



**CITY OF ENCINAL  
CITY COUNCIL AGENDA  
Regular Meeting  
Tuesday, July 11, 2017**

*NOTICE is hereby given of a Regular Meeting of the City Council on Tuesday, July 11, 2017 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. 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 from June 13, 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
  - B. Accountant
  - C. Police Chief
  - D. Municipal Clerk
7. Welcoming of newly appointed City Council Member.
8. Discussion of the approved contract with Spillman Technologies on a Record Management System for the police department.

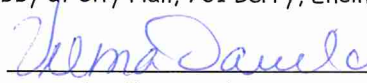
9. Discussion and Action on electing Mayor Pro-Tem.
10. Discussion of Council members attending TML Newly Elected City Officials' Orientation
11. Discussion and Action of approving the 2015 Independent Audit of the City completed by Flores and Associates, CPA's
12. Discussion and action of ratification of previous years financial transactions during the Mayoral term for Sylvano Sanchez of 2008-2017, to include budgeted line items, budget reallocations, also per adopted budget policy as follows" to expend funds approved by the City Council within each budget line items such as salaries, insurance, repair & maintenance, food, travel, fuel purchases, telephone services, utilities and other officer operations."
13. Discussion and Action on approval of Disability Accommodation Policy for employees, contractors & elected official with the City of Encinal.
14. Discussion and Action to approve the City of Encinal Tax Abatement Guidelines, these guidelines must be approved by the city council every two years, the last approval date was March 10, 2015
15. Discussion and Action on approving Resolution No 06132017 for the FNB.
16. Discussion and Possible Action on Bills paid for July.
17. Discussion on 2<sup>nd</sup> Annual 3 on 3 Tournament hosted by the Encinal Police Department and City Staff.
18. Discussion on Summer Work Program.
19. Discussion on City of Encinal monument that will be placed on the donated 6x6 slab by G2K Partners on the corner of Hwy 44 and Access 35 South.
20. Discussion of recommendations for the Encinal Economic Development Corporation board on options for collecting, bartering and/or forgiving the outstanding debts of the Encinal Water Supply Corp. of water improvements (\$42,200). Discussion will give each City Council Member, Mayor & staff an opportunity to voice their opinion.
21. Discussion and Action on possibly changing the regular time & date of next meeting. The next City of Encinal Regular meeting will be held on \_\_\_\_\_, August 2017, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 5:30 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 Thursday, July 6, 2017 at 7:00 p.m.

  
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 City Manager/Attest City Secretary



**City of Encinal**  
**Regular Meeting Minutes**  
**July 11, 2017**

1. **Meeting called to order.** Mayor Sanchez called the Meeting to order at 5:40 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 Brianda Lopez, Roberto Aldaco, Oliver Jordan, Irma Arizola, and Christina Maldonado. After roll call Mayor Sanchez determined that there was a quorum and the meeting could proceed.
4. **Citizens Comments.** Citizen Mario Granados addressed Council and told them that he had some concerns about the sidewalk project and his concern was that what was going to be done about the sidewalk along the road and I believe that the sidewalk is about 8 inches high because I have seen some of the entrances and exits from some of these residences and I believe they are kind of high for some of these small cars and is something going to be done about that. City Attorney Juan B. Caballero suggested that the item be written down so that it could be addressed at a later time and City Manager Velma Davila stated that she would be discussing that during her City Manager's report and Mr. Granados stated that was his concern because he had seen quite of few places that can't get in or out of their properties because the sidewalk is pretty high and I know that they are only putting dirt on some of the properties but none one the outside and it still makes it hard for some of these vehicles to get out and hopefully they won't have to get out in an emergency and I had another question is there a possibility that someone could cut the grass at the lot next to my property and it has been overgrown for a while now and City Manager asked what lot that was and Mayor Sanchez said it was the EEDC lot.
5. **Discussion and approval of minutes from June 13, 2017.** A motion to approve the minutes from June 13, 2017 as stated was made by Councilwoman Lopez 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 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:** City Manager Davila told Council that she had included a gazette in their packet, she told Council that this year we have not bought any school supplies because we still had some from last year and the Chief has also gotten school supplies donated from someone in Carrizo Springs and our kids from the summer program have started putting everything together in the back so we will be doing about 20 bags for each class and we pretty much try to put everything they are

