



Tuesday, January 9, 2018

*NOTICE is hereby given of a Regular Meeting of the City Council on Tuesday, January 9, 2018 at 6:00 PM at 701 Berry, Encinal, Texas, for the purpose of considering the following numbered items. The City Council of the City of Encinal, Texas reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code.*

Accordingly, the Encinal City Council has rules of courtesy in place for all persons in attendance at its meetings. The Presiding Public Official shall at all times preserve order and decorum, prevent personal references to Council Members or the impugning of persons' motives. Citizens requesting to be heard shall sign in before the meeting is called to order and shall be called upon in the order that they signed in the Presiding Official shall use discretion in time allowed a citizen to be heard

The City of Encinal requires that testimony before the council be given under oath pursuant to Local Government Code 81.030. A person who make a false statement under oath is subject to prosecution under Section 37.02, Penal Code.

1. Meeting called to order.
2. Pledge of Allegiance.
3. Roll call to establishing a quorum.  
\_\_\_ R. Aldaco \_\_\_ I. Arizola \_\_\_ C. Maldonado \_\_\_ B. Lopez \_\_\_ O. Jordan
4. Citizens Comments.

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Members of the audience are invited to address the Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit their remarks to three minutes. As an un-agenized item, no response is required from City staff or the Council and no action can be taken: **Personal Attacks Will Not Be Allowed by Any Speaker.**

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5. Discussion and approval of minutes for Regular Meeting held on December 12, 2017.
6. Discussion of City Managers Report of daily activities, operations of the city and upcoming events of the city. Discussion on the Accounting reports of revenues and expenditures for the city. Discussion of steady state and enhance police patrol activities in the city, and discussion of the ticket counts and collections for the criminal cost reports for the city. Discussion will be in the following order
  - A. City Manager
    1. Discussion on Sidewalk project
    2. Discussion on January Gazette
    3. Discussion on R.E.A.L. Mission Program
    4. Discussion on FEMA Meal Kits from Surplus Property Program.
    5. Discussion on Food Bank.
    6. Discussion on 2018 Calendar for Staff & City Council.
    7. Discussion on TxDot traffic count report for City of Encinal.
    8. Discussion on JAG Grants.
  - B. Accountant
7. Closed Session on City Council and Personnel Matter. No Action to be taken!! *The City Council of the City of Encinal, Texas reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code.*
8. Discussion on continued letters received in the City of Encinal mailbox by anonymous individuals.

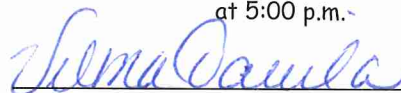
9. Discussion and Action on approving City Consultant and City Manager to apply for Solid Waste Grant for \$5,000.00 application due January 26, 2018.
10. Discussion and Action on approving the attendance of Mayor Sanchez and Chief Vallejo to the MRGD CJD Training in Uvalde, Texas.
11. Discussion and Action on the start date of 2018 for Elderly Program.
12. Discussion and Action on Elderly Program Valentine's Day Celebration.
13. Discussion and Possible Action on Bills paid/to be paid for January 2018.
14. Discussion and Action on seeking bids for the City of Encinal Welcome Monument design (Buy board, Email Former Building Contractors for City Hall & City Hall Posting) We assume this project will be less than \$50,000.00.
15. Discussion and Action on approving Resolution No. 01092018/Community Service Resolution Agreement with Community Supervision and Corrections Department (CSCD). A Resolution whereas the City of Encinal enters into a Community Service Restitution Agreement with the 81<sup>st</sup>/218<sup>th</sup> Judicial District Community Supervision and Corrections Department of LaSalle County. This agreement will be for fiscal year 2018.
16. Discussion and Action on the regular time & date of next meeting. The next City of Encinal Regular meeting will be held on \_\_\_\_\_, February 2018, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 6:00 p.m.

## 17. ADJOURNMENT

The City Council reserves the right to consider business out of the posted order and the right to adjourn into executive session to discuss items which are not listed as executive session items, but which qualify to be discussed in closed session under Chapter 551 of the Texas Government Code. Entrance and parking spaces for disabled persons are available in front of City Hall. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Manager's Office for concerns or requests @ (956) 948-5226.

### Certification

I, the undersigned City Manager/Attest City Secretary, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 701 Berry, Encinal, Texas on Thursday, **January 4, 2018** at 5:00 p.m.-

  
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City Manager/Attest City Secretary



**City of Encinal**  
**Regular Meeting Minutes**  
**January 9, 2018**

1. **Meeting called to order.** The Meeting was called to order by Mayor Sanchez at 6:03 p.m.
2. **Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and City Council.
3. **Roll call to establishing a quorum.** Present were Councilmembers Oliver Jordan, Irma Arizola, and Roberto Aldaco. Councilwoman Christina Maldonado came in at 6:04 p.m.
4. **Citizens Comments.** Citizen Frank Weikel told Council that they were doing a great job.
5. **Discussion and approval of minutes for Regular Meeting held on December 12, 2017.** A motion to approve the minutes for Regular Meeting held on December 12, 2017 was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Arizola, all were in favor, so motion carried.
6. **Discussion of City Managers Report of daily activities, operations of the city and upcoming events of the city. Discussion on the Accounting reports of revenues and expenditures for the city. Discussion of steady state and enhance police patrol activities in the city, and discussion of the ticket counts and collections for the criminal cost reports for the city. Discussion will be in the following order:**
  - A. City Manager
    1. **Discussion on meeting with employee of Alexander Memorial Library regarding alternative location for the library.** City Manager Velma Davila told Council that this was not an action item but that she wanted them to know that a lady that works at the Library came and spoke to her and the reason she came was that they don't actually want to be there at the school and her name is Grace Chavez and what she wanted was that we give them the old City Hall so that they can have the library there and please understand that we are dealing with two separate entities and as you know our old City Hall is being used to host the elderly program and the reason I put this item on the agenda was because I felt that it was important for you to know and I don't believe that this is a good idea because that is where we have our elderly program and they enjoy having it there and we are in no position to be donating a property and when we acquired the new City Hall that property was part of our collateral so it cannot be sold or given to somebody else or leased or anything like that but I did want you all to know because I don't make those type of decisions its up to Council to decide things like that and I did receive an email from the Library Director Alicia Reynolds stating that they didn't want the item to be put in the agenda. Councilman Jordan asked who the lady from the library was and City Manager Davila replied that it was Grace Chavez and that maybe Ms. Chavez hadn't

informed the Library Director about coming and speaking with me about this matter. Councilman Jordan asked what was wrong with the library and City Manager Davila replied that they didn't like being at the school for whatever reason and Councilman Jordan asked if we had spoken to Dr. Seals about it and City Manager Davila replied that no because it is not our concern because we have nothing to do with Alexander Library we are a different entity and they have nothing to do with the City or the school and the school is basically allowing them to have the library there and lending them the building but they want to put up shelves but there are rules that you must abide by when you are using property that doesn't belong to you and I wanted you to be aware of what happened and that she had come over here and then I got the email that they didn't want to be on the agenda and our recommendation would have been for Council to think about it because that is where our elderly program is being held and we can't even lease it out because USDA used that building as a collateral for the new City Hall. Councilwoman Maldonado asked who they came and spoke to and City Manager Davila replied that she came and spoke to her and Councilwoman Maldonado added so she just wanted us to give her the building and City Manager Davila replied yes because they couldn't afford to buy it, but you can't give away City property like that it's not feasible and it is not good for the City to get rid of property that is ours. City Consulate Ashley Eddington told Council there is also a question of logistics, insurance, liability and things like that and I don't think that entity is a governmental entity and it may be a non-profit, so my recommendation would be for us not to do that unless there were other substantial monetary commitments by other by the County or someone else. Councilwoman Maldonado stated that was a no go for her because they already have a building and for whatever reason they don't want to be there that is there thing, but the elderly program is very important to the City and Mayor Sanchez agreed with Councilwoman Maldonado on that and Councilman Jordan agreed, and he said no as well. City Manager Davila told Council that she wanted them to know because you are the body and you are the ones that make the decisions and I don't want them to think that they can come to me and I say no you can't do that and that is not what I do that is why I bring it to Council and I let you all decide what you all want to do with it.

2. *Discussion on sidewalk project.* City Manager Davila told Council that they were supposed to start today, and they are here to fix the ramps that did not meet ADA specifications and hopefully they will be done in two weeks and I did have Mr. Ovina on Friday and I'm not normally here on Fridays, but I was here and Mr. Ovina came and let me know that they would be mobilizing and that they are willing to work with the city on other things that the city might need. Councilman Jordan asked if they were going to fix the ramps for free and City Manager Davila replied that is what we talked about that day and I notified City Consultant Eddington that I told Mr. Ovina that we were not going to allow them to take funds from the City and the



County Judge was here today and he told me that if we need more money for that project to go and ask for it and I don't feel its right that we are getting charged from the funds that we have available to go and fix the ramps for them when they didn't do their job but Mr. Ovina did say that we work closely with the city and we could give you other benefits but I don't feel we should work like that you help me and I help you I believe that this project should stand on its own and other projects are separate we shouldn't do favors for favors. City Consultant Eddington told Council that for the project itself the numbers have to be reconciled and whether they want to give us money or extra services we still have to reconcile the project itself to make sure that we are not being overcharged because that is part of our requirement for due diligence and to make sure if there is an overrun that we are not paying for it and then at that point somebody else can decide on it or Council or TxDot could decide on it and our job is to make sure that they do exactly what they are supposed to do and we have the exact amount that should have been spent and nothing more than that.

3. **Discussion on R.E.A.L. Mission Program.**
4. **Discussion on FEMA Meal Kits from Surplus Property Program.** City Manager Davila told Council that in the January Gazette we have an agenda item on the FEMA meal kits and the box has really good things in there it has tuna, beans, drinks, raisins, and we have had about 7 or 8 people come and ask for them and please let everybody know that the FEMA meal kits are for every one and we do have an application for them to sign their names but they don't have to put any kind of financial information but we do need their name, address, and telephone number because since this is a federal program we need to keep a file of everybody that has gotten one of these meal kits because if they ever audit us and we did have some people question why we need that and our answer is because its FEMA not food bank and FEMA is a federal surplus program item and I want to be able to have a record of the people we gave to and even though we paid \$5.00 a box it would be good to have a record of who we gave them to and so that you know that we didn't keep them for ourselves. City Manager Davila told Council that if they look on the back of the Gazette they will see that we have the Christmas Toys for Tots and there are pictures of every class room that we gave to and it also has pictures from the Elderly party and a message from the Mayor and we would like to thank everyone that gave donations for our Elderly party we had Judge Weikel donate gift cards, the County Judge, Sheriff Rodriguez, Commissioner Alba, County Treasurer, Dora Gonzalez, Margarita Esqueda, Judge Vicky Rodriguez, Warden Omar Juarez and our DPS Sergeant JD Rodriguez and they all donated something for the raffles that we had for the elderlies and it turned out to be really nice and I would like to thank Council for participating and supporting us and the Gazette also has when the next City Council Meeting is and we encourage everybody to attend.
5. **Discussion on Food Bank.** City Manager Davila told Council that she had brought them the approved days schedule for Food Bank but this item has not been approved yet and the reason I brought it was because we weren't going to have food bank this month and since the Food Bank Schedule has not been approved and

I didn't put the food bank on the gazette for this month but maybe for the next meeting we can go over the dates and if you all are ok with these dates then we can approve them at the next City Council meeting but this schedule is to do it every other month and that way it wouldn't be too much and if you are all ok with that we will go ahead and keep it like that and in February I will bring it to have it approved with these dates and we do pay for when we have food bank and we usually pay between \$300 and \$500 every time we have it. City Consultant Eddington told Council that the Food Bank has given us two grants one for a 42-cubic inch Refrigerator and one for a 42-cubic inch Freezer and that was through a grant that we received. City Manager Davila told Council that this past week she has given out 3 boxes of food for people that don't have anything to eat and right now the pantry is empty but it's up to the Council if you want to have it every month and I know it's a lot of work and the girls do a great job and we do have some volunteers that come and help but I would like to continue to help those people that are in need and if you want to continue to have it every month its up to you and there are some months where food bank doesn't have a lot of selection to pick from and for the last food bank they didn't send us the hams so we had to go to Laredo and get some and if I wouldn't have done that the Council and the Mayor would have looked bad and it did take us a while to get back but overall it was successful. Councilman Jordan and Mayor Sanchez thanked the City Manager for doing that. City Manager Davila told Council that even though this is not an action item she would appreciate their feedback on whether they would like to have the food bank every month. Mayor Sanchez suggested that we have it every 2 months. Councilman Aldaco suggested that we have it every month because and I am not criticizing anybody, but the City gives out more things than the County and they County gives you a lot, but I feel some of that gets wasted because it is too much, and I feel that it is better to give a little of good things than a lot and have it get wasted. City Manager Davila told Council that food bank is a lot of work and a lot of team effort and your wife can attest to that she told Councilman Jordan and we have had Councilman Aldaco volunteer also and so has Councilwoman Maldonado. Councilman Jordan and Councilwoman Arizola suggested we have it every month and Councilwoman Maldonado agreed and added that the necessity was there for us to have it every month.

6. *Discussion on 2018 Calendar for Staff & City Council.* City Manager Davila told Council that the calendars were not going to be approved but they would be going out to all staff and I will also be putting one on our website because we have a calendar of meetings and it does say subject to change because in case something happens that we have to change a meeting, the one that has the holidays and the elderly program and the meetings we attend will also be on the website and the one that Council is going to get gives you the vacations for all the staff, all our meetings we have to go to and the days we are off and there are some months where we have

the Thanksgiving Angel Drive, the School Supply Drive so that you can have that at home and if something has to be added I will call you and let you know to update your calendar. Councilwoman Maldonado thanked the City Manager for doing the calendar. City Manager Davila also gave Council a copy of the payroll periods.

7. *Discussion on TxDot traffic count report for City of Encinal.* City Manager Davila told Council that they had in their packets the traffic study and I called TxDot because we were curious as to how many people go through our city this past year so when they conducted the study in September the count of 2,011 is vehicles on Highway 44 by the Love's Truck Stop and this is the count of the transient people that come through our city everyday and we actually have more than that because they didn't do the access road by Love's or Road Ranger and that day on Friday when he was here he said that it was approximately 4,000 vehicles and the 3,687 that go to Lewis Energy and the 2,754 are half way between the city and Lewis and on the interstate you have 18,389 vehicles and the 17,744 is when they get off on mile marker 38 and I requested this study so we can show businesses that want to come to the city and TxDot will also be giving us millings for our park and the millings that they give us we can use the on the walking trail.

8. *Discussion on JAG Grants.* City Manager Davila told Council that for the JAG Grant the truck is on order and we already submitted the file for the logo so that it can look exactly like the Durango. City Consultant Eddington told Council that we would be submitting for the funds today. City Manager Davila told Council that the vehicle has been ordered already and we were waiting on the purchase order and now we can submit for the payment so that we can pay the truck off.

#### **B. Accountant**

1. *Discussion on sidewalks for City Park.* City Consultant Eddington told Council that he would be covering two financial statements with them and if you look at the bottom of the statement it tells you that this financial statement does not include reconciled totals and is for review only and this is not an audit ready statement and the reason that I put that on there because we have created a new statement where we have segmented our different classes. City Consultant Eddington told Council that on the new report they can see General Fund, Municipal Services, Police Department, Sanitation and Public Works and the Public Works is expanded and you can see the revenues for each individual category and these are the expenses as well and when we submit this to our auditor this is the type of information that we submit completely reconciled and this is only one of about 15 statements that I have to submit to him for audits but I think that the Council had asked before about doing a segmentation and we have started that. Mayor Sanchez asked City Consultant Eddington if this was the report submitted to Mr. Flores and City Consultant Eddington replied yes that was the same format but 15 different segments of it. City Consultant Eddington told Council that he would be using the General Fund as an example so that they could follow him on the report so any revenue that is classified as General Fund revenue would be included in that category the Cinco de Mayo, the franchise fees, our grant amounts, miscellaneous items, property taxes and sales tax so the General Fund funds are used for the General Fund

activities and then you will see the next category Municipal Services and the amount that they received and the amount that the Police Department receives and the Police Department has received grant income for the overtime and the impound fees and then we have the sanitation and that is combined with what we bill so for General Funds the total amount we have received is \$198,819.85 and for Municipal Services \$71,788.11 and the total that we have received is \$292,897.51 and that is the entire revenue side and then you go down to the expenditures and Councilman Jordan asked City Consultant Eddington to clarify if the amounts were for the whole year or for one month and City Consultant Eddington told him it was from October to December. City Consultant Eddington told Council that the expenditures function the exact same way so our total expenditures for General Funds is \$140,472.77 and then you will see an increase or decrease in fund balance and its basically the difference between the money that came in and the money that we spent and if this was a business it would be net income so our increase in fund balance for the General Fund is \$58,347 for this time period and overall the total increase in fund balance is \$85,307.76 from now on you will be getting this statement and it's a little bit more complicated but we will be discussing it every month and as we cover it every month you can ask additional questions about it but it gives you more detailed information about the individual categories and how we categorize the expenses and income some of these items are joint allocation items but we are not for specific things right now like gas and you will have some allocations but not the complete allocations or office supplies or supplies because every department uses those and say we spend \$1,000 on supplies Municipal might have \$500 of that and Police might have \$200 of that and I didn't create a joint allocation only a third category that says unidentified but I didn't put that on there because it would bring questions its just not allocated yet. Councilman Aldaco asked why we have minus \$37,000 for the Police Department and City Consultant Eddington replied that the Police Department didn't make money itself the Police Department is funded through the General Fund and Municipal Services so it will always be negative and we will never make money on the Police Department as a matter of fact it is prohibited by the State of Texas and once we make over a certain amount which I believe is 30% then we have to start paying the state back dollar for dollar so that figure will always be negative and City Manager Davila added that doesn't mean that we are negative in the bank. City Attorney Caballero told Council that the Police Department is not supposed to be a money-making entity just like the Court they are there for law enforcement and the Court is there for justice not to make money, so we don't judge these entities based on the bottom line they always cost you more than they bring in. City Attorney Caballero asked City Consultant Eddington where was the \$85,000 that it says we have and City Consultant Eddington replied that if they went to the next statement we could discuss the \$85,000 and this is the statement that I normally give you and it has one month and cumulative figures so for the month of December we brought in \$84,592.77 and we spent \$53,046.54 and our net increase in fund balance for the month was \$31,546.23 mainly because we did receive additional property taxes and our sales tax went up slightly and you can see the cumulative amount where you see the \$85,000 on the next row and that \$85,000 is what would have been available to us to one pay our debt so part of that money is in the bank or we paid our debts with and paid our debts mean we paid any loans that we might have or any capital asset items so when we do the budget

