting, as presented, and payment of the bills, as presented. Seconded by Alderman Stone. Passed unanimously.

CONSIDER AND ACT UPON REQUEST FOR AMENDMENT TO GAS SALES CONTRACT WITH WTG GAS MARKETING
J.J. King, Vice President of Gas Marketing for West Texas Gas told Council that the company is doing a new pricing structure and that Lytle’s rates have not been changed since 2009. Mr. King said even though gas prices have gone down the upstream transportation rate has gone up and this has caused them an increase in transporting the fuel. After discussion, Alderman Gonzalez made the motion that Council approve the proposed amendment to the city’s gas sales contract with West Texas Gas. Seconded by Alderman Dahler. Passed unanimously.

CONSIDER AND ACT UPON RECOMMENDATION FROM MOBILE HOME COMMISSION ON REQUEST FROM MARISA AND RAUL CARRILLO FOR PLACEMENT OF A MOBILE HOME AT 18020 WISDOM ROAD
Alderman Gonzalez asked the Carrillos when the other structure would be torn down. Marisa Carrillo told Council they need about eight (8) months to remove the old home. Alderman Cortez made the motion that Council approve the recommendation from the Mobile Home Commission and the Carrillos be given eight (8) months to remove the old home from the property. Seconded by Alderman Stone. Passed unanimously.
CONSIDER AND ACT UPON REQUEST FROM ANITA SAUCEDO FOR A VARIANCE ON THE CITY’S SUBDIVISION CODE
City Secretary Josie Campa explained to Council that Mrs. Saucedo had her property subdivided a while back and the surveyor/engineer on the project never brought it to Council even though he knew the process for subdividing property in the city. The City Secretary told Council that Mrs. Saucedo has started building her new home, and she sees that the frontage on her property is not as much as she would like. The City Secretary told Council that Mrs. Saucedo originally had the five acres divided into a 3 ½ acre tract and 1 ½ acre tract and now would like both tracts to be 2 ½ acres each. Mrs. Saucedo requested a variance of the city’s subdivision code since she will only be having the front property line moved up. Council discussed what had been done and whether to have the new plat done to code. After discussion, Alderman Stone made the motion that Council grant the variance of the subdivision code to Mrs. Saucedo for additional frontage to her original plat. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AND ACT UPON REQUEST FROM JERRY BARNHILL TO ALLOW FAMILY MEMBER TO PLACE RECREATIONAL VEHICLE ON HIS PROPERTY THAT ALREADY HAS UTILITY HOOK-UPS FOR THREE MONTHS WHILE HOME IS BEING BUILT
Mr. & Mrs. Jerry Barnhill asked Council for permission to have a recreational vehicle (RV) placed on their property by his grandson for approximately three (3) months. Mr. Barnhill told Council he already has a water meter and septic connection on this lot and said that this be only while they are waiting for their home to be built. After discussion, Alderman Gonzalez made the motion that Council allow Mr. Barnhill to pull a permit to place this recreational vehicle on his property. Seconded by Alderman Stone. Passed unanimously.

UPDATE ON LYTLE CHAMBER OF COMMERCE’S FARMERS’ MARKET AND AMENDED REQUEST FOR FUND FOR THIS PROJECT-MARK LOVELACE, CHAMBER PRESIDENT
Mark Lovelace, President of the Lytle Chamber of Commerce told Council that they had put off the farmers’ market due to COVID-19, but they are now ready to start up. He said the first farmers’ market would be held June 27th and the Chamber will take extra precautions to enable social distancing and hand washing. Mr. Lovelace told Council they had requested $1,600.00 before, but because they won’t be advertising in the newspapers, they are only asking for $945.00. After discussion, Alderman Gonzalez made the motion that Council approve the Chamber’s request and they be given $1,000.00 for the first year that they hold the Farmers’ Market. Seconded by Alderman Cortez. Passed unanimously.
CONSIDER, REVIEW AND ACT UPON FINALIZED EMERGENCY MANAGEMENT AGENCY (FEMA) ATASCOSA-MCMULLEN COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN (HAZMAP) TO BE SUBMITTED TO FEMA UPON FINAL REQUIRED PUBLIC MEETING AND LOCAL GOVERNING BOARD MEETING FINAL REVIEW
After discussion, Alderman Cortez made the motion that Council approve the finalized FEMA HAZMAP for submission to FEMA. Seconded by Alderman Reyna. Passed unanimously.