asking for and if they ask for 4 or 5 of each item we scale it back to about 2 items so that everyone can have some, one of the other items I have is the Area Health and Education Center and they have been here before they are the ones that talk about the HPV vaccine and they bring several companies from different organizations to speak to the community and they will be here when we have our back to school drive on August 22<sup>nd</sup> from 3 to 7, about 2 months ago I was called and asked to join this board and I really didn't know anything about it, it's the Area Health and Education Center from the University of Texas Health and Science Center in San Antonio and I actually went to my first board meeting last month and I got to be on the board with district judges, county commissioners, county judges, attorneys and doctors and there are 15 other members on the board and they are all very intelligent and they have their degrees and we have the CEO from Doctors Hospital so being on the board you learn different things and there are things that we can bring back to our communities and there are a lot of things that are happening in Webb County that we could bring to La Salle County and I believe they had a health fair in Cotulla last week and I really enjoyed myself and I met a lot of different people and it's good to meet people that can help the City. City Manager Davila told Council that Mr. Granados had a good point and we actually had one of the community members come in and ask about the same thing and the issue that we are having is that the contractor is having a lot of issues with TxDot and I spoke to the main guy from TxDot and they are coming this week to talk to the contractor because I did speak to Mr. Galindo and what they did right now is that they put some base at Mr. Linan's place and that base is not supposed to fade away with the water it should stay hard but they are going to come back and overlap it with asphalt all through the ones they are working on like Monica Rokolh's property and Mr. Soto's and they still don't have that but they aren't finished yet and they are doing different areas and then they have to bring different amounts of cement to finish off all the area. City Consultant Ashley Eddington explained that since this is a TxDot project and they let it, they are in charge of it and we can't go in there and make changes unless we do a change order and we might have a change order at the end if we have money left over and City Manager Davila explained that they didn't take care of the funding they do the payments. Citizen Mario Granados stated that the other issue was with the curve as you are going to the park and City Manager Davila explained that the issue with that was that a lot of the properties here have a portion of our easements and that is why you see a big gap on Front Street so whenever the engineer came in we couldn't do that portion because if we did that the sidewalk would be on their front door and literally they are on our right of way and Mr. Granados stated that the concern was that the sidewalk on the corner was protruding and that they might break it if they drove through it and City Manager Davila replied that she had spoken to TxDot to see if we could put something there that would help it, Citizen Guadalupe Granados stated that he had a concern with



the sidewalk and what I observed is that at various intersections it seems that the road was narrowed and they allowed more space for the sidewalk and if you are on any given street or like Front Street where if you are facing south on the right hand side of the road and if you have somebody coming front the east going to turn north at that same intersection there is not enough room for both vehicles to fit at that turn and it's the same where Ms. Arizola lives at that same corner and further down where your turn towards the park and by where they build that new house and you only have space for one vehicle at a time and it's getting to be a big issue like if they are going to turn the streets into a one way and City Manager Davila replied to Mr. Guadalupe Granados that she would place the item on the agenda for the next meeting so that they can come in and we can discuss it and what we did is that the TxDot engineers and our engineers discussed this back and forth with the construction foreman and that is what they came up with and a lot of those properties are on the city right of ways so they had to narrow it down and Mr. Guadalupe Granados added that the problem is at the intersections and City Manager Davila added that they are building the ADA or handicap ramps at the intersections and City Consultant Eddington added that there would be some variances and we are going to have to move them over to make room for the turns and City Manager Davila added that they would bring them in and have a discussion and action item on them for the City Council meeting. City Manager Davila told Council that she had spoken to the Texas Ranger and Sergeant Garcia from La Salle County and before I did that I had spoken to Mr. Caballero about a month ago because I was asked if I wanted to stay in a home in Encinal so that I wouldn't have to be commuting back and forth and at first, I really didn't want to and Mr. Caballero didn't think it would be a good idea for me to stay there without having to pay rent and the only thing I was going to pay was water and light so about a month ago the Ranger came and I asked him if it would be a conflict of interest if I stayed at that home and he advised me that it wasn't a conflict of interest for me to stay somewhere and if that gentleman isn't doing any work for the City and if he were to ever do work for the City all I would have to do is step back and sign a paper that states that I have no interest in whatever he is bidding for so to let City Council know that I am staying here in Encinal Monday thru Thursday and I am not paying rent and the City is not paying my rent because we have people out in the community saying that the City is paying my rent which is not true and I did get approval from the Texas Ranger because obviously everything goes to the Texas Ranger and the District Attorney and we are always open about everything and I have had the Ranger here for 6 years that I have been here and I would never think about doing something illegal so I do want it to be on record because the Texas Ranger asked me to put it on record and so did Sergeant Joey Garcia so that Council could be aware of what we were doing so that if you hear it out in the community because people like to gossip and I am getting tired of that and I want Council to know that my door is always

open to any questions and I have nothing to hide and it's like the Texas Ranger said it is nobody's business where I live or what I do on my personal time but I did want Council to be aware of this and to tell that individual that is saying that the City is paying my rent it's not true because I'm not paying rent and actually those people were nice enough to ask me if I wanted to take care of that house.