you might not remember that there is a section that shows capital assets and that is what that money would have been used for and not all of the \$85,000 because we do have some money in the bank but to give you an example that \$85,000 if we would have paid out \$10,000 in debt payments then we would only have the difference left over for operations which is \$75,000. Councilman Aldaco asked when we could have a meeting where they could explain some of the numbers City Consultant Eddington is discussing and City Consultant Eddington replied that he is working on setting up a workshop with some additional things that we are putting together for the sanitation department because as City Attorney Caballero had explained to us before we cannot legally pursue someone if a debt is older than 4 years and we do have some trash accounts that are older than 4 years so we are in the process of putting a system together where we can identify those amounts and write those amounts off which you will have to approve that so we have a good clean slate of what we can collect and the reason why this is a good time is we have had at least 4 or 5 and a half years of real good clean accounting in terms of our sanitation when we first got here our records were not correct they were not right and I guess that was 6 years ago so after the two years because we did have some turn over I feel that we have established a really good operation and Monik does a really good job and she keeps all the accounts updated so I feel that we can go back and write off those balance because we have some people with balances of over \$2,000 and they are not going to pay so those are accounts from 10 years ago so once we do that then we will set up that workshop so we can go through it and I would like for it to be a little bit more comprehensive where we are looking at some samples of our Daily Cash Reports and how monies come in and how monies go out so you can see how its documented and you will see that none of us touch any money and the money is only touched by the clerks and then they have accountability for what they touch and deposits are not made by us and we always have third party verification which means that the bank itself verifies the deposit that has been put on the deposit slip that comes back so it is a real good clean system and it is a system that our auditors have approved. Councilman Aldaco said that it doesn't matter what we do there will be people that are not paying what are we going to do about that and what can we do because I don't think its fair for the rest of the people to be paying and I don't feel like paying if we have a certain percentage that is not paying. City Manager Davila told Council that right now what we are doing is that if they are not paying they are not getting picked up and City Consultant Eddington added that we do have a set of policies that were passed about 6 years ago and we have been following those policies but there is a collection aspect that we need to step up to start collecting and the problem with trash is if we cut the trash off its not a vital thing for their survival its not like taking water or electricity away our next step would be to suspend or terminate their account but then you end up with the problem with them dumping the trash somewhere else and we don't want that and then it turns into a code compliance issue because they have overrunning trash so it's a little bit difficult. Councilwoman Maldonado told Council that we had done this before and we had residents come and complain and City Manager Davila added that is when Council has to be on board with us because if you all say for us to cut the trash and then you all get complaints from the people and then it comes back to us that we are not doing our job and that is where the problem has been before because people complain to you all and it comes back to us and



we start picking up because there is a lot of trash. Councilman Jordan asked if we had been sending letters to notify the people and City Manager Davila replied that we sent them back then for them to do a payment plan and it worked pretty good and today we had a couple of them come in and today somebody came in and stated that they had a lot of trash and they haven't picked it up for days and I instructed Vicky to tell them I hadn't paid and when they start paying we will start picking up trash and it was in the county area. City Clerk Vicky Rodriguez told Council that the lady said that she was renting the house and the owner of the house opened the account and he had renters and he didn't pay the trash and now she is renting the house and she wants the trash to get picked up but its not being picked up because its not being paid and City Consultant Eddington stated that what we changed on this is that we used to associate the trash account with the individual and now we no longer do that we associate a trash account with the address and Councilwoman Maldonado stated that as long as she was paying something on it pick it up but if your not paying we are not going to pick it up then and Clerk Rodriguez said that what she wanted to do was open another account but City Consultant Eddington said that we can't do that because that address already owes trash so we can't open another account unless the owner of the house comes and talks to us and states that he is going to do a payment plan or that he is going to be paying for it so she can open an account under her name. City Consultant Eddington told Council that you cannot associate an account with an individual it has to be associated with an address because what if somebody owns the property runs up the bill and they have renters there and they are receiving rental income and that individual is paying their trash account that is the only way we can hold those people to pay us. City Manager Davila asked City Clerk Monik if the owner had paid a deposit and City Clerk Monik replied that he had but that the amount he owes is greater than the deposit. City Consultant Eddington told Council that was one of the policies we have in place. City Manager Davila told Council that they would have to make a decision of what they would like to do and City Manager Davila asked if there was a lot of trash at the place and City Clerk Monik replied that the Sanitation workers said there wasn't any trash and City Manager Davila stated if there was no trash left behind by the ex- person that lived there so now you have a new person that is living there she would have to pay her \$50.00 deposit and start paying trash so if there is no trash there and even though somebody used to live there because it's a rental property its not a home that belongs to somebody the guy from the rental didn't pay and a new person moved in and City Clerk Vicky added that the owner was the one who hadn't paid and the owner was the one that opened the trash account because he had renters and City Consultant Eddington stated that is why it has to be associated with the owner and not the individual renter because if the owner is not paying and he continues to rent the property and he's making money but he still owes us \$500, Councilwoman Maldonado stated that we have to tell her that her landlord is not paying the trash and if you want your trash picked up you must pay something. City Clerk Vicky stated that the girl said she wasn't going to pay for it because it wasn't her bill, but she wanted to open a new account and she requested that I give her the bill, so she could take it to the owner, but I told her we couldn't do that because it wasn't her account. Councilman Jordan suggested that we sent out letters and start picking up everybody's trash and City Consultant Eddington replied that is what we are going to do is go and check all the old accounts but we

can't go out and start picking up trash for people that owe us money and Councilwoman Maldonado added that if we pick up their trash they are still not going to pay us and Councilman Jordan stated that we send them a letter and Councilwoman Maldonado replied that we have done that already and Councilman Aldaco told Councilman Jordan that they are never going to pay because I don't know if the City can do anything but they still want us to pick up the trash or they can illegally dump it somewhere and that leaves the rest of the citizens feeling if they aren't going to pay then I won't pay either and I feel the same way. City Attorney Caballero told Council that they had gotten off topic. City Manager Davila added that you would be surprised at the people that don't pay it's usually the younger generation that doesn't pay and all the elderly pay. Councilman Jordan insisted that we must send a letter to those that don't pay their trash and let them know if they want their trash picked up you need to pay. City Manager Davila told Council that they could discuss this item during closed session. City Manager Davila told Council that they would try and schedule a workshop in February before the March meeting.

7. ***Closed Session on City Council and personnel matters.*** No Action to be Taken!! A motion to go into closed session was made by Councilwoman Maldonado and she was seconded by Councilman Jordan, all were in favor, so motion carried. Council retired to closed session at 6:46 p.m. A motion to reconvene into open session was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Arizola, all were in favor, so motion carried. Council resumed regular session at 7:41 p.m.
8. ***Discussion on continued letters received in the City of Encinal mailbox by anonymous individuals.*** City Manager Davila told Council that Councilman Aldaco had requested that this item be put on the agenda and these letters have been sent to the City with no return address so we filed them in this folder because people are always complaining about stuff and I'm tired of people talking about the city that I'm just sitting at my desk and anybody that knows me knows that I have gone to pick up trash, I've worked outside cutting grass, I don't just stay in my office and some people out there can be very ignorant and this latest letter we received talks about the tree branches scratching the vehicles on North Front and Highway 44 and they go on about the one way street with a puddle, terrible streets, railroad crossings closed and where is the City Manager doesn't seem like we have one getting paid to do nothing and the problem with this is that we have no control over the railroad closures and Union Pacific has the authority to come and shut down the railroad crossings as long as one remains open and they were here to prevent a derailment because we have crude oil passing through the city and if we were to have a derailment it would be a disaster so people were upset about that but they came in and fixed the crossings and we had a meeting with Mr. Springer regarding Front Street and getting their cars scratched because of overgrown tree branches but the reason we couldn't cut them was because the trees are in his property and if we cut them he could sue the City and the day before I received the letter I had sent the Public Works guys to go and clean the grass leading to the culvert on Front and Highway 44 and we had already cut all that before we received this letter and they were talking about all the water in that area and the water was stuck there because the Water Department opened up their fire hydrants and let out the water and that is why the water was holding there and I'm not sure if they had a leak or what

happened but that is why that happened and this are all anonymous letters that are not signed and it doesn't really bother me that people send these because I know what we do at the City. City Manager Davila told Council that they can read the letters and we do have them on file and available to you and what some people don't understand is that sometimes we don't have the authority to stop projects and I will use TxDot as an example we cant stop them from working on the roads and same thing for the Rail Road Commission and we did have a couple of incidents with the railroad signals falling on vehicles and we did have some phone calls from people that work for Lewis Energy stating they couldn't use Encinal Boulevard and honestly they shouldn't even be using Encinal Boulevard they should be using Highway 44 but I went ahead and advised Craig Rosenstein about that. Councilman Aldaco told City Manager Davila that he would have thought it would have been a good idea if she would have put it on the monthly gazette and City Manager Davila replied that we had put it on the Gazette that the railroad crossing would be closed and it was the whole back page of the gazette advising of the closings and Councilman Aldaco added that he would have liked to see on there what could happen if they don't repair it because nobody comes to the meetings and that way whoever is complaining some of the people are aware of it and can tell that individual what is happening and City Manager Davila added that she could put on the gazette that she thanks everyone for their understanding during the railroad construction period and it was something that was for the safety of the city.

9. ***Discussion and Action on approving City Consultant and City Manager to apply for Solid Waste Grant for \$5,000.00 application due January 26, 2018.*** City Consultant Eddington told Council that this is an annual grant that we apply for yearly and we can use it for community clean ups in the past or recycling and we were able to dispose of quite a few tires the last grant we had and Middle Rio Grande ended up giving \$5,000 to everyone so this is kind of open and whatever you all want to do and if you all want to do community clean ups again and to include some tire pickups and things like that we can do that if you want to use it for recycling but really its up to you and my standard write up always explains why we should be entitled to the funds and how we will use the funds but if you want something specific I can add that to the grant and we normally do 3 community clean ups out of our grant and we bring the roll-offs and fill them and we will put them around town so that people can empty their trash into them so if you all want to continue and do a grant like that I will write the grant again like that. City Manager Davila told Council that we have had people come and ask about the roll-offs. A motion to approve City Consultant and City Manager to apply for Solid Waste Grant for \$5,000.00 application due January 26, 2018 was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Maldonado, all were in favor, so motion carried.

10. ***Discussion and Action on approving the attendance of Mayor Sanchez and Chief Vallejo to the MRGD CJD Training in Uvalde, Texas.*** City Manager Davila told Council that the training would be this Friday the 12<sup>th</sup> and they have to go because this is where they will let us know what grants are available and the grants are the body cam grants and the justice assistance grant and this is the grant for another police vehicle and we

do want to see if we can get another body cam grant also because we are going to get more officers and it would be better if we had some extra ones so they will be discussing these grants and they are due on February 20<sup>th</sup> 2018 so we do need an authorization and the reason we are putting it on the agenda because every time we are going to have a training and even though we don't need authorization from Council we just want you to be aware of where they are going to be and it is on the calendars I gave you and that we get authorization from you. A motion to approve the attendance of Mayor Sanchez and Chief Vallejo to the MRGD CJD Training in Uvalde, Texas was made by Councilman Jordan and he was seconded on the motion by Councilwoman Maldonado, all were in favor, so motion carried.

**11. Discussion and Action on the start date of 2018 for Elderly Program.** City Manager Davila told Council that the start date would be on January 16, 2018 because Monday is a Holiday, its Martin Luther King Day so we are closed. A motion to start the Elderly Program for 2018 was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried. City Manager Davila told Council that the elderly program would be having a curriculum now including what they have to eat and maybe incorporate 10 or 15 minutes of exercise because by law you have to follow certain guidelines so I will be following the guidelines for the nutrition program and they cant have any more sodas because they could hold the city liable if they have a heart attack because their sugar goes up and I don't know everybody's health they can bring their own soda from home but we cannot provide soda and we can provide milk and water and I don't know about tea but I can ask. City Consultant Eddington told Council that you have find this information on the state web site. City Manager Davila told Council that we would still be providing the food the way we have been doing but we will have a menu of what we are giving them but the only thing they did tell me from the program in Webb County was for us not to provide sodas because we could get sued for that because if they are diabetic and overly drink soda something could happen to them and if you look at the nutrition program for La Salle County their food doesn't have any salt. City Consultant told Council that the website was the Texas Department of Aging and Disability.

**12. Discussion and Action on Elderly Program Valentine's Day Celebration.** City Manager Davila told Council that last year we had a Valentine's Day Queen and 2 first and second runner ups so on the 16<sup>th</sup> they will start the voting within their group to elect a queen and they can vote for whoever is present that day but if you are absent then you can vote or participate only for that day that you are present so it gives them an incentive to come to the program every day and it could be a different person or even the same person but they are the ones who will decide because they are the ones who vote. Councilman Jordan asked if it was for the elderly program and City Manager Davila replied yes it would be for them and we will be having it on February 13<sup>th</sup> on a Tuesday and I would encourage each one of you to be present that day and we will make a meal for them and we will also play bingo and we will be starting at 9:00 a.m. until 1:00 p.m. A motion to approve the Elderly Program Valentine's Day Celebration was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried.

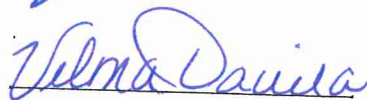
- 13. Discussion and Possible Action on Bills paid/to be paid for January, 2018.** A motion to approve the Bills paid/to be paid for January 2018 was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Arizola, all were in favor, so motion carried.
- 14. Discussion and Action on seeking bids for the City of Encinal Welcome Monument design (Buy Board, Email Former Building Contractors for City Hall & City Hall Posting) We assume this project will be less than \$50,000.** City Manager Davila told Council that the Monument was not going to cost \$50,000. Councilwoman Maldonado stated that she thought that Family Dollar would be paying for that and City Manager Davila replied that they gave us the spot to put it along with the cement slab but we have to pay for the monument and I did contact Mr. Acevedo the one who built the City Hall and he will be submitting a bid but I do want to get approval to email other contractors to see how much it is going to be and not put a date on it but that we are seeking bids. City Consultant Eddington stated that the specific reason why the \$50,000 is because procurement requires you under Local Government Code to seek bids through a different process but if its below \$50,000 we don't have to, and City Manager Davila added that she didn't want to put it in the paper because it cost like \$500 and I don't think the project is more than \$8,000. A motion to approve seeking bids for the City of Encinal Welcome Monument design (Buy Board, Email Former Building Contractors for City Hall & City Hall Posting) was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Arizola, all were in favor, so motion carried.
- 15. Discussion and Action on approving Resolution No. 01092018/Community Service Resolution Agreement with Community Supervision and Corrections Department (CSCD). A Resolution whereas the City of Encinal enters into a Community Service Restitution Agreement with the 81<sup>st</sup>/218<sup>th</sup> Judicial District Community Supervision and Corrections Department of LaSalle County. This agreement is for fiscal year 2018.** City Manager Davila told Council that we had signed an agreement in 2012 and the one we have now is for all the City Council to sign and this is the enclosed restitution from the 81<sup>st</sup> District Court and the 218<sup>th</sup> Judicial District Court it is a community service and supervision department and what we do is take some of the people that are on probation and they come and do community service and we have one that comes and helps us out cutting grass or whatever we have to do and we work with the courts and you all can send us people so that they can do volunteer work to finish their probation. A motion to approve Resolution No. 01092018/Community Service Resolution Agreement with Community Supervision and Corrections Department (CSCD) was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried.
- 16. Discussion and Action on the regular time & date of next meeting.** The next City of Encinal Regular Meeting will be held on \_\_\_\_\_, February 2018, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 6:00 p.m. A motion to have the next regular meeting



on February 13, 2018 at 6:00 p.m. was made by Councilman Jordan and he was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried.

**17. Adjournment.** A motion to adjourn the meeting was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried. The Meeting adjourned at 8:02 p.m.

Minutes were approved by Council Member C. Maldonado and a second Motion was made by Council Member J. Arizola on this the 13<sup>th</sup> day of February 2018.



Velma Davila, City Manager

Attest City Secretary



CITY OF ENCINAL  
CITY COUNCIL AGENDA  
Regular Meeting

Tuesday, February 13, 2018

*NOTICE is hereby given of a Regular Meeting of the City Council on Tuesday, February 13, 2018, at 6:00 PM at 701 Berry, Encinal, Texas, for the purpose of considering the following numbered items. The City Council of the City of Encinal, Texas reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code.*

**Accordingly, the Encinal City Council has rules of courtesy in place for all persons in attendance at its meetings. The Presiding Public Official shall at all times preserve order and decorum, prevent personal references to Council Members or the impugning of persons' motives. Citizens requesting to be heard shall sign in before the meeting is called to order and shall be called upon in the order that they signed in the Presiding Official shall use discretion in time allowed a citizen to be heard**

**The City of Encinal requires that testimony before the council be given under oath pursuant to Local Government Code 81.030. A person who make a false statement under oath is subject to prosecution under Section 37.02, Penal Code.**

1. Meeting called to order.
2. Pledge of Allegiance.
3. Roll call to establishing a quorum.  
\_\_\_ R. Aldaco \_\_\_ I. Arizola \_\_\_ C. Maldonado \_\_\_ B. Lopez \_\_\_ O. Jordan
4. Citizens Comments.

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Members of the audience are invited to address the Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit their remarks to three minutes. As an un-agenized item, no response is required from City staff or the Council and no action can be taken: ***Personal Attacks Will Not Be Allowed by Any Speaker.***

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5. Discussion and approval of minutes for Regular Meeting held on January 9, 2018.
6. Discussion of City Managers Report of daily activities, operations of the city and upcoming events of the city. Discussion on the Accounting reports of revenues and expenditures for the city. Discussion of steady state and enhance police patrol activities in the city, and discussion of the ticket counts and collections for the criminal cost reports for the city. Discussion will be in the following order
  - A. City Manager
    1. Discussion on Sidewalk project
    2. Discussion on February Gazette
  - B. Accountant
  - C. Police Chief
    1. Swearing -In of Officer Joseph Obrego
    2. Recognition of Chief Vallejo's Police Officers & Reserve Officers
7. Discussion and Action on presentation given by AHEC to approve a Proclamation for the month of February honoring National Cancer Prevention month.
8. Presentation from Mayor Sylvano Sanchez and City Council honoring all City of Encinal Cancer Survivors.
9. Presentation from TxDot regarding the upcoming project that would reconstruct and extend the I-35 East Side Frontage Road between SH 44/IH-35 Interchange and BI-35/I-35 Interchange.
10. Discussion on letter sent to TxDot regarding an Independent Study and Speed Monitor for Main Street/Business 35.

