Minutes of Regular Meeting held on December 14, 2020

Regular meeting with the following present: Mayor Ruben Gonzalez; Aldermen Sam Cortez, Charles Cate, Jerry Stone, Guadalupe Castro, Laura Reyna; City Secretary Josie Campa; Director of Public Works James McGrath; Police Chief Richard Priest; City Attorney Tom Cate; Police Officer David Lopez; Animal Control Santiago Morantez.

Visitors: Gerry Elias, Wayne Herl, Simon Garcia.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE
Mayor Gonzalez opened the meeting at 6:32 p.m. and led everyone in the pledge to the flag.

VISITORS'/CITIZENS' COMMENTS
No comments from the citizens in attendance.

CONSIDER APPROVAL OF MINUTES AND CONSIDER APPROVAL OF PAYMENT OF BILLS
The City Secretary told Council that the bill from Sapphire Gas Solutions was a lot less due to the gas line integrity testing last less days, but said the city would be receiving a bill from CPS for services during gas outage. Alderwoman Reyna made the motion that Council approve the minutes from the November 9th regular meeting, the November 17th public hearing and regular meeting and payment of the bills, as presented. Seconded by Alderman Cortez. Alderman Cate told the Mayor and Council he has to abstain from payment of the bills since he is employed by the Law Office of Thomas Cate. VOTE: For Motion-Alderwoman Reyna, Aldermen Cortez, Castro and Stone. Alderman Cate abstained. Motion carried.

CONSIDER AND ACT UPON ADOPTION OF RESOLUTION AUTHORIZING AND CREATING THE LYTLE FARMS PUBLIC IMPROVEMENT DISTRICT TO FINANCE IMPROVEMENTS WITHIN LYTLE FARMS
After discussion, Alderman Cortez made the motion that Council adopt the resolution authorizing and creating the Lytle Farms Public Improvement District. Seconded by Alderman Castro. Passed unanimously.

CONSIDER AND TAKE APPROPRIATE ACTION ON ADOPTING THE FEMA ATASCOSA COUNTY AND McMULLEN COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION ACTION PLAN IN ITS ENTIRETY BY REQUIRED RESOLUTION
Alderman Stone made the motion that Council adopt the resolution approving the FEMA Atascosa County-McMullen County Multi-Jurisdictional Hazard Mitigation Action Plan. Seconded by Alderman Castro. Passed unanimously.
CONSIDER AND ACT UPON APPOINTMENT OF LOCAL HEALTH AUTHORITY
Mayor Gonzalez told Council that Dr. Neel could not be present, but could talk to Council on the phone. The Mayor reviewed Dr. Neel’s bio with Council. After discussion with Dr. Neel, Alderman Cortez made the motion that Council appoint Dr. Neel as the City’s Local Health Authority. Seconded by Alderman Cate. Passed unanimously. Mayor Gonzalez told Council he would coordinate the paperwork with Dr. Neel.

COVID UPDATES ON THE FOLLOWING:
1. CHAMBER OF COMMERCE FARMERS’ MARKET
Mayor Gonzalez gave Council update from the Emergency Management team and said the Chamber of Commerce had been asked to scale down the Farmers’ Market during the pandemic.

2. CASE REPORTING BY USING ZIP CODE
The Mayor told Council that the new reports on COVID-19 cases will be done by zip code, and said cases have gone up drastically over the last two weeks.

3. EMERGENCY MANAGEMENT PLAN
Mayor Gonzalez told Council that the City’s Emergency Plan is needing to be updated and he has reached out to AACOG for assistance.

4. TDEM CARE FUNDING UPDATE
CARES funding paperwork has been submitted by the attorneys for Atascosa Counties, and City should receive around $130,000.00 in 4 to 6 weeks.

CONSIDER AND ACT UPON LATEST EMERGENCY DECLARATION
Council discussed the latest emergency declaration with the city attorney and agreed with the department heads to keep offices closed for now. Alderman Castro made the motion that Council adopt the latest emergency health declaration for a 90-day extension of the previous declaration. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AND ACT UPON ADOPTING RESOLUTION APPROVING THE MEDINA COUNTY APPRAISAL DISTRICT’S BOARD OF DIRECTORS ACTION ON THE PURCHASE OF A BUILDING FOR THE CAD
After discussion, Alderwoman Reyna made the motion that Council adopt the resolution approving the Medina CAD Board’s action to purchase and renovate the building at 3102 Ave. G for the CAD. Seconded by Alderman Stone. Passed unanimously.