- B. **Accountant.** City Consultant Eddington told Council that they have the financial statement for June 2017 for the individual month and for the month up to June 2017 and I will only be going through some of the highlights, our Municipal Court tickets we have collected \$239,801.95 and for property taxes we have collected \$127,812.68 and that is above our budget amount because we received some delinquent taxes that were collected so we have more property taxes right now than we had last year and for our sales tax year to date we had \$378,125.33 and our sales tax for our budget because I use a 5 year average and that 5 year average encompasses since 2015 and you'll see when we approved our audit and in 2015 it was when the oil bottomed out so that average is included so we are going to have a variance so the sales tax has gone up so our total revenue to date is \$885,903.28 and then you have your operating expenses notably I want you to see that there is a depreciation in there and I normally don't include that in our operating budget or operating statements but we are going to include it because with the City Hall our depreciation amount has gone up tremendously and that is a non cash item however it does affect our financial statements and our salaries year to date are \$237,463.00 and the total amount of our expenditures year to date are \$812,370.49 leaving us with a net increase of fund balance of \$73,532.79 I know there are a lot of numbers but if you have any questions please come and see me for the details on each item and I don't expect you to get everything from this statement but definitely come to the office and we will print it out and look at it and we have a real good internal control system that we have been using for years and that is how we use our ratifications because we have a really good auditor and we have set internal controls in place and we have made sure we have separation of duties and City Manager Davila added that it was actually Monik's job to input everything in the computer all the numbers, all the receipts, all the checks and Mr. Eddington and I don't do it.
- C. **Police Chief.** Police Chief Roy Vallejo told Council that we had received an application to apply for LEOS monies and they actually told us we could've applied a while back we had just missed it and I did attend Chief school in Huntsville for a week and I came back with a lot of knowledge and we had a lot of networking and there were a lot of Chiefs from the State of Texas and that is how I found out about the LEOS monies from the Comptroller's Office so I called up there and they told me that I could apply for the LEOS monies so this week I will be sending an application and I will actually be applying for a double application and that is for the guys to get free training, ammunition and vest for them and I did make contact with TxDot to see if we can put some stop lights at the 4 way intersection and I have

to go back and do stats on all the citations that are given for the stop signs and I will send them a letter and request the stop signs and City Manager Davila added that the issue we were having there is that a lot of truck drivers are not stopping and it is impossible for the Officer to station themselves there at all times but there have been a lot of almost accidents there and actually the reason TxDot came in yesterday was not for the stop signs but actually to put no parking signs on the east side of access 35 because the road is getting really bad with the rain and then the truckers park there any they are breaking all the road and they are having to fix it and we also have some reports we have to turn in to the District Attorney for some indictments. Citizen Anselma Aldaco tried to make a comment about the no parking to Chief Vallejo and Mayor Sanchez told her that there were no comments at this time so Mrs. Aldaco asked to be placed on the agenda for the next meeting to discuss this item.

#### ***D. Municipal Clerk***

7. ***Welcoming of newly appointed City Council Member.*** City Manager Davila told Council that she would like to welcome Oliver Jordan to the City Council, Oliver was sworn in on June 27, 2017 and she told him that she hopes he will enjoy himself and if you have any issues or questions please approach us and if you want something on the agenda please request it our office is always open to everyone so you can call and ask if a community member has a concern with an item. Councilman Jordan thanked Council for choosing him and told them he was happy to be part of the team and I am here to make the community better.
8. ***Discussion of the approved contract with Spillman Technologies on a Record Management System for the police department.*** City Consultant Eddington told Council that this item was on last month's agenda and it has already been approved however there were some things that Mr. Caballero wanted to see in the agreement and there were two items we were concerned with and we have reached an agreement with Spielman Technologies and this is a 5 year contract and the Encinal Police Department has the right to cancel the agreement with a 60 day notice during the initial year and so what we are thinking is that within a year hopefully the system will work for us if not we can cancel it so the Chief and the Officers are going to have to work diligently with the system and make sure it does exactly what it is supposed to do and the other item was that the agreement was set in Utah and Mr. Caballero had to have them change it to the State of Texas and City Attorney Caballero added that the original agreement stated that if there were any disputes they would have to be done under Utah law in Utah and that was something we could not agree on because if it went into litigation we would have to travel to Utah so they agreed it would be governed by Texas law other than that the agreement was pretty straight forward.
9. ***Discussion and Action on electing Mayor Pro Tem.*** City Attorney Caballero told Council aht the Local Government Code requires that we have a Mayor Pro Tem and we table it at the last meeting one of you can nominate one your members for Mayor Pro Tem that person would lead the Meetings if Mayor Sanchez is not available so if you care to discuss this or make a nomination and then we can have a vote as to who will be your Mayor Pro Tem. Councilman Aldaco nominated Irma Arizola for Mayor Pro Tem and he

was seconded on the motion by Councilman Jordan, City Attorney Caballero asked if anybody would like to nominate somebody else and if not close the nomination and take a vote, councilman Jordan wanted to nominate himself and City Attorney Caballero advised him that he can't nominate himself but he can nominate somebody else and Councilman Jordan stated that he would nominate Councilwoman Arizola and City Attorney Caballero explained that Ms. Arizola is already nominated and she has accepted so now we just need a vote. Councilman Aldaco nominated Irma Arizola for Mayor Pro Tem and he was seconded on the motion by Councilman Jordan, all were in favor so motion carried.