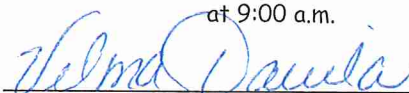
11. Discussion and Action on approving Affiliation Policy with United States Probation Office Southern District of Texas Community Service Agency.
12. Discussion on Elderly Program Valentine's Day Celebration.
13. Discussion and action on approving 6<sup>th</sup> Annual Cinco de Mayo shirt design.
14. Discussion and possible Action on FEMA Blankets donated for free from Surplus Property Program.
15. Discussion on meeting held on February 6, 2018 with members of the Border Patrol Sector from Laredo on R.E.A.L. Mission Program.
16. Discussion and Action on authorizing City Consultant and City Manager to apply for the Body Warn Camera Grant due on February 20, 2018.
17. Discussion and Action on authorizing City Consultant and City Manager to apply for the Governor's Office J.A.G. Grant due on February 20, 2018.
18. Discussion and Action on authorizing City Consultant and City Manager to apply for the Local Border Security Grant Program for overtime due on March 29, 2018.
19. Discussion and Action on approving conference for 19<sup>th</sup> Annual Child Abuse Prevention Conference "It Takes a Team to Protect a Child" set for Wednesday, April 25, 2018 @8am.
20. Discussion and Action on approving training for **Environmental Enforcement Training Program on March 20-22, 2018 Huntsville, Texas --LEMIT** for Sergeant Oscar Silva & Officer Joseph Abrego.
21. Discussion and Action on approving trip to Dallas to pick up donation for our 1<sup>st</sup> Annual Police Dept. Bike-a-thon and other city events from Spokes for Folks (Non-Profit Organization).
22. Discussion and Action on approving Resolution No. 01092018. A Resolution of the City allowing the application for Solid Waste Grant for \$5,000.00 application due January 26, 2018.
23. Discussion and Action on approving dates for roll-off available for Community Clean-up stationed behind City Hall.
24. Discussion and Action on approving date set of auction for Encinal Police Department seized vehicles.
25. Discussion and Possible Action on Bills paid/to be paid for February 2018.
26. Discussion and Action on the regular time & date of next meeting. The next City of Encinal Regular meeting will be held on \_\_\_\_\_, March 2018, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 6:00 p.m.

## 27. ADJOURNMENT

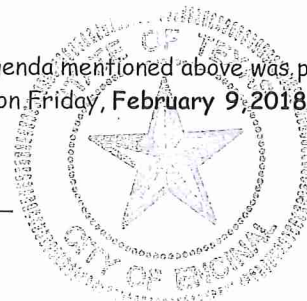
The City Council reserves the right to consider business out of the posted order and the right to adjourn into executive session to discuss items which are not listed as executive session items, but which qualify to be discussed in closed session under Chapter 551 of the Texas Government Code. Entrance and parking spaces for disabled persons are available in front of City Hall. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Manager's Office for concerns or requests @ (956) 948-5226.

### Certification

I, the undersigned City Manager/Attest City Secretary, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 701 Berry, Encinal, Texas on Friday, February 9, 2018, at 9:00 a.m.



City Manager/Attest City Secretary



**City of Encinal**  
**Regular Meeting Minutes**  
**February 13, 2018**

1. **Meeting called to Order.** The Meeting was called to Order by Mayor Sylvano Sanchez at 6:00 p.m.
2. **Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and City Council.
3. Roll call to establishing a quorum. Present were Councilmembers Irma Arizola, Roberto Aldaco, Christina Maldonado, and Brianda Lopez. Councilmember Oliver Jordan was absent.
4. Citizens Comments. No Citizens Comments.
5. **Discussion and approval of minutes for Regular Meeting held on January 9, 2018.** City Manager Velma Davila asked Mayor Sanchez if they could move up item 7 to Item 5. A motion to move up Item 7 to Item 5 was made by Councilwoman Lopez and she was seconded on the motion by Councilwoman Maldonado, all were in favor, so motion carried. **7. Discussion and Action on presentation given by AHEC to approve a Proclamation for the month of February honoring National Cancer Prevention month.** City Manager Davila introduced Mrs. Bazan and Ms. Oda Garcia and I am currently a member of the AHEC Board and I am glad I joined the Board the whole staff is great, and I have attended one meeting so far and I appreciate Ms. Bazan for asking me to be on the Board and they asked us to do a Proclamation for Cancer Prevention Month and this topic really hits close to home for me because I am a cancer survivor and we don't realize how many people in our community have cancer or have lost a loved one to cancer so I was really happy when Ms. Oda Garcia told me that Ms. Bazan wanted to pass this proclamation. Ms. Julie Bazan introduced herself to City Council as the Area Director for the Area Health Education Center (AHEC) and she thanked City Council for allowing them to come before them and invited them to proclaim February as Cancer Prevention Month not just in this community but in all the 6 counties that we serve. The Area Health Education Center also known as AHEC has a mission to empower individuals through education and that allows us to work with many population groups from the elementary level students to the college level and beyond but also with practicing providers that are already out there providing service to the community as well as educators, law enforcement officials, first responders and the communities at large, our program has been in the community since 1993 and most recently we have been able to extend our resources to do community outreach services and one of the services that we have been able to do the last few months is education about cancer prevention methods and Dr. Oda Garcia is our Outreach Coordinator who has been tasked with bringing this information to your community not just about cancer but about anything that we offer in Webb County but are happy to extend it to your community as well we have been involved with the Cinco de Mayo parade for the past 2 years and we have come to some of your schools and to meet with some of your parents and although the work that we do is considered behind the scenes but we would like to think that we have touched many families through our efforts so together I know we can do more and so I ask you to call on us whenever you feel that we can bring something or if there is a particular subject matter that you would like for us to explore and do research on and we would be more than happy to do that and now I will let Ms. Oda Garcia say some words of the program she is spearheading. Dr. Oda Garcia told Council that this



town has been my second home and it was the first city that I did outreach in this county and I have met a lot of people and they have opened their doors for us to be able to educate and we have come down here and had several Health Fairs and what we do is bring educational sessions on any type of health related topic and the one that we have been promoting a lot is HPV and how it relates to seven different types of cancer so we can do educational sessions to any level. Ms. Bazan told Council that through Ms. Garcia's efforts and through you allowing us to come into your community we are able to impact not just the individual but we also have contact with the whole family and according to the American Cancer Society and the Center for Disease Control every year 1.6 million people will be diagnosed with cancer and over 500,000 will die each year so our mission is to try and reduce those numbers and there are a lot of things that we don't have control over like our genes for example but there are things like our lifestyles and our habits are things we should be doing something about that we don't know that can help us prevent cancer and that is why we are here and she thanked Council for inviting them. Mayor Sanchez asked Ms. Bazan how many people die every year from cancer and Ms. Bazan replied that 500,000 die every year and Mayor Sanchez replied that was a lot of people. City Manager Davila stated that she likes these programs because it teaches you prevention and how to change your lifestyle and how to do things different and even how to cook. City Manager Davila stated that it's very hard when you are told that you have cancer, and everyone copes with it in a different way and I am grateful to Ms. Bazan and Ms. Oda Garcia for bringing their program to our Elderly Program. Ms. Bazan told City Manager Davila that if they think of something for them to do to please let them know. A motion to approve the Proclamation for the month of February honoring National Cancer Prevention month was made by Councilwoman Lopez and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried. A motion to return to item 5 was made by Councilwoman Lopez and she was seconded on the motion by Councilwoman Maldonado, all were in favor, so motion carried. A motion to approve the minutes for the Regular Meeting held on January 9, 2018 was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Arizola, all were in favor, so motion carried.

6. **Discussion of City Managers Report of daily activities, operations of the city and upcoming events of the city.** Discussion on the Accounting reports of revenues and expenditures for the city. Discussion of steady state and enhance patrol activities in the city, and discussion of the ticket counts and collections for the criminal cost reports for the city. Discussion will be in the following order:

**A. City Manager**

1. **Discussion on Sidewalk Project.** City Manager Davila told Council that they had finally finished the final touch ups that they needed for the sidewalk and we are just waiting to hear from TxDot so that they can tell us how much we are going to have left over and if we can use it for ramps.
2. **Discussion on February Gazette.** City Manager Davila reminded Council that we would be having Food Bank this Thursday and we would like to congratulate Mr. Aldaco's wife because she is our 2<sup>nd</sup> Annual Valentine's Day Queen and our 1<sup>st</sup> Runner-up was the winner from last year and next year we will be adding some restriction that those that have already won for queen will not be able to participate so that other people get a



chance and Ms. Cata was second runner up and I would also like to thank our staff for donating the prize's for the Bingo and all the Officers came that day and participated.

**B. Accountant.** City Consultant Ashley Eddington told Council that they had 2 financial statements that he would be discussing with them and one is for the month of January and the other one is from October to January and on the report for October to January we have added the classes and one of the new formats that were requested so we have General Fund, Municipal Services, Police and Sanitation so that is a real good statement so first I will be covering the January statement. For the month of January the total revenue was \$95,272.80 and overall we had \$413,675.76 and our monthly expenses were \$51,436.86 and overall we have spent \$304,951.23 and we had an increase in fund balance of \$43,000 in the month and overall for the year \$108,000 and again this is prior to capital expenses and we did pay our first payment for the City Hall which was \$25,000 and we have our next payment in August and it is for \$45,000.

**C. Police Chief**

1. Swearing-In of Officer Joseph Abrego. City Manager Davila told Council that she wanted to introduce Council to some new reserves. Chief Roy Vallejo introduced his reserve Officers Rudy Anzaldua from San Antonio, Joseph Abrego and he is an officer not a reserve, Armando Lopez and he is a reserve Officer and you already know Officer Silva and Officer Ruiz and Chief Vallejo told the Reserve Officers that he appreciated them because they come all the way from San Antonio. City Manager Davila told Council that she appreciates everything that the Officers do and now that I live here in town I get to see the things going on here and the things that they respond to. Chief Vallejo added that Reserves Valerie Naff and Juan Jose Hernandez were not present now and Officer Butterfield. City Manager Davila told the Officers that she appreciates them and that she knows that they put their life on the line for the City and the community and I also want to recognize Officer Ruiz that works part time with us and he has his regular job and he took time from that job to come and participate in the Valentine Luncheon and that is one thing I can say about my Officers and my girls they are always willing to participate in our functions. City Attorney Juan B. Caballero performed the swearing-in ceremony for Officer Joseph Abrego.

2. Recognition of Chief Vallejo's Police Officers & Reserve Officers

7. Discussion and Action on presentation given by AHEC to approve a Proclamation for the month of February honoring National Cancer Prevention month. *Item discussed above.*
8. Presentation from Mayor Sylvano Sanchez and City Council honoring all City of Encinal Cancer Survivors. City Manager Davila told Council that we had a list of all the people in Encinal that are cancer survivors and we would like to recognize Rosie Lopez, Damiana' Mom and Clerk Ramirez added that her uncle Genaro Zambrano has been fighting colon cancer for about 4 years and he is currently doing really good also Vicky's Mom Juanita Rodriguez is a survivor and so is Tiffany Jordan, Clerk Ramirez added that her grandmother Rosa Aldaco lost her battle with cancer.
9. Presentation from TxDot regarding the upcoming project that would reconstruct and extend the I-35 East Side Frontage Road between SH 44/IH-35 Interchange and BI-35/I-35 Interchange. City Manager Davila told Council that this was the road from Exit 38 on IH35 to Love's and this project was set to begin in 2020 but the persistency of the City has allowed them to study and look at the project and it will be going out for bids next month already so it will

start to be built in June and it should be completed by October of this year, Councilwoman asked where the road was and City Manager Davila told her it is the back road by the cemetery and the construction should start in June and we are happy that this project got to be funded earlier than expected and TxDot will be in charge of this project.

- 10. Discussion on letter sent to TxDot regarding and Independent Study and Speed Monitor for Main Street/Business 35.** City Manager Davila told Council that back in 2015 City Consultant Eddington, Mayor and myself sent a letter to TxDot asking them to see if they could monitor the speed limit on Main Street and they did that and they actually wanted to make the speed limit higher and even if they do their study it doesn't necessarily mean that they are going to lower the speed and how they do it is they bring in their people and have somebody sit there and monitor the traffic and they don't want our Officers there at all because they want to see how fast people are going so the fastest that they were going that would be the speed limit that they are going to want to set it at and we can call TxDot and complain about it because it doesn't work like that so Mr. McGee knows how this study is done and after City Consultant Eddington and I spoke to him he suggested that we do an independent study and the other day there was an accident that Officer Butterfield helped me with in which they ran over a dog and we actually have a leash law ordinance and even though they don't have their dogs tied up its still the City's fault that everybody is driving fast and they question where our Officers are and its impossible for our Officers to be everywhere at the same time and that animal was killed but it should have been tied up and Mr. McGee told us that he could order us a speed monitoring sign and it will tell you how fast you are going and maybe it will scare people to slow down because if we do a study everybody is probably driving over 45 mph and that will cause the speed limit to go up and that is something people from the community don't understand and they post things about the Officers when they don't actually know what is going on and that is why I'm sharing with you the letters I have sent and the replies I have received and I can share those with you all so that you can tell the people what the responses were from TxDot and TxDot stated that people were going above the 45 mph and that they wanted to raise the speed limit and I did want to bring this up because there was a post about this and it is impossible for our Officers to be everywhere so hopefully we can get that speed monitoring sign soon.
- 11. Discussion and Action on approving Affiliation Policy with United States Probation Office Southern District of Texas Community Service Agency.** City Manager Davila told Council that she had two ladies from the Probation Office in Laredo come and request this and we already do this with the 81<sup>st</sup> and 218<sup>th</sup> District Court out of Cotulla, La Salle County and now Alicia Blanco who is a U.S. Probation Officer and Monica Abrego a U.S. Probation Officer also out of Laredo they would also like for us to enter into a Community Service agreement where they might have people that are from here and they can perform their community service here and I can usually sign this but I wanted to bring it before Council so that you all could approve it and the people doing community service usually go with the Public Works guys so if you all want to approve this I can sign it and send it back to them. A motion to approve the Affiliation Policy with United States Probation Office Southern District of Texas Community Service Agency was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.
- 12. Discussion on Elderly Program Valentine's Day Celebration.** City Manager Davila told Council that this item had been discussed already and that she had nothing more to add to it.

- 13. Discussion and Action on approving 6<sup>th</sup> Annual Cinco de Mayo shirt design.** City Manager Davila presented Council with the proposed design for the Cinco de Mayo T-shirts and told them it had been modified because of one of the words on there and she wanted to make sure that Council had some input on everything that we are doing for the event. A motion to approve the 6<sup>th</sup> Annual Cinco de Mayo shirt design was made by Councilwoman Arizola and she was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.
- 14. Discussion and possible Action on FEMA Blankets donated for free from Surplus Property Program.** City Manager Davila told Council that these blankets were free, and Mayor Sanchez and Tony went and picked them up. A motion to keep the FEMA blankets at City Hall was made by Councilwoman Lopez and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried.
- 15. Discussion on meeting held on February 6, 2018 with members of the Border Patrol Sector from Laredo on R.E.A.L. Mission Program.** City Manager Davila told Council that the Border Patrol has been very active with our community and they work very well with our Officers and this R.E.A.L. Mission Program should be with the truancy program and we suggested to them if we could get kids that need community service hours and on March 24<sup>th</sup> there is a painting project in Santo Nino in Laredo so we would like to take some kids to participate for that and that would be a good thing for those kids applying for scholarships.
- 16. Discussion and Action on authorizing City Consultant and City Manager to apply for the Body Worn Camera Grant due on February 20, 2018.** Chief Vallejo told Council that it was the same grant that we had applied for in 2015 for 5 body cameras and now the grant came up again and we have more Officer's, so we need more cameras. City Manager Davila told Council that it is mandatory for the Officers to wear them and it is something very important for their safety. City Consultant Eddington told Council that the body cameras we are applying for have better technology and we are going to be applying for 6 body cameras. A motion to authorize City Consultant and City Manager to apply for the Body Worn Camera Grant due on February 20, 2018 was made by Councilwoman Lopez and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried.
- 17. Discussion and Action on authorizing City Consultant and City Manager to apply for the Governor's Office J.A.G. Grant due on February 20, 2018.** City Consultant Eddington told Council that this was the grant that we applied for before for the new Police vehicle. City Manager Davila told Council that the brand new 2018 Ford Explorer Police Unit will be here within 3 weeks already all decked out and we are very happy with it and the design is really good and it is going to be like our other one but nicer and it will be equipped with the cameras, the lights and we are excited about that and this grant came up again for another unit and we already have the money deposited on our account and we are just waiting for them. A motion to authorize City Consultant and City Manager to apply for the Governor's Office J.A.G. Grant due on February 20, 2018 was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.
- 18. Discussion and Action on authorizing City Consultant and City Manager to apply for the Local Border Security Grant Program for overtime due on March 29, 2018.** City Consultant Eddington told Council that we have applied for this grant for the previous 2 years and we have received them both times and this year we are going to apply for more monies because we have more Officers and what this grant does is that it allows us to do enhance patrol versus steady

state and enhance patrol has to do with working with other agencies, with other type of surveillance, and the normal every day surveillance. Chief Vallejo told Council that this grant provides more officers to the city because people aren't aware of what goes through this city and as an example the other day Officer Butterfield did a stop and the guy had Xanax, we have car chases, stolen vehicles and that overtime allows us to have more Officers to keep our streets safe and City Manager Davila added that when an Officer is doing their job it is not up to us to question what they are doing and that includes me and Members of Council and I did received a phone call from a Councilmember regarding a chase that had happened and I am not able to give out that kind of information and we can get in trouble for questioning what the Officers do such as why they impound a vehicle and I do want to stress that because if the Chief gets angry he could report us to the Texas Rangers. City Attorney Caballero told Council that if it is an ongoing investigation nobody should comment on it and Chief Vallejo added that it doesn't matter if it was a friend of yours that was involved. City Manager Davila added that this is a reimbursable grant and we have applied for it 3 times before and it allows our Officers to have more hours and be more visible in the community. Mayor Sanchez asked City Consultant Eddington how much the grant was for and City Consultant Eddington replied that the first one was for \$15,000, the second one was for \$18,500 and hopefully this one will be for like \$25,000. A motion to authorize City Consultant and City Manager to apply for the Local Border Security Grant Program for overtime due on March 29, 2018 was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.

**19. Discussion and Action on approving conference for 19<sup>th</sup> Annual Child Abuse Prevention Conference "It Takes a Team to Protect a Child" set for Wednesday, April 25, 2018 @ 8am.** City Manager Davila told Council that this class is for Attorneys and Officers and you will be given TCOLE hours and it will be given by the Children Advocacy Center of Laredo so if anyone is interested in going please let me know so that I can pay the registration fee. A motion to approve the attendance for City Personnel to the 19<sup>th</sup> Annual Child Abuse Prevention Conference was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.

**20. Discussion and Action on approving training for Environmental Enforcement Training Program on March 20-22, 2018 Huntsville, Texas –LEMIT for Sergeant Oscar Silva & Officer Joseph Abrego.** City Manager Davila told Council that this would be for Code Compliance and the Officers do need to be certified to be able to give citations for that and we are going to send Officer Abrego and Sergeant Silva to this conference with the Council's approval so that we can make the hotel reservations for them. A motion to approve the training for Environmental Enforcement Training Program on March 20-22, 2018 Huntsville, Texas –LEMIT for Sergeant Oscar Silva & Officer Joseph Abrego was made by Councilwoman Lopez and she was seconded on the motion by Councilwoman Arizola, all were in favor, so motion carried.