CONSIDER AND ACT UPON APPOINTMENT OF MUNICIPAL COURT JUDGES
Alderman Stone made the motion that Council re-appoint Gerry Elias as Municipal Court Judge and Debra Herrera as Associate Judge. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AND ACTION UPON AMENDMENTS TO 2020-2021 FY BUDGET
City Secretary Josie Campa reviewed the handout on the proposed budget amendments. Since some of the items addressed in the handout have not been approved by Council, Alderman Cate made the motion that Council table this item until Council discusses the next two items. Seconded by Alderman Cortez. Passed unanimously.
Minutes of Regular Meeting held on December 14, 2020-page 3

Council took a break at 7:46 p.m. and reconvened at 7:56 p.m.

CONSIDER AND ACT UPON QUOTES RECEIVED FOR UPGRADING KENNELS
Animal Control Director Santiago Morantez talked to Council about the quotes he had received for upgrading the kennels. These bids were as follows:

<table>
<thead>
<tr>
<th>Company</th>
<th>Type</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shor-Line</td>
<td>Stainless steel</td>
<td>$39,059.50</td>
</tr>
<tr>
<td></td>
<td>Galvanized</td>
<td>$32,856.50</td>
</tr>
<tr>
<td>Midmark</td>
<td></td>
<td>$43,964.13</td>
</tr>
<tr>
<td>Direct</td>
<td></td>
<td>$43,893.21</td>
</tr>
</tbody>
</table>

City Secretary Josie Campa told Council that these prices are almost twice what was budgeted ($22,000.00) for this project. The Animal Control Director told Council that the quotes he had received for the budget didn’t include all the kennels. Council discussed the prices and the project being delayed, and the amendments to the budget for this project. Alderwoman Reyna made the motion that Council accept quote from Shor-Line for $39,059.50 and the budget be amended. Seconded by Alderman Castro. VOTE-For motion-Alderwoman Reyna, Aldermen Castro and Stone. Alderman Cate and Cortez voted no to motion. Motion carried.

CONSIDER AND ACT UPON APPROVAL OF SIGN FOR ANIMAL CONTROL FACILITY
Animal Control Director Santiago Morantez told Council that he has been told that they can’t see the signs at the animal control facility and gave an estimate for a new sign on the building of $2,959.59. After discussion, Alderman Cortez made the motion that Council wait until next budget year for this sign. Seconded by Alderman Stone. Passed unanimously.

CONSIDER AND ACT UPON AMENDMENTS TO 2020-2021 FY BUDGET
City Secretary Josie Campa reviewed the amended proposed budget amendments as per the action taken by Council on the last two items. Amendments proposed for 20-21 budget were as follows:

**General Fund**
- **Revenues**
  - **Sales Tax** + $20,000.00

**Expenses**
- **Salaries** - $20,000.00
- **Transfer To Animal Control** + $20,000.00
- **Community Activities/Events** + $20,000.00
Minutes of Regular Meeting held on December 14, 2020-page 4

CONSIDER AND ACT UPON AMENDMENTS TO 2020-2021 FY BUDGET (CONT.)
Animal Control Fund
Revenues
Transfer from General Fund - + $20,000.00

Expenses
Capital Improvements - + $20,000.00

Alderman Cortez made the motion that Council approve the proposed amendments to the 20-21 budget. Seconded by Alderman Cate. Passed unanimously.

CONSIDER AND ACT UPON PROPOSAL FROM FRONTERA CONCEPTS FOR SURFACE PRO TABLET MAINTENANCE AND SUPPORT
Alderman Cortez made the motion that Council approve the proposal from Frontera Concepts for $160.00 per month for maintenance and support on the eight Surface Pro tablets. Seconded by Alderman Stone. Passed unanimously.