CONSIDER AND ACT UPON CANCELLATION OF 4TH OF JULY CELEBRATION DUE TO COVID-19 PANDEMIC AND CLOSING PARK FOR THAT HOLIDAY
Mayor Bowen told Council that social distancing cannot be practiced at the 4th of July event and therefore should be canceled. Police Chief Richard Priest and Police Lieutenant Matt Dear told Council that crowd control for this event would be difficult and social distancing could not be practiced. Alderman Gonzalez agreed with the Mayor on this event but felt the park needs to remain open. Alderman Cortez and Alderman Reyna agreed with Alderman Gonzalez. Alderman Dahler voiced concern with leaving park open on holiday since the COVID-19 cases are still going up. Alderman Stone said he feels the park should be closed on the 4th of July. Alderwoman Reyna made the motion that Council cancel the 4th of July event, but leave the park open and have people follow CDC guidelines and police monitor that these guidelines are being followed. Seconded by Alderman Gonzalez. Discussion. Vote: Alderwoman Reyna and Alderman Gonzalez voted FOR. Aldermen Cortez, Dahler and Stone voted AGAINST. Motion failed. Discussion. Alderman Dahler told Council that the park has been closed for other holidays and that Council needs to be consistent. He told Council he feels the need to protect the citizens. He then made the motion that Council cancel the 4th of July event and that the park be closed for the 4th of July holiday. Seconded by Alderman Stone. Discussion on closure time being Friday evening and then reopening on Sunday morning. Motion was passed unanimously.

CONSIDER AND ACT UPON THE ADOPTION OF A WRITTEN POLICY CONCERNING SEWER RATE CALCULATIONS WHEN CUSTOMER HAS A WATER LEAK DURING THE TIME PERIOD USED FOR RATE CALCULATIONS
City Secretary Josie Campa told Council that during the audit, auditors found that sewer rates were calculated different than in past years for some customers and requested that a written policy be adopted to avoid this from happening in the future. The City Secretary requested that the written policy read that “sewer rate will be calculated on the previous year’s three month average should the customer have a water leak during the three month period used for calculating the sewer rates”. Alderman Gonzalez made the motion that Council adopt the written policy as proposed by the City Secretary. Seconded by Alderman Dahler. Passed unanimously.
CONSIDER AND ACT UPON REQUEST FROM CITY SECRETARY TO ADVERTISE FOR OFFICE HELP TO FILL VACANCY CREATED BY ANGELA PERDUE’S RESIGNATION
City Secretary Josie Campa requested Council’s permission to advertise for office help to fill vacancy created by Angela Perdue’s resignation. Alderman Cortez made the motion that the City Secretary’s request be approved. Seconded by Alderman Gonzalez. Passed unanimously.

CONSIDER AND ACT UPON REQUESTING FOR RFPS FOR 2019-2020 AUDIT BASED UPON PREVIOUS DISCUSSION WITH MAYOR WE WOULD BE PUTTING ON RFP FOR NEW AUDITOR-ALDERMAN RUBEN GONZALEZ
Alderman Gonzalez told Council he feels the Council needs to go out for RFPs for the 2019-2020 audit since they have not gotten the city caught up on audits.