**21. Discussion and Action on approving trip to Dallas to pick up donation for our 1<sup>st</sup> Annual Police Dept. Bike-a-thon and other city events from Spokes for Folks (Non-Profit Organization).** City Manager Davila told Council that this would be the first annual bike rodeo and walkathon and we got some help from the Border Patrol that sponsor the REAL Missions program and they actually did our flyers for us and I encourage City Council to come and participate with us on this event and you can either walk or ride a bike and DPS will be helping us with the patrolling and they will be bringing their units to block off areas for safety and Chief Vallejo did some

researching online and found this place Spoke for Folks and they get a lot of bikes and they fix them and donate them and when they are done fixing them they these bikes that look brand new and they are donating us 50 bikes so Chief, Silva, Damiana and I are going to go one day and come back the next day because they are located in Dallas so if you all approve this we will go and pick them up and we would be going next week on the 22<sup>nd</sup> and 23<sup>rd</sup> so we would leave on the 22<sup>nd</sup> and come back on the 23<sup>rd</sup> and we are going to be taking Mayor's truck and we will be renting a U-Haul for the bikes and we will have to load our own bike because they don't have anybody at the warehouse that can do that for us and our staff also donated bikes as well from our own money and that includes me and some Officers donated one or two bikes as well so we accumulated a total of 20 bikes. A motion to approve the trip to Dallas to pick up donation for our 1<sup>st</sup> Annual Police Dept. Bike-a-thon and other city events from Spokes for Folks (Non-Profit Organization) was made by Councilwoman Lopez and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried.

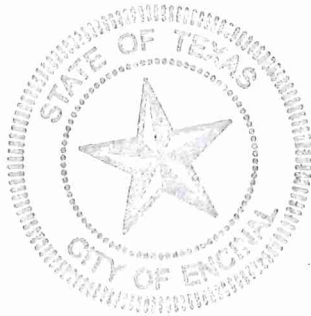
22. **Discussion and Action on approving Resolution No. 01092018. A Resolution for the City allowing the application for Solid Waste Grant for \$5,000.00 application due January 26, 2018.** City Manager Davila told Council that City Consultant Eddington attended the meeting with Mayor Sanchez and we were awarded the grant for \$5,000 at the Middle Rio Grande Development Council meeting. A motion to approve Resolution No. 01092018 was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried.
23. **Discussion and Action on approving dates for roll-off available for Community Clean-up stationed behind City Hall.** City Manager Davila told Council that we have the roll-off behind the City Hall already and that she would like to have their approval to let the people know during food bank that they can start disposing of their heavy trash starting on Monday and we will advise them that they cannot dispose of tires, oil, or construction items and I would like to get approval to start on the 20<sup>th</sup> which is next Tuesday. A motion to approve the February 20<sup>th</sup> for roll-off usage was made by Councilwoman Lopez and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried.
24. **Discussion and Action on approving date set for auction for Encinal Police Department seized vehicles.** City Manager Davila told Council that there will be 3 seized vehicles available for auction and it has already been posted in the newspaper so this will be Chief Vallejo's third auction and we want you to advise anybody that wants to come and bid on the vehicles to attend that day and it will be on February 27<sup>th</sup> and the viewing will start at 5 p.m. and the auction starts at 6 p.m. and the vehicles are a Buick, a Sentra, and an F150 truck and these are seized vehicles and Chief Vallejo followed the proper procedures by sending out the paperwork and nobody claimed them so now he can have the auction. A motion to approve the 27<sup>th</sup> day of February to have the auction for the Encinal Police Department Seized vehicles was made by Councilwoman Lopez and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried.
25. **Discussion and Possible Action on Bills paid/to be paid for February 2018.** A motion to approve the Bills paid/to be paid for February 2018 was made by Councilwoman Lopez and she was seconded on the motion by Councilwoman Maldonado, all were in favor, so motion carried. City Manager Davila told Council that she had forgot to mention that along with the bikes that we are going to do with the Spokes for Folks (from Item 21) the same lady gave us some



information on the Texas Medical Association Outreach Coordinators and they have hard hats for little heads and that program allows you to buy helmets for \$4.65 and they will match the purchase of the helmets so I requested a total of 50 helmets to go along with the bikes that we are going to give away and if the kids don't have a helmet that day they cant ride so the 50 helmets that they are going to send us we are going to give them out before we give out the bikes to make sure that everyone gets a helmet and we will purchase 25 helmets and they will donate 25 helmets to us.

26. Discussion and Action on the regular time & date of next meeting. The next City of Encinal Regular Meeting will be held on \_\_\_\_\_, March 2018, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 6:00 p.m. A motion to approve the next regular City Meeting on Tuesday March 13<sup>th</sup>, 2018 at City Hall Chambers, 701 Berry Street, Encinal, Texas at 6:00 p.m. was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Maldonado, all were in favor, so motion carried.
27. ADJOURNMENT. A motion to adjourn the Meeting was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried. The meeting adjourned at 7:11 p.m.

Minutes were approved by Council Member C. Maldonado and a second Motion was made by Council Member B. Lopez on this the 14<sup>th</sup> day of April 2018.



Velma Davila  
Velma Davila, City Manager  
Attest City Secretary



Tuesday, April 10, 2018

*NOTICE is hereby given of a Regular Meeting of the City Council on Tuesday, April 10, 2018, at 6:00 PM at 701 Berry, Encinal, Texas, for the purpose of considering the following numbered items. The City Council of the City of Encinal, Texas reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code.*

Accordingly, the Encinal City Council has rules of courtesy in place for all persons in attendance at its meetings. The Presiding Public Official shall at all times preserve order and decorum, prevent personal references to Council Members or the impugning of persons' motives. Citizens requesting to be heard shall sign in before the meeting is called to order and shall be called upon in the order that they signed in the Presiding Official shall use discretion in time allowed a citizen to be heard

The City of Encinal requires that testimony before the council be given under oath pursuant to Local Government Code 81.030. A person who make a false statement under oath is subject to prosecution under Section 37.02, Penal Code.

1. Meeting called to order.
2. Pledge of Allegiance.
3. Roll call to establishing a quorum.  
\_\_\_ R. Aldaco \_\_\_ I. Arizola \_\_\_ C. Maldonado \_\_\_ B. Lopez \_\_\_ O. Jordan
4. Citizens Comments.

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Members of the audience are invited to address the Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit their remarks to three minutes. As an un-agendized item, no response is required from City staff or the Council and no action can be taken: *Personal Attacks Will Not Be Allowed by Any Speaker.*

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5. Proclamation P-2018-01. A Proclamation of the Mayor & City Council of the City of Encinal. Proclaiming the month of April 2018, as "CHILD ABUSE & NEGLECT AWARENESS PREVENTION MONTH".
6. Discussion and approval of minutes for Regular Meeting held on February 13, 2018.
7. Discussion of City Managers Report of daily activities, operations of the city and upcoming events of the city. Discussion on the Accounting reports of revenues and expenditures for the city. Discussion of steady state and enhance police patrol activities in the city, and discussion of the ticket counts and collections for the criminal cost reports for the city. Discussion will be in the following order
  - A. City Manager
    1. Discussion on Sidewalk project
    2. Discussion on City Park Project
    3. Discussion on April Gazette
    4. Cinco de Mayo Updates
  - B. Accountant
8. Discussion on TxDot Speed Monitor for Main Street/Business 35.
9. Discussion and Action on approving Mayor and possible City Council Member/Members to transport our Seniors that attend our Elderly Nutrition Program to travel to Carrizo Springs for their Annual Senior Fun Day on Friday, April 20, 2018 from 9:00am - 3:30pm

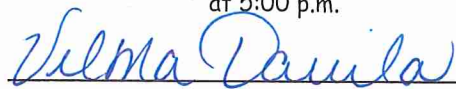
10. Discussion and Action on approval of ACI Rental Agreement to rent two Dual 2 Antenna Radar System for Encinal Police Department for 36-month agreement for an estimated \$125/monthly. Total price \$4,500.00.
11. Discussion and Action on Resolution No. 04102018 for Local Border Security Program. A Resolution of the City of Encinal approving submission of the grant from Homeland Security Grants Division 2019 Local Border Security Program OT from the Office of the Governor, Criminal Justice Division on March 29, 2018.
12. Discussion and Action on Resolution No. 04102018-B Body Worn Camera Grant. A Resolution of the City of Encinal approving the submission of the Body Worn Camera grant that was due on February 20, 2018.
13. Discussion and Action on Resolution No. 04102018-C for the Governor's Office J.A.G. Grant. A Resolution of the City of Encinal approving the submission of the CJD Justice Assistance Grant (JAG) Program due on February 20, 2018.
14. Discussion and Possible Action on Bills paid/to be paid for April 2018.
15. Discussion and Action on the regular time & date of next meeting. The next City of Encinal Regular meeting will be held on \_\_\_\_\_, May 2018, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 6:00 p.m.

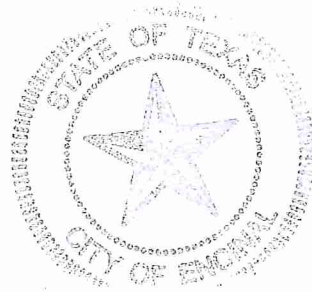
## 16. ADJOURNMENT

The City Council reserves the right to consider business out of the posted order and the right to adjourn into executive session to discuss items which are not listed as executive session items, but which qualify to be discussed in closed session under Chapter 551 of the Texas Government Code. Entrance and parking spaces for disabled persons are available in front of City Hall. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Manager's Office for concerns or requests @ (956) 948-5226.

### Certification

I, the undersigned City Manager/Attest City Secretary, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 701 Berry, Encinal, Texas on Thursday, **April 5, 2018**, at 5:00 p.m.

  
\_\_\_\_\_  
City Manager/Attest City Secretary



*City of Encinal*  
*Regular Meeting Minutes*  
*April 10, 2018*

1. **Meeting called to order.** The Meeting was called to order by Mayor Sylvano Sanchez at 6:00 p.m.
2. **Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and City Council.
3. Roll call to establishing a quorum. Present were Councilmembers Irma Arizola, Roberto Aldaco, Christina Maldonado, Oliver Jordan and Brianda Lopez, after roll call Mayor Sanchez determined that there was a full quorum and the meeting could proceed.
4. **Citizens Comments.** A motion to move up agenda item 5 to item 4 was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Lopez, all were in favor, so motion carried. **5. Proclamation P-2018-01. A Proclamation of the Mayor & City Council of the City of Encinal Proclaiming the month of April 2018 as "CHILD ABUSE & NEGLECT AWARENESS PREVENTION MONTH".** City Manager Velma Davila introduced Ms. Severita Sanchez from the Child Advocacy Center to Council. Ms. Sanchez told Council that she was the Executive Director of the Child Advocacy Center of Laredo/Webb County and I am here for the proclamation but I am also here to invite you and to be aware of everything that we have available and also to advice you that April is Child Abuse and Prevention Awareness Month and it is a time for families and communities to come together to honor the children affected by abuse and neglect and to raise awareness, resources and programs of prevention. Child abuse and neglect affects children from every age, gender, race, and income level and you and I have a responsibility to help every child to reach their full potential and at the Children's Advocacy Center in Laredo/Webb County we serve children from the age of 3 to 17 and older if they are disabled for sexual, physical and emotional abuse and I did want you to be aware that we serve children from the surrounding counties and sometimes we have had children brought to us at the Laredo/Webb County from CPS and Law Enforcement and we only accept cases from Child Protective Services and law enforcement and the only reason that we do that is that we take the most severe cases and we provide the forensic interviews, the trauma counseling, therapy, art, dance and play and in addition would like to invite you to our Staff development for the schools and it doesn't matter what county it is we will be there and I was in Zapata yesterday for the Proclamation and the STAAR pep rally and we do staff developments and I know you have a long agenda but I would like to share a story with you about why April is Child Abuse and Prevention month and why we use the color blue and I am going to tell you the Bonnie Finney Story and she was the grandmother of three healthy beautiful children and their ages were 16 months, and a 3 and 4 year old and the grandmother had a bad feeling about her daughter getting married to this man she didn't appreciate and she noticed that her grandchildren were always sick and had bruises and she worried about that then the 4 year old was hospitalized for child abuse and he was placed in a foster home and when it was time for the little boy to go home he kept saying that his momma didn't want him and that his momma didn't love me and he didn't want to go home well unfortunately the child went home because that is the letter of the law that you belong at home well he was later found dead wrapped in a sheet stuffed in a toolbox and dumped in a swamp and unfortunately it didn't end there her 16 month old granddaughter was later hospitalized and she was severely beaten and bruised with her leg



broken in 4 places and her hand burned from the fingers to the wrist so what does that have to do with you? well the grandmother decided that she was going to make sure that everybody knew what child abuse was and the color was blue because the children that she found that were abused was because the bruises were either black or blue because when you get a bruise it starts out blue and then it turns black so the black and blue battered and bruised bodies of her grandchildren is the reason this country uses the color blue and that is how the blue ribbons started and now we have the pinwheels and I brought you some and with the permission of Mayor and City Council and the City Manager this is a blue pin wheel and this means that every child should have a whimsical childhood a happy childhood and this is for us to imagine children running in the yard and enjoying this pinwheel so with your permission and I did bring some and if you allow me to place them outside of the City Hall so that everyone in this community and county can know that you the City of Encinal believe in happy children and happy childhood and again my name is Dr. Severita Sanchez and I am here at your service in any possible way if it is about children and if you have any law enforcement cases and San Antonio is too far but Laredo is close by thank you and if there is anything we can do for you. City Manager Davila told Council that we had invited Dr. Severita Sanchez to our parade and also our festival and if they wanted to have a booth and Dr. Sanchez said that they would be coming and we don't normally do parades but Ms. Davila was my Board Member when I was Superintendent and she was a no nonsense Board Member at Webb CISD and I was there 5 years and when she invited us I said Encinal is down the street and we are going to bring a truck and City Manager Davila told Dr. Sanchez if she would like to bring pinwheels to the parade the girls could help her pass them out and Dr. Sanchez replied that child abuse is only observed in April but lets remember that our children should have a whimsical childhood 365 days out of the year and we should always be very careful of our children and they should be happy.

5. **Proclamation P-2018-01. A Proclamation of the Mayor & City Council of the City of Encinal Proclaiming the month of April 2018 as "CHILD ABUSE & NEGLECT AWARENESS PREVENTION MONTH".** A motion to Proclaim the month of April 2018 as "CHILD ABUSE & NEGLECT AWARENESS PREVENTION MONTH" was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried. A motion to return to Item 4 was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried. **Item 4 Citizens Comments.** City Manager Davila told Council that they had spoken about agenda items of concerns that City Council may have and how we could bring it out and talk about concerns that I or City Council had or concerns that the Officers or the Mayor had and we could talk about it during this item because if we put an agenda item on it what happens it that it has to be specific of what we want to talk about so I am going to go first because I didn't put something on my City Manager's report and is that correct Mr. Caballero and City Attorney Caballero replied that she had 3 minutes to speak and City Manager told Council that in their packets you have something from AHEC and AHEC is the Area Health and Education Program and I don't know if you all remember awhile back I talked about doing a different program with our elderlies or our Senior program and yesterday I had a meeting and I wasn't able to put the item on the agenda because I didn't know what they were going to give me and they state on there the different functions that they would like to have and they can come during different days like maybe twice a month and they put on there CPR overview, HPV overview, emergency preparedness, advance directives and what this is if they

want different wishes when they are no longer coherent and they would get to make their own decisions and they give them different tips on how they can do that because whenever they don't have anything in writing their could be disputes and its basically different topics that they can talk to them about so they are coming back with a calendar and let us know what they will be discussing items like nutrition for example what your supposed to have on your plate or discuss your health, about zika virus or about exercising at home and that is what they are going to be doing twice a month. Councilman Aldaco asked who was they and City Manager Davila replied that it was the Area Health Education Center and they have been here before they have come and take the vital signs and they check your blood pressure and I belong to the AHEC Board and they will be participating in our parade and they will be coming to our Cinco de Mayo and they also can check your BMI and they are going to take time to come and teach our elderly program to try and find different ways of staying healthy and to monitor themselves for diabetes and they will also be showing them some exercises. City Manager Davila told Council that was all she had to talk about but she would like to know if there is something City Council would like to put on the agenda for the next meeting that we have that way I can put specifically what it is that you want to discuss on the agenda item not something that states City Council concerns or issues and I will remind you of our upcoming City Functions in my City Manager's report. Councilman Aldaco stated that he would like to discuss the trip to Cotulla and I would appreciate it if at anytime and as for me I think it is better if you (City Manager) call me then to send someone to tell me because I think it is very important and it would be like if I told one of your employees tell Velma this or that and the person is going to say why doesn't he tell me and City Manager Davila replied that if they wanted her to call them specifically or personally receive a call from me and if you all feel that I should call you all then I will do that if those are the wishes of the Council and Councilman Aldaco replied that he felt there was no other way as far as he was concerned whether its you or the Mayor and nobody else because to me it is very important and like I said if I was to talk to somebody and tell them tell Velma that I want this or that then you would say why doesn't he call me and he has my phone number and so to me it is very important especially when it has to deal with taking people to Cotulla and City Manager Davila replied that she had called him to go to Cotulla and Councilman Aldaco replied that after they had discussed it, it was fine and I said okay and if I can take somebody you can decide who I should take but I did need it to come from you or the Mayor and City Manager Davila replied that she didn't have an issue with that. Councilman Jordan told Council that he would like to see the Welcome to Encinal sign put on the agenda because he would like to know what happened with that and City Manager Davila replied that the welcome Encinal sign is coming but Mr. Acevedo has been very busy with the project that they are working on and they are the ones who are going to do it and it is already in the making but they are trying to finish off that project and I believe that they are also bidding on the project for the community center and that is what we are waiting on and I have sent him several different ones that we have seen where it can be easier and quicker and Councilman Jordan added that he wanted the one we had seen and City Manager Davila replied that we are trying to get the type of rock and or same façade that we have for the City Hall and that is what Mr. Acevedo is trying to do and I was only speaking about the lettering so he already has that and he has had it for about two months now and he keeps telling me he hasn't forgotten but I did tell him that I needed it and Councilman Jordan asked that he also wanted to know about the police car and City Manager Davila replied that she