CONSIDER AND ACT UPON ADOPTING ORDINANCE PROVIDING FOR THE COLLECTION OF A REIMBURSEMENT FEE AND SERVICE CHARGES FOR CUSTOMERS USING CREDIT/DEBIT CARDS TO PAY CITY FEES
City Secretary Josie Campa told Council that credit card fees have gone up considerably over the past year, and she has found that other cities are charging a fee to its customers using credit/debit cards. Alderwoman Reyna recommended amending the language to track the local government code. Alderman Stone made the motion that Council adopt the ordinance providing for the collection of a reimbursement fee and service charge. Seconded by Alderman Castro. Discussion on 5% fee. Alderman Stone agree to amend his motion to a 3% fee being charged, instead of the original 5% with the amended language providing for the collection. Alderman Castro agreed to second the amended motion. Passed unanimously.

CONSIDER AND ACT UPON RFQs RECEIVED FROM AUDITING FIRMS
Mayor Gonzalez told Council that he had asked the following people to serve on the auditors evaluation committee: Randy Garcia, President of Lytle State Bank, Aaron Padilla from Community National Bank and Michael Carrales the Chief Financial Officer from Somerset ISD. He said Mark McLiney, the City’s Financial Advisor would also be asked to be on this committee as per the City Attorney’s recommendation. The City Attorney also suggested that maybe someone from the Council serve on this committee. Alderwoman Reyna made the motion that Council approve the recommendation for the audit committee to review the RFQs and make a recommendation to the Council. Seconded by Alderman Cate. Discussion. Alderman Cate recommended that Mark McLiney and Alderman Castro also serve on this committee. Alderwoman Reyna amended her motion to include Mark McLiney and Alderman Castro on said committee and Alderman Cate seconded the amended motion. Passed unanimously.
CONSIDER AND ACT UPON THE HIRING OF A FINANCE OFFICER
Mayor Gonzalez told Council he had asked Leroy Kowalski the City of Live Oak’s Financial Director to serve on the committee to review the Finance Director applications along with Alderman Castro and Alderwoman Reyna, and that he and the City Secretary be advisors to this committee. After discussion, Alderwoman Reyna made the motion that Council appoint the committee recommended by the Mayor. Seconded by Alderman Cate. Discussion. Alderman Cate made the motion that Council appoint Leroy Kowalski, Alderman Castro and Alderwoman Reyna to the committee and not include the Mayor and City Secretary. Mayor Gonzalez told Mr. Cate Council needed to vote on the first motion. VOTE: FOR-Alderwoman Reyna, Aldermen Castro, Cortez and Stone. AGAINST-Alderman Cate. Motion carried.

CONSIDER AND ACT UPON HIRING OF OFFICE CLERK TO FILL VACANCY
City Secretary Josie Campa asked Council for permission to readvertise for the vacant position in the office. Alderman Cate made the motion that Council allow the City Secretary to readvertise for the vacant position in the office. Seconded by Alderman Cortez. Passed unanimously.

CONSIDER AND ACT UPON HIRING PUBLIC WORKS EMPLOYEE(S)
Public Works’ Director James McGrath told Council he had interviewed two applicants for the part-time position and recommended Juan Gomez, Jr. be hired part-time. Mr. McGrath asked Council if the part-time position needs to get physical and drug screen and background check. Alderman Stone made the motion that Council hire Juan Gomez, Jr. for the part-time position as per Mr. McGrath’s recommendation without the physical, drug screen and background check that full-time employees have to have. Seconded by Alderman Castro. Passed unanimously.

Mayor Gonzalez told Council that there is money in the budget for another position and the Director should be given the flexibility to try and get someone else for this position. Alderman Castro made the motion that Council allow the Director to hire a licensed employee for this position. Seconded by Alderman Stone. Passed unanimously.