City Secretary Josie Campa told Council that even though the audits are not caught up, it is not the fault of the auditors. She told Council the 2017-2018 audit will be presented in August and then the 2018-2019 will start soon after, and that the 2017-2018 got held up by Council when they waited to hire someone to assist with the audit preparation. She said she feels going out for RFPs right now, when nearly nine (9) months of the fiscal year have already gone by, would hold up the next audit. Alderman Gonzalez told Council that he had made comments about auditors before and wanted to change and had talked to the Mayor about a year ago about going out for RFPs. Council discussed Alderman Gonzalez’ request for RFPs and then Alderman Stone made the motion that Council not ask for RFPs for auditors at this time. Council discussed pros and cons for going out for RFPs for auditors at length. Alderman Dahler then seconded Alderman Stone’s motion. VOTE: FOR—Aldermen Stone, Dahler and Cortez. AGAINST—Alderman Reyna and Alderman Gonzalez. Motion carried.

CONSIDER AND ACT UPON RFP FOR CITY OF LYLTE’S COMMUNICATION NEEDS (PHONES AND NETWORK SERVICE) CURRENT CONTRACT EXPIRES SEPTEMBER 4, 2020-ALDERMAN RUBEN GONZALEZ
Alderman Gonzalez asked where we were with the RFP for the city’s communication needs for phones and internet. City Secretary Josie Campa told Alderman Gonzalez she had not pursued this matter after discussing Alderman Gonzalez’ agenda request with the Mayor. The City Secretary told Council she had misunderstood and did not go back to Frontera for a proposal. Council then discussed what the RFP should include and Alderman Dahler said he wants scoring criteria. Alderman Gonzalez told Council we are still waiting for AT & T to give the city an adjustment. It was agreed that Frontera needs to be contacted for drawing up the RFP for the city communication needs and a special meeting be called, if needed. No action was taken.
PROVIDE UPDATE ON COAL MINE’S EMERGENCY EXIT—ALDERMAN RUBEN GONZALEZ

Alderman Gonzalez requested an update on the Coal Mine Emergency exit. City Attorney Tom Cate told Council that documents for property owners to sign have been drawn up, and the property owners will need to review these before they sign. Mr. Cate told Council once the city has these documents signed and filed, they can start working with the grass farm on a route, then the city can start work. Chief Priest asked about putting up a gate, and the attorney said that if Mr. Garcia agrees, the city can put up a gate. Alderman Gonzalez asked that this item be on the July agenda for another update.

Council took a short break at 8:35 p.m. and reconvened at 8:49 p.m.

CONSIDER AND ACT UPON REQUEST FROM BEXAR COUNTY FOR CITY TO ENTER INTO AN INTERLOCAL GRANT AGREEMENT BETWEEN THE COUNTY OF BEXAR AND THE CITY OF LYTLE FOR THE DISTRIBUTION OF FEDERAL CORONAVIRUS RELIEF FUNDS AND ADOPTING RESOLUTION APPROVING THIS INTERLOCAL GRANT AGREEMENT TO ACCEPT FEDERAL CORONAVIRUS RELIEF FUNDS FROM THE COUNTY OF BEXAR

After discussion, Alderwoman Reyna made the motion that Council enter into an interlocal agreement with Bexar County and that the resolution proposed by Bexar County be adopted. Seconded by Alderman Cortez. Passed unanimously.

DISCUSSION AND POSSIBLE ACTION DESIGNATING AUTHORIZED SIGNATORIES TO APPLY AND EXECUTE ANY AND ALL NECESSARY AGREEMENTS, APPLICATION, ASSURANCES, CERTIFICATIONS, CONTRACTS AND OTHER DOCUMENTS AND INSTRUMENTS FOR GRANT FUNDING THROUGH THE CORONAVIRUS RELIEF FUND FUNDED BY THE CONRONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES ACT) APPROPRIATED TO THE STATE OF TEXAS AND OTHER MATTERS INCIDENT THERETO—ALDERWOMAN LAURA REYNA