would be talking about that right now. Councilman Aldaco stated that he had one other thing and that if he had something in his mind who would I come to you (City Manager Davila) or Mayor Sanchez and City Manager Davila replied that they can always come to the Mayor and people in the community as well they always feel that they have to talk to me for everything, I am under the directive of the City Council so if you feel that it is something I should know directly or for me then you can come to me but if it is something that you need the Mayor to be aware of then Mr. Caballero how would I answer that and City Attorney Caballero replied that it could be either one technically the City Manager is in charge of Administration if there is something they want to talk about it would probably be with you but keep in mind if you are using this as a comment section then technically he can express his concerns and comment but it would be better if we don't have a back and forth of answers coming and going and more questions and if you want to make a comment make it but that's it and if there is anything more than that then I ask that you request an agenda item be placed and it be discussed then after it has been put on the agenda just to keep everyone on the safe side and City Manager Davila added so to answer that question they can go to either Mayor or me and so you can go to either Mayor or myself or whoever you want to and Councilman Aldaco added that he didn't have a problem with either but another thing is if I ask to have a visit with either one of you I don't want to be ignored and City Manager Davila replied that please understand Mr. Aldaco I never try to ignore anyone but sometimes I am so swamped and Councilman Jordan asked if Councilman Aldaco has a question can I be in there also either with the Mayor or you (City Manager Davila) and City Manager Davila replied that yes they could as long as there is no more than 3 Councilmembers it is not a quorum but you cant go to one City Councilmember and then another one City Councilmember because you are doing a walking quorum and that is against the law and so if you go to Councilman Aldaco's house, Councilwoman Lopez' house, and Councilwoman Arizola's house that is considered a "walking quorum" so I wont get in trouble for that but you (Councilmembers) will if somebody reports you so that is a walking quorum and Councilman Aldaco if there was a law on that and City Manager Davila replied that it has always been a law and Councilman Aldaco replied that he didn't know because he had never been in City business and City Manager Davila replied that it has always been a law and City Attorney Caballero added that some people refer to it as "TOMA" or Texas Open Meetings Act and it does provide criminal penalties for violations and Councilman Aldaco added that if he (Councilman Jordan) wants to be there when I am there then I don't think I could meet with him (Mayor Sanchez) because it would be a quorum right but we could meet with you (City Manager) and City Manager Davila replied that no it wouldn't be a quorum because Mayor Sanchez is not a City Councilmember and Councilman Aldaco replied that then he had no problem then with either one and I welcome that and City Manager Davila replied that was fine but do understand that sometimes if you come in and I'm busy with the deadlines for grants or deadlines for something I am overly swamped sometimes and we have so much that we have done we submitted a Police grant, another body cam grant, another overtime grant and different things that are due that I need to turn in so its not that I'm ignoring you if I don't meet with you then and there then I will call you back and what I have started doing is asking "SIRI" to please remind me because I have a lot of things on my mind and things to do and things that I have to take care of here and that is the only thing I tell you all so don't think I ignore you all but that is not my intention I work for you all I don't work for myself and Councilman Aldaco replied that he was

not the type that if I want a meeting with you (City Manager) or him (Mayor Sanchez) that I want it right now and I have never been that way because I know that you all are busy but if a week or two go by and City Manager Davila replied that's why I have to have "SIRI" remind me. City Attorney Caballero suggested that he call and make an appointment with the girls and City Manager Davila stated that Damiana has her calendar and she knows where I am at all the time and tomorrow I will be attending the meeting with Chief Vallejo for the new police grant for a police unit and there are things I don't attend sometimes like the other day I didn't attend Congressman Cuellar's meeting because something came up and again something going on last night and sometimes its not stuff in the office but things that come up with the Police Department as Police Administrator position and Councilman Aldaco stated that is why he had questioned when you (City Manager) were making those meals for those other people and if she is so busy why does she want to do this and even though it is a good thing right now you are saying that you might not have enough time for one of us and City Manager Davila replied that she already tries to spread herself and I understand and Councilman Aldaco added that then she (City Manager Davila) would get stressed and we don't want that and City Manager Davila replied that the reason for those meals was that she was told that there were some people in the community that weren't eating and just like today I had an individual come in literally crying that she had no food and I am not going to neglect people like that and that to me is very important that lady needed food for her and her daughters and husband so if we have it there I am going to give it to them and sometimes I'm stuck because I want to try and help everybody and I know I shouldn't and Councilman Aldaco added that if its not against the rules I think it is important for the City Council to know about what you are talking about and City Manager Davila replied that she would but she wouldn't mention any names and Councilman Aldaco added that he felt that we should work together because you are important but the City Council is important too and you are important to us and you have done some very good things here but we need to start working like adults and City Manager Davila added that she can tell them who they are but I wont say it in front of the public or during an open forum but later on if you want to go into executive session I can tell you the names of the people that I have given food to and Councilman Aldaco replied that he didn't mean to say it in public and sometimes you come in and I tell you what is going on and I had an issue to resolve that day and it was concerning one of my employees so those types of things take me unexpectedly from my job because something happened with one of the workers and I had to take care of it because it concerns the Police Department so I did tell you what was happening even though I didn't have to but I'm not going to call every single Councilmember and tell them everything the employees are doing on a daily basis because I feel that I don't need to do that and City Attorney Caballero added that technically they were going to run afoul of the Open Meetings Act and City Manager Davila added that she tried to avoid that because I don't want to fall into an Open Meetings Violation for me personally and Councilman Aldaco asked if it was because of what we were talking about right now and City Manager Davila replied that if she told you (Councilman Aldaco) and then she called Councilman Jordan or the rest of the Council. Councilman Jordan asked if anything that concerns the City then your saying some of it the Councilmembers cant know about it and City Manager Davila replied that when it comes down to Police stuff until it is time for me to bring it to Council and Councilman Jordan replied that everything in the City then the City Council should know that is my question and I would like for the City Attorney to answer that and



Councilman Jordan added that everything of the City are we concerned to know about it and Councilman Aldaco added that if we have the right to know about it and Councilman Jordan added if we have the right to know and City Attorney Caballero replied yes that they had a right to know but there is a time and a place to ask and instead of trying to discuss it all here what I would urge you to do is place an item on the agenda or set an appointment and if you (Councilman Jordan) and Mr. Aldaco would like to come together and City Manager Davila added that what she thought they were saying is that on a daily basis or daily operations of the City I have to tell them everything that happens and I think that's what they want to know and Councilman Aldaco added that not really but if I hear something then I might have a question and this is one of the reasons that I have tried to come and talk to you instead of discussing it here but if I can't get time with you or Sylvano (Mayor) then this is the only place I can actually discuss it and City Attorney Caballero asked Mr. Aldaco (Councilman Aldaco) if he has called for an appointment and you've been told you can't have one and Councilman Aldaco replied that he has called but that he didn't know that he had to make an appointment and City Manager Davila added that he didn't have to have an appointment and Councilman Aldaco stated that he didn't have a problem with that and City Manager Davila added that Councilman Aldaco came and that she was very busy and I don't even recall if I was here but I do remember that I didn't call Mr. Aldaco (Councilman Aldaco) back until the week after and I know I didn't call him right away and on a daily basis I always have something to do I don't have time to eat but what I can tell you is that you can come and ask me anything but if it has to do with Police business I am not going to answer it and if Mr. Caballero says I'm wrong then I'm wrong and City Attorney Caballero added that if there is an ongoing investigation then it cannot be discussed and Councilman Aldaco asked that when she is talking about police investigation and we talked about that last time when one of the other officers was going after somebody and City Attorney Caballero stated that we were venturing into areas that we shouldn't be and he suggested that they set an appointment or stop by or call her (City Manager Davila) or set an item on the agenda because its turning into the discussion of something that really should be on the agenda and Councilman Aldaco stated that in the end who are responsible and if there is some problems we the City Council are responsible for anything right? City Manager Davila replied that was right and Councilman Aldaco added that we have to be careful and City Attorney Caballero added that if they acted with malfeasance you are responsible for that if you act in good faith you are not responsible and how could you be responsible for a police investigation I cannot imagine and City Manager Davila added or a police matter that has nothing to do with the city and Councilman Aldaco added that what you are saying is we have no business whatsoever in police business and City Manager Davila replied Mr. Aldaco (Councilman Aldaco) let me explain something and Councilman Aldaco added don't get me wrong I am not speaking about you Chief (Police Chief Vallejo) and City Manager Davila added lets put a for instance when Silva had that 10 hour standoff and when everything was over we had a closed session and we discussed everything during the closed session and that is when I came to you because it was after the fact because the investigation was over and the Rangers finished with the case and that's when I can tell you what happened and I actually briefed you before that there was a shooting and our officer was involved and Councilman Aldaco stated that he was not talking about Silva I am talking about Butterfield and City Manager Davila replied which one and Councilman Aldaco added you even said that Cotulla did not answer in the last meeting and I said we the City Police

have no business out of the City and that's the DPS and the Sheriff's Department unless they have killed somebody and I could be wrong and City Manager Davila replied that it wasn't right that we have an ETJ (extra territorial jurisdiction) and she asked City Attorney Caballero to please answer the question because it is going to come back to me and I don't know how to answer the question and City Attorney Caballero stated that they put the item on the agenda and we will discuss it and City Manager Davila added if that would be in closed or open session and City Attorney Caballero replied that since it is a personnel matter it would be in closed session and if we are bringing up particular individuals it would be in closed session unless that individual requests it be in open session and that is according to what the law states and not that I don't want you to discuss it and not that I don't think you don't have a right to know certain things its just that the state imposes certain requirements on all of us not just on City Manager Davila or myself but on all of us as a body and Councilman Aldaco replied that he understands because you are our lawyer so I guess you would be in the same spot and City Attorney Caballero replied that he was trying to protect you all and City Manager Davila told Mr. Aldaco (Councilman Aldaco) and I would too Mr. Aldaco (Councilman Aldaco) and in anything that happens and I don't act right like doing the right thing then I would be in violation also and I would never try to do that either or try to involve you in something until the time is right because there are some things that don't need to be brought to Council right away until a major decision has to be made you all are the ones who make it and that is why I put everything on the agenda and I don't make any decision on anything that has to do with something that might come back so I will put the item on the agenda for closed session and we can discuss all that then or anything that you all have so I will just put an agenda item on personnel matters or city council issues or concerns and that is what I will put on the agenda with no action unless you want action on them or maybe possible action and then we can discuss everything on there and you will also be available to answer us as our City Attorney because there might be things that I can't answer and Councilman Aldaco stated that he was not trying to make problems but I am trying to protect myself and City Attorney Caballero replied as am I and I am trying to protect you and me and let's put it on the agenda and let's talk about it.

6. ***Discussion and approval of minutes for Regular Meeting held on February 13, 2018.*** Before a motion to approve was made Councilman Aldaco stated that he would like to make a couple of corrections on C and they are typos but in the Police Chief it says "you already now Officer Silva" and I'm thinking it should say you already know Officer Silva and a little further down it says "Officer Ruiz that works part item" and it's in the same paragraph and I'm sure it means part time but it has to be corrected and on 11 I don't understand this it says "come and request this and we already to this" and I don't understand what it means by that and Councilwoman Lopez stated that this was about the community service. A motion to approve the minutes pending the corrections requested by Councilman Aldaco was made by Councilman Aldaco and he was seconded on the motion by Councilman Jordan, all were in favor, so motion carried.
7. ***Discussion of City Managers Report of daily activities, operations of the city and upcoming events of the city.*** Discussion on the Accounting reports of revenues and expenditures for the city. Discussion of steady state and enhance police patrol activities in the city, and discussion of the ticket counts and collections for the criminal cost reports for the city. Discussion will be in the following order:
  - A. ***City Manager***

1. **Discussion on Sidewalk Project.** City Manager Davila told Council that she had not put a line item for the Chief because I didn't think he would be here but I am giving you pictures of the Police unit and the unit is ready and on Thursday it will be here and tomorrow the Chief will be going to Uvalde to approve the second grant that City Consultant Eddington applied for another police unit and our Police Unit is really nice it turned out really good and it has all the information it should have and it has the cage and the camera. Chief Vallejo told Council that the vehicle was a 2018 Ford Explorer overdrive and it has a twin turbo and the doors are Kevlar so what that means is that the doors are bullet proof and it comes with the light bar, spotlight and siren, cages, camera and way better than what we have now and I'm real glad we got this and I'm glad that City Consultant Eddington and I applied for this and with the City Manager's help as well and the back seat we did it plastic so if we have an inmate that is throwing up or bleeding we can wash it off and it also comes with a new radar and a new radio basically everything instead of having to buy everything piece by piece so we got a good deal on it and Councilwoman Lopez added that in the long run it is cheaper. City Manager Davila told Council that when this bid in the beginning was that when we submitted the grant it didn't have the radio so these people actually lost money with this police unit but they were ok with and Rol Tech and Red McCombs did a great job and they helped us out and with this new grant that we applied for is going to be for \$62,000 and that's the one that we hopefully get approve tomorrow and it usually happens like that every department gets it so we will find out tomorrow and I don't know if you all have any question for the Police Chief about that but Thursday it will be here by 2 and so it would be good if you all could come by anytime between 2 and 6 all our officers are going to be here because we have a meeting so it would be great if you all could come by between 2 and 6 and that way everybody could take a picture with the unit and that way I can post it on the Frio Current and Chief Vallejo added that the unit was decked out like the San Antonio Police Departments units and City Manager Davila added that they are the ones who do the vehicles for the San Antonio Police Department, FBI and the SWAT. Councilwoman Lopez asked if they should be here at a specific time and City Manager Davila replied if everybody could be here like at 5:30 or maybe at 4:45 and if everybody can be here because this is something that we would like to do every year because the Chief has a good relationship with the Governor's Office.

2. **Discussion on City Park Project**

3. **Discussion on April Gazette**

4. **Cinco de Mayo update.** City Manager Davila told Council that Damiana has been doing a great job with the Cinco de Mayo and she's not only doing the Cinco de Mayo but she has also taken over some of the duties of one of the other clerks and she is overly swamped but she has done a great job and I actually wanted to congratulate the Judge for his seven year anniversary and I would like to remind everybody and I will call you that morning of the April 26<sup>th</sup> so that you could be at our pageant and for this years pageant we added a Jr Miss Encinal so please wear your City Council shirts for that and for this Thursday also please wear your City Council shirts and now you have all the flyers and they tell you about the parade, the pageant and the Parade is May 3<sup>rd</sup> and I

would like for City Council and the Mayor to come out in a float and our elderly queen is going to come out in another one and our elderly nutrition in another one and all the previous years courts will be coming out so you just have to let us know if you would like to come out on a trailer and how you would like it decorated. Councilman Aldaco asked who City Staff was and City Manager Davila replied all the girls and me and Josh and the guys and all the employees and they also help out with the decorations for the parade and I also included in there the questionnaire for the Queens and Jackie and Claire are still helping us and they came and gave us suggestions for the decorations and they actually went and spoke to Mrs. Franklin about decorating at the Ruth Carr Auditorium and she did agree on it so I went to Mexico and bought some things and I did put a tentative Cinco de Mayo event schedule so that you can see how everything is going to go and we will be having a bingo, a jalapeno eating contest and the gentleman that is doing our entertainment and we decided on having a "Grito" contest before Solido comes on and we so far have about 40 entries for our parade and all our vendor spots have been taken and today we went and met with the Commissioner and we have about 30 vendors already, Councilwoman Lopez asked what TBD meant and City Manager Davila replied that it meant to be determined because the baseball team is going to be doing the cakewalk and the bingo is going to be one card for \$3.00 or 3 cards for \$5.00 and its prizes the City Staff has donated and that is what we always do every year and I did want to tell you all that we have collected \$6,500 already and we are still waiting for more donations coming in for the music and all that and on April 21<sup>st</sup> the City Staff on our own time and with the donation of the people and us making the food we will be in Laredo on Shiloh Street and the money we raise there we are going to use to finish paying off the bands because we don't use City funds for that and if you all want to buy tickets we have some and we also have pre-sale tickets available and if you all want some to help us sell them Damiana has some and we also have the judges for the Cinco de Mayo pageant and they are all from out of town. Councilman Aldaco asked how much they were going to charge and City Manager Davila replied that pre-sale tickets are \$7.00 and at the door it will be \$10.00 and for children pre-sale is \$3.00 and \$5.00 at the door and 65 and over is free and you can take your own drinks but you cant take water, soda, juices or Gatorades and we do have a table for City Council and Councilwoman Lopez stated that basically no drinks and City Manager Davila replied no drinks except alcohol but there will be vendors selling lemonades, teas, and aguas frescas and we also have vendors selling food, clothes, and jewelry and I think we will have about another 15 cook off teams so it will be the beef and pork ribs, the brisket and the beans as well and if anybody wants to be a judge that day please let me know the day of the festival and everything looks real good there at the County Park and he has done a really good job there and he has it really clean and Councilman Jordan asked if Jack (Commissioner Alba) had come over here to talk you about the roads and City Manager Davila replied that we are talking about the fixing of the roads and the ones in charge of it are City Consultant Eddington and Mayor Sanchez and I try to stay away from that and he has spoken to City Consultant Eddington about it and they are going to order some material and the County Judge said that he was going to help us with the roads and what Commissioner Alba says if somebody feels that something needs to be

done on a road they can come tell us or call him directly to fix it especially if it is City Council and City Consultant Eddington added that what they were trying to do with the roads is going to be sustainable for years to come so not just a quick fix. City Manager Davila told Council that the sidewalks at the park are almost done and we are going to order two more belly dumps of caliche so that we can pour the cement and as soon as that is done Mr. Cantu will come and start with everything there and those sidewalks have turned out harder than I thought and for the sidewalk project here in town they have passed the final inspection and they already passed the ADA inspection so they are done and we are just waiting on the final numbers to come back and to see if everything has been closed out so that did meet inspection also. Councilman Aldaco asked about the workshop and City Manager Davila replied that she had it on her desk and there was one in April and one in May and I believe we have one for EEDC also. Councilman Aldaco asked when City Consultant Eddington would be explaining and Councilwoman Lopez added that she remembered discussing the workshop a couple of meetings ago and City Manager Davila replied that she thought about attending a workshop and Councilman Aldaco replied that was not what he was talking about and City Manager Davila replied that we would schedule it for May 8<sup>th</sup> and we would have the workshop before the meeting and after that we will have our regular meeting.