CONSIDER AND ACT UPON ADOPTING ORDINANCE THAT REQUIRES THE INSTALLATION OF ONLY SMART WATER Meters FOR FUTURE DEVELOPMENTS IN LYTLE
City Secretary Josie Campa told Council that if the City Council is going to want only “smart” water meters to be installed in the new subdivision then they need to consider adopting an ordinance calling for this. After discussion, Alderman Stone made the motion that Council have the City Attorney write an ordinance requiring smart water meters selected by Council to be installed in all new subdivisions as well as replacements for existing water meters. Seconded by Alderman Castro. Discussion. VOTE: FOR-Aldermen Stone, Castro, Cortez and Reyna. Alderman Cate abstained. Motion carried.
Minutes of Regular Meeting held on December 14, 2020-page 6

CONSIDER AND ACT UPON ALLOWING CITY SECRETARY TO PURCHASE CHRISTMAS DECORATIONS ON CLEARANCE
Alderman Cortez made the motion that Council allow the City Secretary to spend up to $2,000.00 for Christmas decorations on clearance. Seconded by Alderman Stone. Passed unanimously.

CONSIDER AND ACT UPON HOLIDAYS FOR 2021 AS PER SECTION 9.01 OF EMPLOYEE’S PERSONNEL POLICY
City Secretary Josie Campa presented the calendar for holidays in 2021. She explained that Section 9.01 of the Employees’ Personnel policy calls for the Council to determine day when a legal holiday falls on a Saturday or Sunday. She showed Council a calendar for 2021 that shows when holidays are being observed for July 4th, a Sunday and Christmas Day, a Saturday. After discussion, Alderman Cate made the motion that Council accept the federal holidays. Seconded by Alderman Stone. Passed unanimously.

CONSIDER AND ACT UPON APPOINTMENT OF DEPARTMENT LIAISONS
Mayor Gonzalez recommended to Council that Council wait to change liaisons until the May election. Council discussed the current liaisons which are:
   Alderman Stone-Water & Sewer;
   Alderwoman Reyna-Culture & Recreation, Library;
   Alderman Cortez-Parks & Police;
   Alderman Gonzalez-Gas & Administration;
   Alderman Farmer/Dahler-Streets; and
   Mayor Bowen-Animal Control.

Mayor Gonzalez asked that a Council member serve as liaison to the Animal Control department to the Animal Control department and the new Aldermen serve as liaison to the departments held by their predecessors. Alderwoman Reyna agree to serve as the Animal Control department and made the motion that the liaisons from now until the May election be as follows:
   Alderman Stone-Water & Sewer;
   Alderwoman Reyna-Library, Culture/Recreation & Animal Control;
   Alderman Cortez-Parks & Police;
   Alderman Castro-Gas & Administration;
   Alderman Cate-Streets
Seconded by Alderman Cate. Passed unanimously.

DISCUSSION ON UPCOMING ANNUAL CITIZENSHIP AWARD
Mayor Gonzalez told Council that he wants Council’s input for the annual citizenship award instead of the City Secretary and Mayor making a recommendation. After discussion, Alderman Cortez made the motion that Council have each Council member nominate someone for this annual award and Council consider the accomplishments of the nominees to vote on the winner of this award. Seconded by Alderman Castro. Passed unanimously.
Minutes of Regular Meeting held on December 14, 2020-page 7

**UPDATE ON COAL MINE EXIT**
Mayor Gonzalez asked for an update on the Coal Mine exit. City Attorney Tom Cate told Council that Robert Flores’ lawyer had sent an e-mail saying the proposed easement would not be permanent. At the request of Mayor Gonzalez, the City Attorney said he would go back to Mr. Flores and his attorney to try and resolve this matter. The Mayor asked that the attorney come back to Council in February, or in January, if he gets something done sooner.

**INFORMATIONAL ITEMS**
Mayor Gonzalez held Council that Santa’s Vehicle Parade was successful and thanked the City Secretary, Police Chief & department, Wayne Newman, Robert Hernandez and Public Works’ Director and crew for the work done on this project. The Mayor told Council that he hopes to be able to go back to the hayride next year.

Mayor Gonzalez thanked the Public Works’ department for work done on projects and last month’s water leaks.

The Mayor also thanked the Fire Chief and Fire Department for getting coordinated after a positive COVID-19 TEST. Mayor Gonzalez thanked Council for reviewing the agenda packets prior to meeting.

The Mayor asked everyone to reach out and assist people during this time of the year.

Alderman Cortez made the motion that the meeting be adjourned at 10:36 p.m. Seconded by Alderman Castro. Passed unanimously.

Meeting adjourned at 10:36 p.m.