Alderman Reyna told Council there is funding available to Lytle through the CARES Act for expenses due to COVID-19. She told Council the State has designated TDEM to oversee these grants, and that the city needs to apply for these funds, and the Mayor be allowed to enter into an agreement for these grant funds. Alderwoman Reyna explained how this grant would work and said there is a possibility that the city would get funding for economic development and people’s bills. Alderwoman Reyna suggested a special meeting be held to determine needs if grant provides city with monies for helping utility customers with assistance as would as money for businesses. Mayor Bowen asked Alderwoman Reyna who would do this for the city. She told Council she is doing this for the City of San Antonio on a much larger scale. The City Secretary suggested it might help the City if they get someone to administer this grant. Alderwoman Reyna told Council it is a short application, nothing to outrageous and the Mayor would have to be the signator. Mayor Bowen suggested the City Attorney look at the paperwork involved and then we can move forward. Alderman Gonzalez made the motion that the city pursue this grant application. Seconded by Alderman Cortez. Passed unanimously. The City Attorney will review this paperwork.
DISCUSSION AND POSSIBLE ACTION ESTABLISHING A NEW PART-TIME POSITION: RECYCLING SPECIALIST WITH JOB DESCRIPTION, PAY RATE, START DATE, ADVERTISEMENT DATE AND ANY OTHER MATTERS INCIDENT THERETO-ALDERWOMAN LAURA REYNA

Alderwoman Reyna told Council she feels the city needs to put out an ad for recycling program Recycling Specialist. The City Secretary asked Council if the city should wait to see whether the recycling program is going to work and in the meantime use city workers and or volunteers. She said AACOG is providing training on June 30th. Alderwoman Reyna told Council she would rather bring in someone. Mayor Bowen told Council he feels it should be someone who really cares about recycling. The Mayor told Council he had talked to Jourdanton Mayor and that this program started off slow at first, but has gotten better as it has gone on. Alderman Dahler said he would prefer to wait until the next budget cycle to hire another employee for recycling program. Alderwoman Reyna told Council it needs to be someone who knows what to do, due to contamination problem. Mayor Bowen told Council this will be critical path and the front end will be educational. Council discussed different ways to hire someone to oversee recycling program. Mayor Bowen told Council he will reach out to the City of Jourdanton’s Mayor and go look at their operation and get numbers and a report for Council. Alderman Gonzalez asked when Council wants to get this program in place. Alderwoman Reyna said she wants to have this on the next Council meeting agenda to try to get this going. Alderman Gonzalez told Council he wants Waste Management to provide information to customers sooner than July 1st. City Secretary Josie Campa told Council she would contact Waste Management to contact customers about new garbage service and recycling before the end of June. Mayor Bowen told Council he would bring back info for the July agenda. No action taken.

DISCUSSION AND POSSIBLE ACTION TO ENTER INTO AN AGREEMENT WITH THE SAN ANTONIO FOOD BANK TO PARTICIPATE IN THE SAN ANTONIO FOOD BANK POP UP MARKET FOR A MINIMUM OF ONCE A MONTH FOR THE NEXT THREE (3) MONTHS AS A FOOD DISTRIBUTION SITE AND POSSIBLE ACTION TO APPROVE THE USE OF PREVIOUS APPROPRIATED FUNDS IN CONJUNCTION WITH THE FOOD DISTRIBUTION, AND ANY MATTER INCIDENT THERETO-ALDERWOMAN LAURA REYNA