**B. Accountant.** City Consultant Eddington told Council that he would be covering two financial statements and he will be covering the year to date comparison one first and then he will look at the class one. City Consultant Eddington told Council that the total revenue for February was \$82,816.35 and the total expenses was \$68,286.82 so leaving us with a net increase in fund balance of \$14,329.53 for the month, so during the month of February you can see that we don't have any Cinco De Mayo now and I don't think we receive any of that until March so that is why you don't see it and specifically I want to talk a little about our trash fees or sanitation fees, Monik has been doing a great job on collecting and I will have an updated list for the next meeting and also with the workshop and you will be able to see how the payments are processed and we do have something that we discussed in terms of a policy that was adopted for collections which includes some dunning notices to let everyone be aware that they have to pay their trash and that if it is past due after certain amount of time period and we will request them to make payment or enter into a payment agreement and we will discuss that further during the workshop and that is in our policy that we adopted some years ago so we want to go ahead and enact it and start using it. Mayor Sanchez asked how much money we had to have before we have to start paying the penalty to the state and City Consultant Eddington asked Mayor what type of penalty and Mayor Sanchez replied for Municipal and I know you told me before but I just wanted to be sure and City Consultant Eddington replied that our Criminal Costs is approximately 55% of the total revenue that we collect so it is very high that Criminal Cost amount and we put it in our budget the same way and the way we do that is I put the liability in and then we advertise the amounts as we make the payments and Mayor Sanchez asked if we were at risk to pay the state more and City Consultant replied no and he added that what Mayor was talking about was that if your municipalities income is more than 25% of your total intake then you could be subject to a penalty and that penalty is actually about a \$1.00 of what is over the 25% so of the total you can't be more than 25% and that is an accrual base financial

statement so what does that mean we primarily look at a cash based statement and there aren't journal entries for income that has not been booked yet in other words the state owes us money we can book it in the books right now and that is a part of the 25% and we usually hang around 21 to 22% and we were 22% the last time and that was 23% on a cash basis so we are normally below that and our budget is normally below that however we have had really good collections so it is putting us closer to that amount and our sales tax has gone up also and it is something that the Judge (Municipal Judge Cortez) talk about quite a bit and it is something that we are looking at and that we monitor. Councilwoman Lopez asked what would happen if we get close to it do we stop collecting the money and City Consultant Eddington replied that you can't stop collecting the money but you do have to make provisions to be able to pay which means that money would be held in reserve to make those payments and there is an annual statement or an annual report that Clerk Ramirez brings to me and I think it has to be filled out every August and it will request that percentage and we are definitely monitoring that and Councilman Lopez asked how close we were and City Consultant Eddington replied that the last time we were at 21% and that was cash base and in accrual based we get to put the income from the preceding month into our financial statements which lowers the percentage and that is for sales tax, franchise taxes, and any other monies that we haven't received so if we have people that have not paid their property taxes we are able to draw that in as income. City Consultant Eddington told Council that the other high item is our sales tax and for our sales tax we are just about on budget and we have received amounts over our budgeted sales tax amount and we have also received amounts under the budgeted sales tax amount and I have produced a quarterly budget to actual statement and we are in April so I will have it for you in the next meeting so overall we have collected \$525,988.95 and out total expenses have been \$375,004.82 leaving an increase in fund balance of \$150,984.13 and just a reminder the fund balance is before we pay any of our debts and that would be the payments on the vehicles, the payments on the city hall, and any other debt payment that we have to make. Councilman Aldaco asked if this came out of the \$150,000 and City Consultant Eddington replied that yes and we do have reserve and we have paid some debt and primarily the way we have it set up is that property taxes pay all of our debt so of course we don't get 100% collection so we use the some money from the sales tax and our enterprise fund which is our trash and that ends up supplementing any amount we don't receive and everybody has to pay their property taxes because if not they take your property and that is one of the reason why we can keep our property taxes low because it makes this community more competitive and in this community we have people who are lower income and we are at 51% poverty rate so we want to keep our property taxes as low as possible. Councilman Aldaco asked how much the payment on this building (City Hall) and City Consultant Eddington replied that they payment was \$25,000 in February and \$45,000 in August and its approximately \$70,000 a year. City Councilman Aldaco asked how long it was going to take us to pay for this building (City Hall) and City Consultant Eddington replied that the note is for 40 years. City Consultant Eddington told Council that the Statement by Class covers General Fund, Municipal Services, Police Department, and Sanitation (Public Works) and please remember that the Police Department doesn't make money and the Police Department is supported by all the other activities of the city and it provides security for the

City and it is one of the reasons why we are able to get grants without having to pay them back and we have received quite a bit in money in grants such as overtime pay, body cams and vehicle which we are going to get another and we can apply for those every year. City Manager Davila added that she knew that they had a lot of questions about what police officers do but I would like to commend our Police Department because just in the last couple of days they did a tremendous job in recovering plenty of stolen property and Mr. Cassiano's tractor was recovered. Councilman Aldaco stated that people usually tell him this or that but honestly I haven't heard a complaint about the Police Department and City Manager Davila replied that she has received complaints about the officers but the complaints are addressed with them and I would like to thank Chief Vallejo for the tremendous job he has done with the department and Councilman Aldaco added that if he heard something he would tell them but I feel that they are doing a good job but if I had heard something wrong you would hear from me and City Manager Davila added I wanted to let you know that all the items in the back of the City Hall are the items I was telling you about.

8. ***Discussion on TxDot Speed Monitor for Main Street/Business 35.*** City Manager Davila told Council that she called Danny McGee several times because we were worried about the stop signs on Highway 44 and the IH 35 access road and I witnessed a dog being killed on Main Street and we wanted to see how we could lower the speed limit and last time or last meeting we talked about them not being unable to do the study because if not they would have to higher the speed limits and as an example if everyone is doing 60 mph then they would raise the speed limit so he said he was going to do a study on his own and so what he did he ordered us a speed limit sign those flashing signs that say how fast you are going and it has a value of about \$9,000 and they gave it to us for free and they came with Chief Vallejo to see where the best location for it would be and they are getting bids for it right now and three weeks from now they will hire a contractor and they have to wait for it to set for about 3 weeks and then they will come and install it so we should have the sign in about a month or two and it will help with the traffic in that area. Councilman Aldaco stated that it didn't make any sense that if I'm going 60 miles an hour that they are going to raise the speed limit to 60 and City Manager Davila added that she didn't understand that logic as well. Chief Vallejo told Council that nowadays kids like to clock themselves on the radar to see how fast they are going but this radar will only be up to 45 miles per hour or fifteen miles over that and if your going higher than 60 it won't clock you. City Manager Davila added that she understands what he (Councilman Aldaco) is saying that was my thing also how can you not lower the speed limit and he said no we can't do it and I do have the email correspondence with him and we did write him a letter but the good thing is that they are helping us and they are not charging us for it and he also said that his next thing would be to try and get a red light at the intersection of highway 44 and IH35 access road.
9. ***Discussion and Action on approving Mayor and possible City Council Member/Members to transport our Seniors that attend our Elderly Nutrition Program to travel to Carrizo Springs for their Annual Senior Fun Day on Friday, April 20, 2018 from 9:00am – 3:30pm.*** City Manager Davila told Council that Mayor would be taking some of the participants of our Elderly program but would like to know if anybody would like to volunteer to take some as well. Councilman Aldaco asked what would be the responsibility in doing that and he addressed the question to City Attorney Caballero and City Attorney Caballero told him not to do it and City Manager Davila added that she figured that you would only take people that are related to you and Councilman Aldaco added that like he had discussed last time for something else, say for example that I take a relative of mine and God forbid something happens she might not want to do anything about it but her family will and City Manager asked if he could do a release of

liability form and City Attorney Caballero replied that he could let them sign it but I don't know how much water it will hold and rather than doing that talk to TML and ask them if they are covered by insurance because they are taking people for the City to see if they are covered and City Manager Davila replied that she would be doing that tomorrow and Chief Vallejo added if it would be possible for the people that do the event to use one of their buses and City Manager Davila added that we had a gentleman from the Fire Department that is going to fix our bus so I will call TML tomorrow to see if any City Councilmembers are covered if not can I put in his vehicle to see if it will be covered and City Attorney Caballero replied that she couldn't do that and to ask if he would be covered for transporting people for a city function and City Manager Davila replied that she would call them and she asked City Attorney Caballero if we needed an action item on this and City Attorney Caballero replied no and City Manager Davila added that she liked to put everything on there so that everybody knows what is going on.

**10. Discussion and Action on approval of ACI Rental Agreement to rent two Dual 2 Antenna Radar System for Encinal Police Department for 36-month agreement for an estimated**

**\$125/monthly. Total price \$4,500.00.** Chief Vallejo told Council that he was requesting two new radars for the Crown Victoria units because the front radars don't work anymore and they were used radars and I was able to get a hold of these people and they have a program for small departments like us and you could lease a radar for two years for \$125.00 a month and every three years you trade in the old one and they send you a new one so you always have a new one every three years or if something goes wrong with it you can send it back and get a replacement, Councilman Jordan asked if the radars were going in the old units and Chief Vallejo replied that they would be going in the Crown Victoria's and this is the same radar that is installed in the Explorer and now what is going on is the old radars are obsolete by these new ones because the program now and you might have a radar in your vehicle to detect police officers well it won't work with these new radars and City Manager Davila added that even the radios are changing to AES programming and Chief Vallejo added that it will soon be Advanced Digital Privacy where nobody can hear us but you will still be able to hear us but now it is going to go really private and now you will be able to talk to any agency in the state of Texas and Councilwoman Lopez asked about the maintenance on the radios if they would be doing that also and Councilman Jordan asked what we were going to do with the units and City Manager Davila replied that we are keeping the units the only thing that we are changing are the radars because they are outdated and City Consultant Eddington added that the radars can be moved to other vehicles and Chief Vallejo added that we would be paying a monthly fee instead of all of it at once and every three years you will get a new one and Councilman Aldaco added that if it would be like \$15,000 a year and City Manager Davila replied that it would be \$1,500 a year and Councilwoman Lopez added compared to buying one for \$6,000 and City Manager Davila added that our Crown Victoria units are still good. A motion to approve the ACI Rental Agreement to rent two Dual 2 Antenna Radar System for Encinal Police Department for 36-month agreement for an estimated \$125/monthly with total price of \$4,500.00 was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried. Councilman Jordan left the meeting at 7:22 p.m.

**11. Discussion and Action on Resolution No. 04102018 for Local Border Security Program. A Resolution of the City of Encinal approving submission of the grant from Homeland Security Grants Division 2019 Local Border Security Program OT from the Office of the Governor,**



***Criminal Justice Division on March 29, 2018.*** City Consultant Eddington told Council that this was the same grant we applied for and this is the third time we are applying and for this grant we are requesting approximately \$23,000 which is \$4,500 more than last year and we have added Officer Abrego and we also have maintenance of \$3,000 that we have included in the grant and we are asking that you sign the resolution and Councilwoman Lopez asked if the maintenance was for the vehicle and City Consultant Eddington replied yes it was for the vehicles specifically associated with the overtime and City Manager Davila added that in the overtime grants that they have worked already I would like for you to know that every time that Butterfield (Officer William Butterfield) works it just so happens that he is working his overtime and he has traffic all the time and so does Silva (Officer Oscar Silva) and City Consultant Eddington added that our Police Department is doing so great that they called and asked why we hadn't applied yet and Chief Vallejo added that La Salle County can't provide the stats that we provide and City Manager Davila added that was the reason for notifying you all of what they (Police Department) had done because people say otherwise and that has happened in other cases that they have been involved with and what is also sad is that we have to apply for this instead of partnering with them (La Salle County Sheriff's Department) for the Stone Guarding because they could give us a part of that but this is still good because our officers have something extra that they can make. Councilwoman Lopez asked what happens when they (Encinal Police Department Officers) are a mile away from Encinal because a lot of people say that and City Manager Davila replied that they have a 2 mile ETJ and what happens is they get called from La Salle County dispatch and they are dispatched and I have told them (Encinal Police Department Officers) that I don't want them past 2 miles especially if it's for fixing a flat and I myself have been in that predicament so sometimes you have to put yourself in their shoes but you also have to think of the legal things and yes I feel bad if they are out of gas or I feel bad if they have a flat and they can't fix it but La Salle has to respond to those calls because I told my Officer the other day that they can't be changing flats outside the ETJ because you are not covered by our insurance, Councilwoman Lopez added that technically it's a two mile ETJ and City Manager Davila added that unless they clock you here within the ETJ and they can travel until you stop. City Attorney Caballero added that the chase or the clocking (radar) has to begin within the City Limits and once your engaged you're not required to disengage and City Manager Davila added that she wanted to ask about something she wasn't too sure of and she stated that one of the officers was coming back from the jail in Cotulla and they reported this guy that was driving recklessly are they allowed to stop them for speeding and City Attorney Caballero replied that technically they are not supposed to and Councilwoman Lopez added then what are they supposed to do just let them go and City Attorney Caballero replied that they would have to call the Sheriff's Department and Councilwoman Maldonado added that he can monitor him until the Sheriff's Department gets there, Mayor Sanchez stated that there was a motion on the floor made by Councilman Aldaco and he is just waiting on a second. A motion to approve Resolution No. 04102018 for Local Border Security Program. A Resolution of the City of Encinal approving submission of the grant from Homeland Security Grants Division 2019 Local Border Security Program OT from the Office of the Governor, Criminal Justice Division on March 29, 2018 was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Arizola, all were in favor, so motion carried.

12. **Discussion and Action on Resolution No. 04102018-B Body Worn Camera Grant.** A Resolution of the City of Encinal approving the submission of the Body Worn Camera grant that was due on February 20, 2018. City Manager Davila told Mayor Sanchez that she would be asking Council to table the item and City Consultant Eddington would let you know why. City Consultant Eddington told Council that we have not been approved for this grant because they ran out of funding for this program and because we did receive the grant last year and they gave the grant to people who had not received the grant. City Manager Davila stated that there would be no action on this item.
13. **Discussion and Action on Resolution No. 04102018-C for the Governor's Office J.A.G. Grant.** A Resolution of the City of Encinal approving the submission of the CJD Justice Assistance Grant (JAG) Program due on February 20, 2018. City Consultant Eddington told Council that this resolution was required for the JAG program which is for the vehicle and last year we applied for \$56,000 and you have already seen some of the pictures of the vehicle and this year we will be applying for \$62,000 and it will be the vehicle plus the radio and we had some different requirements for the radio and the requirement was that it had to be approved by DPS so that is the application that Chief Vallejo and Ms. Davila will be discussing tomorrow. A motion to approve Resolution No. 04102018-C for the Governor's Office J.A.G. Grant. A Resolution of the City of Encinal approving the submission of the CJD Justice Assistance Grant (JAG) Program due on February 20, 2018 was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.
14. **Discussion and Possible Action on Bills paid/to be paid for April 2018.** A motion to approve the Bills paid/to be paid for April 2018 was made by Councilwoman Lopez and she was seconded on the motion by Councilwoman Arizola, all were in favor, so motion carried. Councilman Aldaco asked when they would be able to see the invoices and City Manager Davila stated that the invoices are there along with the checks.
15. **Discussion and Action on the regular time & date of next meeting.** The next City of Encinal Regular meeting will be held on \_\_\_\_\_, May 2018, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 6:00 p.m. A motion to have the next regular Meeting on May 8<sup>th</sup> at 6 p.m. and before that we will have the workshop at 5:30, the motion was made by Councilman Aldaco and he was seconded by Councilwoman Lopez, all were in favor, so motion carried.
16. **ADJOURNMENT.** A motion to adjourn the meeting was made by Councilwoman Arizola and she was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried. The Meeting adjourned at 7:32 p.m.

Minutes were approved by Council Member C. Maldonado and a second  
 Motion was made by Council Member B. Lopez on this the 14<sup>th</sup> day of June  
 2018.



Velma Davila  
 Velma Davila, City Manager  
 Attest City Secretary



Thursday, May 17, 2018

*NOTICE is hereby given of a Special Meeting of the City Council on Thursday, May 17, 2018, at 5:30 PM at 701 Berry, Encinal, Texas, for the purpose of considering the following numbered items. The City Council of the City of Encinal, Texas reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code.*

**Accordingly, the Encinal City Council has rules of courtesy in place for all persons in attendance at its meetings. The Presiding Public Official shall at all times preserve order and decorum, prevent personal references to Council Members or the impugning of persons' motives. Citizens requesting to be heard shall sign in before the meeting is called to order and shall be called upon in the order that they signed in the Presiding Official shall use discretion in time allowed a citizen to be heard**

**The City of Encinal requires that testimony before the council be given under oath pursuant to Local Government Code 81.030. A person who make a false statement under oath is subject to prosecution under Section 37.02, Penal Code.**

1. Meeting called to order.
2. Pledge of Allegiance.
3. Roll call to establishing a quorum.  
\_\_\_ R. Aldaco \_\_\_ I. Arizola \_\_\_ C. Maldonado \_\_\_ B. Lopez \_\_\_ O. Jordan
4. Motion and Action to participate in Workshop tour, this is a part of the City Council Meeting and is not a Special Session. City Council Workshop: To review and discuss City Policies and Procedures for General Business Administration. City Council Members will receive a tour of the facility along with seeing examples of regular city business procedures.
5. Citizens Comments.

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Members of the audience are invited to address the Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit their remarks to three minutes. As an un-agenized item, no response is required from City staff or the Council and no action can be taken: ***Personal Attacks Will Not Be Allowed by Any Speaker.***

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6. Discussion and approval of minutes for April 10, 2018 and revise minutes approved pending changes for Regular meeting held on February 13, 2018.
7. Discussion of City Managers Report of daily activities, operations of the city and upcoming events of the city. Discussion on the Accounting reports of revenues and expenditures for the city. Discussion of steady state and enhance police patrol activities in the city, and discussion of the ticket counts and collections for the criminal cost reports for the city. Discussion will be in the following order
  - A. City Manager
    1. Discussion on Sidewalk project
    2. Discussion on City Park Project
    3. Discussion on May Gazette
    4. Cinco de Mayo

- B. Accountant

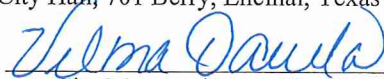


8. Update on TxDot Speed Monitor for Main Street/Business 35.
9. Update on Encinal Sign
10. Update on TxDot Exit 38 Access Road Construction Timeline.
11. Discussion and Action on opening a Special Account at Stockman's Bank in Cotulla, Texas titled: Police Law Enforcement Standards Account and authorizing Mayor Sylvano Sanchez and Mayor Pro-Tem Irma Arizola as authorized signers and also authorize City Administrator/City Manager to make inquiries of the transactions and balances on the account as a **Non-Signing Party**.
12. Discussion and Action on opening a Special Account at Stockman's Bank in Cotulla, Texas titled: Special Grants Account and authorizing Mayor Sylvano Sanchez and Mayor Pro-Tem Irma Arizola as authorized signers and also authorize City Administrator/City Manager to make inquiries of the transactions and balances on the account as a **Non-Signing Party**.
13. Discussion and Action on Authorizing the City of Encinal to apply for FY 2019 Regional Solid Waste Grant Implementation Project due May 25, 2018 @5:00 p.m.
14. Discussion and Action on Resolution No. 05172018-A for Regional Solid Waste Grant Program. A Resolution of City of Encinal authorizing the filing of a grant application with the Middle Rio Grande Development Council for a regional solid waste grants program grant; authorizing Velma Davila/ City Manager and Ashley V. Eddington City Accountant/Consultant to act on behalf of the City of Encinal in all matters related to the application; and pledging that if a grant is received City of Encinal will comply with the grant requirements of the Middle Rio Grande Development Council, the Texas Commission On Environmental Quality and the State of Texas.
15. Discussion and Action on Resolution No. 05172018-B. A RESOLUTION OF THE CITY OF ENCINAL, TEXAS FINDING THAT AEP Texas Inc.'s application TO AMEND ITS DISTRIBUTION COST RECOVER FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.
16. Discussion and Possible Action on Bills paid/to be paid for May 2018.
17. Discussion and Action on the regular time & date of next meeting. The next City of Encinal Regular meeting will be held on \_\_\_\_\_, June 2018, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 6:00 p.m.
18. **ADJOURNMENT**

The City Council reserves the right to consider business out of the posted order and the right to adjourn into executive session to discuss items which are not listed as executive session items, but which qualify to be discussed in closed session under Chapter 551 of the Texas Government Code. Entrance and parking spaces for disabled persons are available in front of City Hall. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Manager's Office for concerns or requests @ (956) 948-5226.

**Certification**

I, the undersigned City Manager/Attest City Secretary, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 701 Berry, Encinal, Texas on Thursday, **May 10, 2018** at 5:00 p.m.

  
\_\_\_\_\_  
City Manager/Attest City Secretary





Thursday, May 17, 2018

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1. Meeting called to order.
2. Pledge of Allegiance.
3. Roll call to establishing a quorum.  
\_\_\_ R. Aldaco \_\_\_ I. Arizola \_\_\_ C. Maldonado \_\_\_ B. Lopez \_\_\_ O. Jordan
4. Motion and Action to participate in Workshop tour, this is a part of the City Council Meeting and is not a Special Session. City Council Workshop: To review and discuss City Policies and Procedures for General Business Administration. City Council Members will receive a tour of the facility along with seeing examples of regular city business procedures.

5. Citizens Comments.

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6. Discussion and approval of minutes for April 10, 2018 and revise minutes approved pending changes for Regular meeting held on February 13, 2018.
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    1. Discussion on Sidewalk project
    2. Discussion on City Park Project
    3. Discussion on May Gazette
    4. Cinco de Mayo

B. Accountant

8. Update on TxDot Speed Monitor for Main Street/Business 35.
9. Update on Encinal Sign
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**Certification**



I, the undersigned City Manager/Attest City Secretary, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 701 Berry, Encinal, Texas on Thursday, **May 10,2018** at 5:00 p.m.

Velma Cavala  
City Manager/Attest City Secretary



**CANCELLED**



Thursday, June 14, 2018

*NOTICE is hereby given of a Special Meeting of the City Council on Tuesday, June 14, 2018, at 5:30 PM at 701 Berry, Encinal, Texas, for considering the following numbered items. The City Council of the City of Encinal, Texas reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code.*

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Meeting called to order.

1. Pledge of Allegiance.

2. Roll call to establishing a quorum.

\_\_\_ R. Aldaco \_\_\_ I. Arizola \_\_\_ C. Maldonado \_\_\_ B. Lopez \_\_\_ O. Jordan

3. Motion and Action to participate in Workshop tour, this is a part of the City Council Meeting and is not a Special Session. City Council Workshop: To review and discuss City Policies and Procedures for General Business Administration. City Council Members will receive a tour of the facility along with seeing examples of regular city business procedures.

4. Citizens Comments.

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5. Discussion and approval of minutes for April 10, 2018 and revise minutes approved pending changes for Regular meeting held on February 13, 2018.

6. Discussion of City Managers Report of daily activities, operations of the city and upcoming events of the city. Discussion on the Accounting reports of revenues and expenditures for the city. Discussion of steady state and enhance police patrol activities in the city, and discussion of the ticket counts and collections for the criminal cost reports for the city. Discussion will be in the following order

A. City Manager

1. Discussion on Meeting with Encinal Water Supply Corp.
2. 3. Discussion on City Park Project
4. Discussion on June Gazette
5. Cinco de Mayo



B. Accountant

7. Update on TxDot Speed Monitor for Main Street/Business 35.
8. Update on TxDot Exit 38 Access Road Construction Timeline.
9. Discussion and Action on approving **Resolution No. 06142018--E** Citizens Complaint Form and Procedures.
10. Discussion on the application submitted to MRGDC for FY 2019 Regional Solid Waste Grant Implementation Project due May 25, 2018 @5:00 p.m.
11. Discussion on AHEC participation at Elderly Program.
12. Discussion and Action on Approving the Capital Assets and Tracked Property Procedures Policy.
13. Discussion and Action to fulfill the requirements of Conflict of Interest Statement and List of Authorized Work for Uniformed/Not Uniformed Officer's. All employee's and contractors must complete the form, sign and update yearly.
14. Discussion and Action on approving **Resolution No. 06142018 - A** for a Special Account at Stockman's Bank in Cotulla, Texas titled: Police Law Enforcement Standards. A Resolution approving to start a new Police Law Enforcement Standards Account and authorizing Mayor Sylvano Sanchez and Mayor Pro-Tem Irma Arizola as authorized signers and also authorize City Administrator/City Manager to make inquiries of the transactions and balances on the account as a **Non-Signing Party**.
15. Discussion and Action on approving **Resolution No. 06142018 – B** a Special Account at Stockman's Bank in Cotulla, Texas titled: Special Grants Account. A Resolution approving to start a Special Grants Account and authorizing Mayor Sylvano Sanchez and Mayor Pro-Tem Irma Arizola as authorized signers and authorize City Administrator/City Manager to make inquiries of the transactions and balances on the account as a **Non-Signing Party**.
16. Discussion and Action on **Resolution No. 06142018 – C** on Unclaimed Abandoned Vehicles. A Resolution that states; All Unclaimed Abandoned Vehicles under this transportation code the City of Encinal P.D. has the right to follow within the transportation code specifically CPT 683.016 allowing an unclaimed abandoned vehicle to be used for agency purposes or be transferred to any other municipal or agency reference Ordinance No. 2016-09-18 per the transportation Code Title 7 Vehicle and Traffic Chapter 683 Abandonment.
17. Discussion and Action on approving **Resolution No. 06142018 – D**. A Resolution authorizing the Mayor/City Manager to establish and rescind a Burn Ban within the City of Encinal and thereby permitting the enforcement of Ordinance No. 2018-06-14 to be adopted and providing an effective date of 06/14/2018 after the second reading on July 10, 2018.
18. Discussion and Action on **Resolution No. 05172018-A** for Regional Solid Waste Grant Program. A Resolution of City of Encinal authorizing the filing of a grant application with the Middle Rio Grande Development Council for a regional solid waste grants program grant; authorizing Velma Davila/ City Manager and Ashley V. Eddington City Accountant/Consultant to act on behalf of the City of Encinal in all matters related to the application; and pledging that if a grant is received City of Encinal will comply

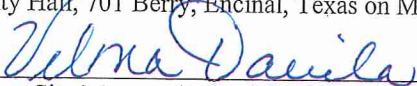
with the grant requirements of the Middle Rio Grande Development Council, the Texas Commission On Environmental Quality and the State of Texas.

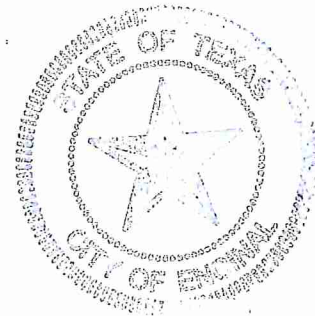
19. Discussion and Action on **Resolution No. 05172018-B**. A RESOLUTION OF THE CITY OF ENCINAL, TEXAS FINDING THAT AEP Texas Inc.'s application TO AMEND ITS DISTRIBUTION COST RECOVER FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.
20. Discussion and Possible Action on Bills paid/to be paid for June 2018.
21. Discussion and Action on the regular time & date of next meeting. The next City of Encinal Regular meeting will be held on \_\_\_\_\_, July 2018, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 6:00 p.m.
22. **ADJOURNMENT**

The City Council reserves the right to consider business out of the posted order and the right to adjourn into executive session to discuss items which are not listed as executive session items, but which qualify to be discussed in closed session under Chapter 551 of the Texas Government Code. Entrance and parking spaces for disabled persons are available in front of City Hall. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Manager's Office for concerns or requests @ (956) 948-5226.

**Certification**

I, the undersigned City Manager/Attest City Secretary, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 701 Berry, Encinal, Texas on Monday, June 11, 2018 at 1:00 p.m.

  
\_\_\_\_\_  
City Manager/Attest City Secretary



**City of Encinal**  
**Special Meeting Minutes**  
**June 14, 2018**

1. **Pledge of Allegiance.** Mayor Sylvano Sanchez called the Meeting to order at 5:39 p.m.
2. **Roll Call to establishing a quorum.** Present at the Meeting were Councilmembers Oliver Jordan, Irma Arizola, Christina Maldonado, Roberto Aldaco, and Brianda Lopez. After roll call Mayor Sanchez determined that there was a quorum present and the meeting could proceed.
3. **Motion and Action to participate in workshop tour, this is a part of the City Council Meeting and is not a Special Session. City Council Workshop: To review and discuss City Policies and Procedures for General Business Administration. City Council Members will receive a tour of the facility along with seeing examples of regular city business procedures.** A motion to start the workshop tour was made by Councilwoman Lopez and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried. The following is a summary of the tour conducted by City Consultant Ashley V. Eddington: City Consultant Eddington told Council that part of the internal controls for the city is that you can't enter certain areas of the city hall if you don't have a fob to get in. City Manager Davila explained to Council that all the file cabinets have designated areas for each of the clerks we have Sanitation, Code Enforcement and Permits and we also have the checks and they are all stored in different files because only the clerk responsible for that area can open that file cabinet and there is a master key for all the file cabinets in my office. Permit Clerk Vicky Rodriguez told Council and visitors that she is in charge of the permits and if you need a light permit you would come to her and you can't owe trash if you want to get a permit or you can make payment arrangements and you can get the light permit and if you are a new customer you must also set up a trash account and I also do the code enforcement and she showed them a sample of the letters she sends out and she also showed them how she completes her daily cash report and all deposits are verified by someone else and logged in every day. City Clerk Monik Huerta told Council and visitors that she must enter all the bank statements on her QuickBooks and she must also enter the receipts when somebody buys something, the payments for the trash are also recorded in the QuickBooks program and she also explained to them how she does her daily cash report and the log she does for the sanitation payments. Municipal Clerk Linda Ramirez showed Council and visitors all the citations that they have since 2011 and the partial payments, and the paid citations drawers, do the same daily cash report as the girls most of the payments are credit card payments, I am also in charge of the food bank reports, every month I do the DPS Conviction report, the DSC public records request, on the 15<sup>th</sup> I do the OCA report for the state, and I also do the quarterly reports for the state. Judge Hector Cortez told Council and visitors that in his office are all the paid citations in order by month and that he must also make sure that we do the complaints for the citations because this extends the life of the citation. City Consultant Eddington told Council that the time clock is used by the hourly associates and helps when the officers are working their overtime and it is also very important for our payroll and that we are paying people who are here. Municipal Clerk Linda Ramirez showed the pantry to Council and visitors and explained where the food bank food was stored and how we received a commercial refrigerator and freezer from the Food Bank for free because City Consultant Ashley Eddington applied for and received the grants for the freezer and refrigerator. City Consultant Eddington explained to

Council that to access the Police Department area you must have a fob and the only clerk to have access to it is Damiana. Chief Vallejo explained to Council and visitors the types of files he keeps in his office. Chief Vallejo explained the various reports he must do and how that has helped us to receive grants. Chief Vallejo showed Council and visitors the multiple purpose room that is used by the officers but can also be used by other Law Enforcement entities such as Border Patrol and DPS and it is equipped with two computers and a printer. Police Clerk Damiana Lopez explained to Council and visitors that part of her duties includes doing daily cash reports for impounds and I also have access to the NOVA system where I input the citations and I also help Monik post payments for sanitation department. City Consultant Eddington told Council and the visitors that the file separation, the daily cash reports, the locking of the cabinet files, and the passwords on the computers are all a part of the internal controls of the City.

**4. Citizens Comments.**

**5. Discussion and approval of minutes for April 10, 2018 and revise minutes approved pending changes for Regular meeting held on February 13, 2018.** A motion to approve the minutes for April 10, 2018 as stated was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried. A motion to approve the revised minutes from the Regular meeting held on February 13, 2018 was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.

**6. Discussion of City Managers Report of daily activities, operations of the city and upcoming events of the city. Discussion on the Accounting reports of revenues and expenditures for the city. Discussion of steady state and enhance police patrol activities in the city, and discussion of the ticket counts and collections for the criminal costs reports for the city. Discussion will be in the following order**

**A. City Manager.** City Manager Velma Davila gave Council a handout on the upcoming hurricane season. City Manager Davila told Council that the Public Works guys went and cleaned the City Park and the sidewalks are almost done and La Salle County will be donating the canopies from their park that they are taking down and Commissioner Alba told us that he will be giving us the better canopies and they will be taking them down for us and we will be putting them at our park and before placing anything at the park we would need to get the light going first.

**1. Discussion on Meeting with Encinal Water Supply Corp.** City Manager Davila told Council that she had attended a meeting at the Water Corporation with Mayor Sanchez and Clerk Ramirez last month and it went very well and they approved to help us with the running of the lines so they are getting the measurements and we are doing that as well and we are going to see if its feasible to run it through our property or to go out to the highway and run it from there and the Water Corporation was very welcoming and they agreed to help us and now we need to find out what type of pipes we will need and the meeting actually went very well and they had 3 board members present at their meeting. Councilwoman Maldonado asked who was on the Water Corporations board and City Manager replied that they had 3 board members Mireya Maldonado, Esmeralda Arce, Antonio Nieto and President Elena Rodriguez and they all supported the whole project and we have been working with them also and I did inform them there at the meeting that the City is willing to give them the credit and if Inez (Water

Corporation Employee) puts in hours for the City measuring or helping us run the lines that the credit could go towards the balance that is owed to the City and also they would not charge us the connection fee so it would be a win-win situation for all of us so we work together and we don't have to pay out money for that.

**2. Discussion on City Park Project**

**3. Discussion on June Gazette.**

**4. Cinco de Mayo.** City Manager Davila told Council that after paying all our expenses for the event we had about \$4,800 so that is what we will be using for the entrance and the only reason we haven't done the entrance is because one of the contractors told us to hold off because he wanted to help us build that so that is the only reason I haven't moved on it and Councilman Jordan asked which entrance and City Manager Davila replied the welcome to Encinal sign but we were only waiting on the County to award the bids for the new Community Center and if they got it they were going to help us with that.

**B. Accountant.** City Consultant Ashley Eddington told Council that he didn't have any financials to cover with them but he wanted to talk to them about was that we had filed a protest with Webb County because the property located where we have the animal shelter was taxed last year and the way the system works and some of you may know this your property values as of January 1<sup>st</sup> so the year before that there was no exemption on the property we also hadn't been billed either so when this one came about we went ahead and did the protest and the protest is scheduled for the 27<sup>th</sup> of June however we filed for a telephone protest and we got a phone call from Webb County and they told us we didn't have to do the phone protest just send the documents in and I emailed them today because as a municipality we don't have to pay property taxes and I guess they missed that and we missed that as well and when we had originally filed years ago or something might have gotten miscoded and it reactivated it but that has been filed and we are restructuring some of our payments and we are restructuring our Government Capital to a monthly payment versus doing one lump sum and City Manager Davila added that is was our last year to pay off the Dodge Durango police unit and we usually pay a yearly amount of \$10,900 and it is just too much to pay at once and I prefer to do the monthly payment because it is stretched out like the payment of the City Hall that we have to pay \$45,000 in one lump sum and City Consultant Eddington added that in the past they didn't allow us to do that and now they are finally letting us do it and if you all have questions on the financials I can discuss that with you all in my office.

**7. Update on TxDot Speed Monitor for Main Street/Business 35.** City Manager Davila told Council that she had contacted Danny McGee about the sign and they have set a date for the contractor to come and lay the slab that will be needed, and they haven't had a chance to come do it because they have a lot of work, but the sign is already in and the slab must cure for 3 weeks before they can install it.

**8. Update on TxDot Exit 38 Access Road Construction Timeline.** City Manager Davila told Council that they had started construction on the access road last week and I spoke to the gentleman today and they are working on the fencing right now and it is a 4-month project and should be completed by September and the access road will connect Exit 38 to Love's.

**9. Discussion and Action on approving Resolution No. 06142018 -- E Citizens Complaint Form and Procedures.** City Manager Davila told Council that sometimes you will have people come in and want to file a complaint against City Staff or personnel and they would come in and fill out the complaint form and we already have the complaint form on file but I wanted to pass a resolution so that it could be more binding and it is the same procedures that we have been following but it is in a resolution style now and what happens is that if a complaint comes to me regarding a staff member I have to conduct an investigation and if I don't feel comfortable doing the investigation I can contact the La Salle County Sheriff's Department or the Texas Ranger to do it especially if it is against a police officer and for fairness I would contact another agency to conduct it and City Consultant Eddington added that this was for citizens and when we applied for the City Hall we had to sign a resolution for Civil Rights and Equal Opportunity so this is just a revamping of that. A motion to approve Resolution No. 06142018 – E Citizens Complaint Form and Procedures was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Arizola, all were in favor, so motion carried.

**10. Discussion on the application submitted to MRGDC for FY 2019 Regional Solid Waste Grant Implementation Project due May 25, 2018 @ 5:00 p.m.** City Manager Davila told Council that the Ms. Encinal Queen Court and Little Miss Encinal from last year Marissa who had participated at various events through-out the year and when applying for this grant City Consultant Eddington decided to incorporate the Jr. High and High School students for this project so the girls went with us and they helped with the presentation of the Solid Waste Grant and it was a chance for City Consultant Eddington to redeem himself and the girls did a terrific job and they spoke out in front of the Solid Waste Committee and City Consultant Eddington explained the grant to the Committee and the grant was for \$9,200 and we got first place and we were fully funded. City Consultant Eddington told Council that it is a Community Clean Up and No Littering campaign that we will be doing and this was a part of the presentation and we have done community clean ups before and the implementation of it and the process of putting out the open tops and how much it costs so the grant amount was \$9,250.50 and the total project cost \$11,970 and I believe the in-kind was \$2,730.50 and that is what the city will pay for and City Manager Davila added that TCEQ took over everything and they have put a lot of restrictions on how Middle Rio Grande runs this grant and we had gotten open tops earlier in the year and we will not be getting paid for those because TCEQ came in and changed the old system that they were using a lot of people were getting grants and they weren't following the proper procedures and City Consultant Eddington added that this grant was now competitive so not every one gets it so we will be having three community clean ups a brush clean up, a general clean up, and a bulky item clean up and the girls helped me with the brush clean up and they held up the sign and also for the yard of the month contest and we also got approved to purchase a chipper and we will be able to chip and shred and we will be able to use the clippings for landscaping and people will be able to come here and get the clippings. City Consultant Eddington presented the Queens Court with gift cards in appreciation for their help. City Councilman Aldaco asked who the girls were, and City Manager Davila replied that they were our Cinco de Mayo Queens Divina Gonzalez the daughter of Damiana Lopez and Valerie Lopez the daughter of Hilda Lopez they are the Junior Miss Encinal and Miss Encinal and the reason we didn't get the new Miss Little Encinal was because Marissa worked with us a lot in the past and

for the next event we will be using both Miss Little Encinal and Mr. Little Encinal, so people won't feel left out.