Alderwoman Reyna explained to Council that a lot of people in Lytle are without food due to the COVID-19 pandemic. She told Council the city could get eleven (11) pallets of food each month to help these people. She said Jourdanton, Atascosa and Natalia have had these give-aways and it would be beneficial for our citizens. She said this could be held at the Community Center parking lot and be a drive-thru and about fifteen (15) volunteers would be needed. Alderwoman Reyna told Council that $2,000.00 was budgeted for activities for the kids in the summer and asked to use this money for coloring books and puzzles, etc for kids to be handed out with the food. She said someone is needed for organizing this event and we can talk to school sports department, Boy Scouts and NHS. She agreed to work on this project. Alderman Gonzalez made the motion that Council approve these requests. Seconded by Alderman Cortez. Passed unanimously.
REVIEW, CONSIDER AND ACT UPON APPROVING NEW POLICE DEPARTMENT POLICIES: A. 2.2 BIAS BASED POLICING; B. 6.1 USE OF FORCE; C. 6.3 LESS LETHAL; D. 6.5 BOLA WRA; REMOTE RESTRAINT DEVICE; AND E. 7.2 FIELD INTERVIEW, CONSENSUAL ENCOUNTERS AND DETentions-CHIEF PRIEST
Police Chief Richard Priest told Council he had sent policies to Council for their review. He said he and the City Attorney had been working on the police policy manual for a year now. He said he had talked to Alderwoman Reyna about the “use of force” policy and they want to hold off on this policy at this time. He said he would like to get approval on the other policies tonight and then be back in July with more policies. After lengthy discussion, Alderman Gonzalez made the motion that Council adopt the following policies: 2.2-Bias Based Policing; 6.3-Less Lethal; 6.5-Bola Wrap Remote Restraint Device and 7.2-Field Interview, Consensual Encounters and Detentions. Seconded by Alderman Stone. Passed unanimously.

CONSIDER AND ACT UPON APPOINTMENT TO MOBILE HOME COMMISSION TO FILL VACANCY
Alderman Stone nominated Troy Whitney for the vacant spot on the Mobile Home Commission. Council members drew for term of each of their nominees: Alderman Dahler’s nominee Elisa Grothues will serve a 1-year term; Alderman Stone’s nominee (Troy Whitney) will serve a 2-year term; Alderwoman Reyna’s nominee Donna Hendrick will serve a 1-year term; Alderman Cortez’ nominee Jesse Camarillo will serve a 2-year term and Alderman Gonzalez’ nominee Lynn Anderson will serve a 2-year term. Alderman Cortez made the motion that Council approve Troy Whitney for the Mobile Home Commission and the terms drawn by each Council member for their nominee. Seconded by Alderman Gonzalez. Passed unanimously.

CONSIDER AND ACT UPON APPOINTMENTS TO THE ZONING COMMISSION TO FILL VACANCIES
Alderman Cortez nominated Richard Hughes for the Zoning Commission and Alderman Stone nominated David Emery for the last spot on the Zoning Commission. Council members drew for terms on the Zoning Commission. They were as follows: Alderman Dahler-2-year term; Alderman Stone-2-year term; Alderwoman Reyna -1-year term; Alderman Cortez-1-year term; Alderman Gonzalez-2-year term. Alderman Gonzalez made the motion that Council appoint Richard Hughes and David Emery to the Zoning Commission and the terms chosen by each Council member be applied to their appointees. Seconded by Alderwoman Reyna. Passed unanimously.

CONSIDER AND ACT UPON APPOINTMENT TO MEDINA CAD’S BOARD OF DIRECTORS TO FILL VACANCY CREATED BY ROY SHEETZ RESIGNATION
City Secretary Josie Campa told Council that the school district is asking Bill Herring to serve as their Board member for the Medina CAD Board of Directors, but she had not heard back from them on whether he accepted. No action was taken on this item.
CONSIDER AND ACT UPON REQUEST FROM TxDOT FOR CITY TO APPROVE REDUCTION OF SPEED DURING CONSTRUCTION ON IH-35 PROJECT IN SPRING OF 2022

City Secretary Josie Campa told Council that TxDOT was requesting the city approve the reduction of the speed during construction of IH 35 project in 2022. She told Council the city had opted to let TxDOT set the speed on previous projects. Alderman Dahler made the motion that Council let TxDOT set the speed during their construction project. Seconded by Alderman Stone. Passed unanimously.

Meeting adjourned at 10:12 p.m.