**11. Discussion on AHEC participation at Elderly Program.** City Manager Davila asked Councilman Aldaco if his wife had told him that they have been getting visitors at our Elderly Program from the Area Health and Education Committee and that is a board that I belong to and the Dr and one of her assistants came and they will be coming to the elderly program at least twice a month and their goal is to get the elderlies to do other activities not just playing bingo and to have Sandy share with them of a healthy lifestyle like standing up and stretching and different activities and some of our elderlies need the help because they live alone and they are sick and I think that they actually liked it. Councilwoman Arizola stated that she really like it and she enjoyed what they talked about. City Manager Davila added that they would be discussing diabetes and the medications associated with it and about how they can help their circulation and other topics like heart disease. Councilwoman Lopez stated that every time they come in they will be discussing a different topic and City Manager replied yes that is what they will be doing and that is what we are trying to implement in this program not just play bingo. City Consultant Eddington added that we could see if we can get some money from the state if we follow a certain program and we will see if we can mesh that with what they are doing. City Manager Davila told Council that we try and give them one hot meal a week and if not, we will give them sandwiches or hot dogs and things like that. Councilman Jordan asked if all the participants were from Encinal and City Manager Davila replied that yes they were all from here and if somebody that is not from Encinal tries to participate the elderlies get upset and currently we have about 12 participants and Councilwoman Lopez added that a lot of the elderlies wait for the meals that they deliver from Cotulla and if they are not at home they wont get their meal and City Manager Davila added that she tried to change that but they can't do that because it is a program supplemented by the State but I did speak to somebody from Middle Rio Grande and they would see if they could help us out with funding for this program and maybe when they build the community center things will change and maybe they will open up that center and they will have people from here participating but this program is something you wouldn't want to take away from the elderlies because this program means a lot to me there's a lot of things people don't know about our elderlies like people don't visit them and Councilwoman Lopez added that they enjoy going and it gives them something to do and City Manager Davila added that it gives them life and that if you leave them at home you just don't know what would happen to them and it's sad because they don't have family here and even if I would have to pay for it from my pocket like I did yesterday buying them burgers from the Rec Center I pay for it from my pocket and that is a program that I am very much for and Councilman Aldaco knows because he was a part of that program and you know how those elderlies are and there are some that have left already and they miss the program and Councilwoman Arizola is there every Tuesday and when Sandy cant make it the elderly have volunteered to do the program and Councilwoman Arizola stated that when she does the program she doesn't get paid she does it voluntarily.

**12. Discussion and Action on Approving the Capital Assets and Tracked Property Procedures Policy.** City Consultant Eddington told Council that is a policy that we have to adopt for grant activity because we finally have inventory which is our vehicle and they are requiring us to have a policy and I pulled the policy from the City of San Antonio and revamped it so that it is a mesh



for the City of Encinal and we will be required to keep track of all our grant sponsored equipment which is now the vehicle and the body cams and anything else that we receive and City Manager Davila added that the Chief keeps track of that and City Consultant Eddington added that they needed a formal policy and it will help us track and it is something that we have already been doing in terms of the audit requirements and this policy is to help track it and how it is going to be depreciated and how it will be disposed of which is very important and also how the assets have to be maintained and City Manager Davila added that we do follow the policies because we have the 1033 Program because we have all the things that we got from the DPS LESO program and we kept the inventory and the Chief has kept a good inventory of all that. A motion to approve the Capital Assets and Tracked Property Procedures Policy was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.

- 13. Discussion and Action to fulfill the requirements of Conflict of Interest Statement and List of Authorized Work for Uniformed/Not Uniformed Officer's. All employee's and contractors must complete the form, sign and update yearly.** City Manager Davila told Council that we had some Officers that want to work off-duty work which is okay by policy so because some of them want to do that we want to make sure we are covered and we actually have it in the policy for the Police Department and the policy states what the officers are allowed to do, so what we are going to do is make copies of that policy for all the officers to have because they are City employees and they need to know what is on there and the Chief wrote them a memo and on the memo and because we found out that they wanted to do that I told them that something has to be done to cover the City from any lawsuits or anything that they do wrong while working their other jobs because we hold their license I want to make sure it is okay and that we are not responsible and on that Memo he included to all Off Duty officers this is a memorandum on off duty work it has come to our attention that we have officers working side jobs under the credentials of the Encinal Police Department and this is to inform you that off duty work will have to be approved by the Chief of Police each officer has to provide a memo where they ask permission to work off-duty and to state what kind of off duty work they are doing and each officer must sign off that they were informed and that they read the policy of off duty work and a copy will be provided to each officer and reserve and you must be present in person to receive a copy of the policy and City Manager Davila added that what we need to add on here and I don't know if it already has it is that the City is not liable for anything if they are involved in a shoot-out or if they do something wrong while on duty at their side job and that they are not allowed to use any City credentials and that they are not allowed to use any City uniforms or take out their badge or their credentials and say that they are working for the City of Encinal and that must be specified on there. Councilman Aldaco asked if somebody were to hire them would they have to sign something that states that the City is not liable in any way and City Manager Davila replied that as long as they sign off on ours and that they know that while they are off-duty they are not employed by the City of Encinal and that is the way it usually is but it is always best to be on the safe side instead of Chief saying that and that is why I wanted to bring it to City Council so that you all were aware of it and that you approve of it and also that the Chief is aware of it and that he makes sure his guys get the right paper work and to make sure that we are not liable for anything and there are so many things happening out there and that is the only worry that I had our officers are out there working their second jobs which they are allowed to

do but not because you are employed by the City of Encinal Police Department and while working there you shoot somebody and they are going to come and sue the City of Encinal because you shot someone off-duty. City Consultant Eddington added that the other part of the policy is the conflict of interest which applies to all the employees and contractors and as an example I would have to show that someone that is doing work for the City is my client, our IT guy for the City is my client and City Manager Davila added that he just started to do that he wasn't his client when we hired him and City Consultant Eddington added that any contractor would have to disclose that and any employees as well, Mayor Sanchez stated that was what they had to do at CSA and Councilwoman Lopez added that if that applied to them as well and City Consultant Eddington replied that City Council also has a conflict of interest but it is in the oath that you take. A motion to approve the requirements of Conflict of Interest Statement and List of Authorized Work for Uniformed/Not Uniformed Officer's was made by Councilman Jordan and he was seconded on the motion by Councilman Aldaco all were in favor, so motion carried.

- 14. Discussion and Action on approving Resolution No. 06142018 – A for a Special Account at Stockmen's Bank in Cotulla, Texas titled: Police Law Enforcement Standards. A Resolution approving to start a new Police Law Enforcement Standards Account and authorizing Mayor Sylvano Sanchez and Mayor Pro-Tem Irma Arizola as authorized signers and also authorize City Administrator/City Manager to make inquiries of the transactions and balances on the account as a Non-Signing Party. A motion to approve Resolution No. 06142018 – A for a Special Account at Stockmen's Bank in Cotulla, Texas titled: Police Law Enforcement Standards.** City Manager Davila told Council that this had already been approved but you have to specify what you are opening the special account for and the special account for this one was that the Chief found out about some money that they were awarding to Police Departments or different entities and its free money and the Chief is doing reports and you have to have a designated account where nobody else can touch it and it can only be used for designated purposes only. Councilman Jordan stated that why did we want to use Stockmen's if they are old school and Chief Vallejo added that the money would only be used for training the officers and City Manager Davila added that in the meantime we would be using Stockmen's because I would like to find another bank where we can do all our banking and not have so many problems and Stockmen's bank is very convenient and City Consultant Eddington added that the reason we chose Stockmen's is because there is also a grant account that we could put our property tax dollars in and when Mayor Sanchez goes and picks up that check he can go and deposit it in that account and we will have ease of transferability and we also have our EEDC account there so they may not be our best choice but they are the most convenient one at this point until we can find another bank as City Manager Davila stated we need another bank who will be more flexible and give us the opportunity to have lines of credit and things like that and there are opportunities that the City may have to purchase in bulk and save money or if it is a specific cash flow item and now that we have this over time grant so we may have an extra \$2,000 in overtime but you have to wait 30 days to get reimbursed for that and City Manager Davila added that Falcon doesn't work with us and City Consultant Eddington added that it was the same thing with our other grants that are reimbursable if we have the ability to grab the money and we know we are going to get it back in 14 days its kind of hard to use the operating money because it puts a strain on the cash flow. City Manager Davila told Council that she would like to

go and visit with other banks and see what they have to offer and bring that back to City Council. Councilman Aldaco asked if this account required only one signature and City Manager Davila replied that no it required two signatures Mayor Sanchez and Councilwoman Arizola and last time we asked nobody wanted to do it and that is why we designated them because we do need the account and the only reason I am on there is to inquire on the balance and we would be using the account to pay for our City Hall Loan and that is what we use the property taxes for. A motion to approve Resolution No. 06142018 – A Resolution approving to start a new Police Law Enforcement Standards Account and authorizing Mayor Sylvano Sanchez and Mayor Pro-Tem Irma Arizola as authorized signers and also authorize City Administrator/City Manager to make inquiries of the transaction and balances on the account as a Non-Signing Party was made by Councilwoman Lopez and she was seconded on the motion by Councilwoman Maldonado, all were in favor, so motion carried.

**15. Discussion and Action on approving Resolution No. 06142018 – B a Special Account at Stockmen's Bank in Cotulla, Texas titled: Special Grants Account. A Resolution approving to start a Special Grant Account and authorizing Mayor Sylvano Sanchez and Mayor Pro-Tem Irma Arizola as authorized signers and authorize City Administrator/City Manager to make inquiries of the transactions and balances on the account as a Non-Signing Party.** City Manager Davila told Council that this is the account she had discussed with them earlier. A motion to approve Resolution No. 06142018 – B a Special Account at Stockmen's Bank in Cotulla, Texas titled: Special Grants Account. A Resolution approving to start a Special Grant Account and authorizing Mayor Sylvano Sanchez and Mayor Pro-Tem Irma Arizola as authorized signers and authorize City Administrator/City Manager to make inquiries of the transactions and balances on the account as a Non-Signing Party was made by Councilwoman Lopez and she was seconded on the motion by Councilwoman Maldonado all were in favor, so motion carried.

**16. Discussion and Action on Resolution No. 06142018 – C on Unclaimed Abandoned Vehicles. A Resolution that states: All Unclaimed Abandoned Vehicles under this transportation code the City of Encinal P.D. has the right to follow within the transportation code specifically CPT 683.016 allowing an unclaimed abandoned vehicle to be used for agency purposes or be transferred to any other municipal or agency reference Ordinance No. 2016-09-13 per the transportation Code Title 7 Vehicle and Traffic Chapter 683 Abandonment.** City Consultant Eddington told Council that the reason this resolution was put together was because we have vehicles that are abandoned and this has to do with people that abandon their vehicles when they are stopped by law enforcement and they later go to auction and when we have a vehicle that can be used for the agency and agency meaning the City or a City entity and we can use that vehicle and this allows us to do that and if there is a truck confiscated and the Chief goes through all the procedures then we can use it for agency business and EEDC is a non-profit also and it can be designated for them as well and it cannot be given to an individual or anything like that we do not have to go through the process of auction for that one particular piece of property if we wanted to use it for agency purposes. Councilman Aldaco asked if the vehicle would be registered under the City and City Consultant Eddington replied that yes it would be registered under the City and I think what we would like to do Mr. Aldaco when we get a situation like this is we will bring it before Council and get it approved and take it out of the police inventory and into the City inventory because right now it is sitting with the Police Department inventory. Councilman Aldaco asked how long do you have to wait and Chief Vallejo

added that you would go through the same procedure as when you are going to auction the vehicle you send out letters and you contact the bank lien holders and if you don't get a response back then it is considered an abandoned vehicle and then I would type up a letter stating that the vehicle has been abandoned and after that we would fill out the paper work and apply for the title and City Consultant Eddington added that its 10 days after it has been confiscated and 20 days after they have been notified and Chief Vallejo added that was correct after you send the certified letter you have to wait for the receipt of it and City Manager Davila added that right now we have two vehicles that we could possibly keep because we are going to need a truck for the City. A motion to approve Resolution No. 06142018 – C on Unclaimed Abandoned Vehicles. A Resolution that states: All Unclaimed Abandoned Vehicles under this transportation code the City of Encinal P.D. has the right to follow within the transportation code specifically CPT 683.016 allowing an unclaimed abandoned vehicle to be used for agency purposes or be transferred to any other municipal or agency reference Ordinance No. 2016-09-13 per the transportation Code Title 7 Vehicle and Traffic Chapter 683 Abandonment was made by Councilman Aldaco and he was seconded on the motion by Councilman Jordan all were in favor, so motion carried.

- 17. Discussion and Action on approving Resolution No 06142018 – D. A Resolution authorizing the Mayor/City Manager to establish and rescind a Burn Ban within the City of Encinal and thereby permitting the enforcement of Ordinance No. 2018-06-14 to be adopted and providing an effective date of 06/14/2018 after the second reading on July 10, 2018.** City Manager Davila told Council that in their packets she had included some pictures of something that happened over the weekend and the reason I am bringing this to Council is because we have the 4<sup>th</sup> of July coming up and it is very dry out there and I am not sure if the County has a burn ban in effect because I have not been able to get a hold of the County Judge and it is up to City Council if they would like to adopt a burn ban right now and the Mayor or myself can lift it when we deem it no longer to be needed or at a certain time or a certain hour and as you can see in the pictures this house is located on South Grande street and the lot that burned is on South Grande and Spohn Street and the property owner is Maria Sanchez and if they had not knocked on their door they could have burned in there because the fire got close to their shed and that is real scary but what is most disturbing is that we have sent the property owner letters and they have come back to us and this is one of the properties that we have cleaned in the past not knowing that the people in Cotulla weren't aware that these people have not paid taxes in 5 years so I contacted Ronald Rocha the one who works on the tax liens for the County and he stated that he didn't know why they wouldn't report that if its been 5 years and City Manager Davila added that they report the people here for 2 years and these people owe taxes for 5 years and we don't even have their correct address and what I had Vicky do since she is the Code Enforcement Clerk I had her go through all the properties on Monday morning and I had her go through the City and see which ones need cleaning again and from that I told her to make a list and send it to Hilda at the CISD tax office so that we could find out who has paid property taxes and who has not and how long it has been because I am going to send that list to the attorneys so that they can start suing these people or he could add the money we spend to clean it. Councilman Aldaco asked how the fire had started and City Manager Davila replied that since it is so hot, and we had Officer Butterfield go over there since he is the Fire Marshall and he said it could have been a cigarette or even a broken bottle and I don't know how there are bottles and

cans there if nobody lives there and either people are dumping there illegally because that property had been cleaned in the past. Councilman Aldaco stated that he believed we should keep the burn ban in effect and City Manager Davila added that our Officers would be here on 4<sup>th</sup> of July and you are going to get a warning if you are popping fireworks but people are going to know that there is a burn ban and we are going to deliver a notice to every single person in the city so that they will be aware that there is a burn ban in place so the first time it would be a warning from our Officers and after that you will be cited by the Code Enforcement Officer because it is dangerous and it could be anybody's house and it is scary but it is up to Council to decide and I am just making you aware of what happened and how we can prevent it because of the dry spell we are having. Councilman Jordan stated that he didn't agree. City Manager Davila stated that she wanted to make sure we were all in the same page because I don't want to send out my Officers to go out and tell people that they can't pop fireworks when you all aren't in agreement to that and Councilman Jordan stated that his kids like to pop fireworks and City Manager Davila replied that this would be for the burn ban not for the fireworks and Councilman Jordan asked what this would pertain to and City Manager Davila replied that it would be for not burning trash and there is nothing implemented right now and there is nothing that we can do and Councilman Jordan asked if people are burning in a can or what and Chief Vallejo stated that people dig a hole and burn trash there and City Manager Davila stated that you can't do that and you can only have a controlled fire if you contact the Fire Department and they are present when you are burning and it has to be approved and if you are burning you have to stay there until it is put out but there are people that let it burn and go do other things and if the wind blows it could burn your neighbor's property. There was a question as to how long the burn ban would be in effect and City Manager Davila replied that it would depend on the weather because of the dry spell that we have, and people shouldn't be burning trash.

A motion to approve Resolution No 06142018 – D. A Resolution authorizing the Mayor/City Manager to establish and rescind a Burn Ban within the City of Encinal and thereby permitting the enforcement of Ordinance No. 2018-06-14 to be adopted and providing an effective date of 06/14/2018 after the second reading on July 10, 2018 was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Maldonado, all were in favor, so motion carried.

- 18. Discussion and Action on Resolution No. 05172018-A for Regional Solid Waste Grant Program. A Resolution of City of Encinal authorizing the filing of a grant application with the Middle Rio Grande Development Council for a regional solid waste grants program grant; authorizing Velma Davila/City Manager and Ashley V. Eddington City Accountant/Consultant to act on behalf of the City of Encinal in all matters related to the application; and pledging that if a grant is received City of Encinal will comply with the grant requirements of the Middle Rio Grande Development Council, the Texas Commission On Environmental Quality and the State of Texas.** City Consultant Eddington told Council that he had applied for a grant in January for \$5,000 from Middle Rio Grande and it was not a competitive grant and everybody received \$5,000 and they had a delay in receiving the funding from their TCEQ source and they finally gave us the resolution and we are just now adopting it so we can get more open tops because the one we discussed before doesn't start until September and we can do some community clean ups with this one. A motion to approve Resolution No. 05172018-A A Resolution for Regional Solid Waste Grant. A Resolution of City of Encinal authorizing the filing of a grant application with the Middle Rio Grande Development Council for a regional solid waste grants program grant; authorizing Velma Davila/City Manager and Ashley V. Eddington City Accountant/Consultant to act on behalf of the City of Encinal in all matters related to the

application; and pledging that if a grant is received City of Encinal will comply with the grant requirements of the Middle Rio Grande Development Council, the Texas Commission on Environmental Quality and the State of Texas was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.

19. **Discussion and Action on Resolution No. 05172018—B. A RESOLUTION OF THE CITY OF ENCINAL OF ENCINAL, TEXAS FINDING THAT AEP Texas Inc.'s application TO AMEND ITS DISTRIBUTION COST RECOVER FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.** City Manager Davila told Council that AEP has a lawsuit going on and they are asking cities to join in at no cost to the City it is just to fight to try and get lower rates and we were asked to pass it. A motion to approve Resolution No. 05172018 –B A RESOLUTION OF THE CITY OF ENCINAL OF ENCINAL, TEXAS FINDING THAT AEP Texas Inc.'s application TO AMEND ITS DISTRIBUTION COST RECOVER FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.
20. **Discussion and Possible Action on Bills paid/to be paid for June 2018.** City Manager Davila told Council that the bills were paid last week and if anybody has any questions to please talk to her.
21. **Discussion and Action on the regular time & date of next meeting. The next City of Encinal Regular meeting will be held on \_\_\_\_\_, July 2018, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 6:00 p.m.** A motion to have the next City of Encinal Regular meeting on July 10, 2018 at City Hall Chambers, 701 Berry Street, Encinal, Texas at 6:00 p.m. was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.
22. **Adjournment.** A motion to adjourn the meeting was made by Councilwoman Arizola and she was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried. The meeting was adjourned at 7:19 p.m.

Minutes were approved by Council Member B. Lopez and a second Motion was made by Council Member L. Arizola on this the 14<sup>th</sup> day of August 2018.

Velma Davila  
Velma Davila, City Manager  
Attest City Secretary