10. ***Discussion of Council members attending TML Newly Elected City Officials Orientation.***

City Manager Davila told Council if they had already done the "Open Meetings Act" training and she added that she already received the one for Councilwoman Lopez and Councilwoman Arizola and she told Councilman Jordan that if he would like to he could do his from home and she stated that she would be printing Councilwoman Maldonado's and told Councilman Aldaco that he could come into the office to do his and you do have 90 days to complete the training because we do need to have this on file. City Manager Davila told Council that she was waiting on everybody to let her know if they would be attending the conference and she was barely able to register everybody and the only one pending was Councilman Jordan and everyone else has been registered and they actually accepted Mayor Pro Tem Arizola because she was the last one that Damiana had submitted and she was going to be placed on a waiting list but all of you have been registered already, Councilman Jordan asked when the training would be held and Councilwoman Lopez replied that it would be on August 3<sup>rd</sup> and 4<sup>th</sup> in San Antonio, City Manager Davila said that if Councilman Jordan still wants to attend we can place him on a waiting list so please just let us know and everybody else that is registered when it gets closer I will give you all more information and tomorrow I will call and check on the hotel to see if they still have rooms and I just wanted to make sure that everybody will be going because we don't want to lose out on the hotel expense.

11. ***Discussion and Action of approving the 2015 Independent Audit of the City completed by Flores and Associates, CPA's.***

City Consultant Eddington told Council that they had the 2015 Audit and I would like to go over some highlights of the audit with you and 2015 was a very difficult year because of our sales tax and the price of oil really dropped down and everyone was struggling and the most important thing about the audit is the opinion of the auditor is that the financial statements were presented fairly and all materials represent the financial position of the City these audits reflect the transactions of the City revenues, expenditures, along with capital assets and this audit is completed independently and we provide all the financial information which means every bank account must be reconciled and every dollar must be accounted for and we have to make sure it is accounted for otherwise we won't have a good audit and without a good audit you are unable to apply for continuing financing, continuing loans, continuing grants so again for the 5<sup>th</sup> year in a row we have had a very good audit so I



am asking for City Council to approve the audit there were no major changes or discrepancies in the audit itself we didn't have to do any open records requests for it and the audit was completed by Mr. Flores. A motion to approve the 2015 Independent Audit of the City completed by Flores and Associates, CPA's was made by Councilwoman Lopez and she was seconded on the motion by Councilwoman Maldonado, all were in favor so motion carried.

12. ***Discussion and action of ratification of previous years financial transactions during the Mayoral term for Sylvano Sanchez of 2008-2017, to include budgeted line items, budget reallocations, also per adopted budget policy as follows to expend funds approved by the City Council within each budget line items such as salaries, insurance, repair & maintenance, food, travel, fuel purchases, telephone services, utilities and other office operations.*** City Consultant Eddington told Council that this had item had to do with our budget and ratification of our financial transactions and the City has never done anything like this in terms of ratification because we did not have the mechanism and we now have audits from 2008 to current and the purpose of ratification is you do have budgeted items where you have used too much money or not enough money so those monies get reallocated we do some budget reallocations but the ultimate budget reallocation within the audit itself so when the auditors go thru they take our budget and prepare to do some variances we always approve the audit itself but this is an added step to ratify everything that has been completed within the audit which we haven't done in the past but we will continue to do in the future for every audit that we complete so this ratification is requesting you to ratify the transactions that have occurred within the audit period especially within the periods that have been completed since I have been here. City Attorney Caballero told Council that it was not unusual for governing bodies to go back and ratify things that have been done and the audit has been processed already and everything was found to be in order the reason to do it is because each line item spend has not been foreseen in advance and there are areas that are budgeted as far as big groups where money is supposed to go and what City Consultant Eddington is doing is all those monies that were spent in the large categories what he is asking is for you to ratify each item that was spent within that category and Councilwoman Lopez asked if that would be like a smaller breakdown and City Attorney Caballero said basically it's the approval of the smaller individual transactions and Councilman Aldaco asked if ratifications are done during regular meetings and City Attorney Caballero replied that they can be done during a regular meeting and Councilman Aldaco asked if it was necessary to ratify during a regular meeting and City Attorney Caballero asked as opposed to what and Councilman Aldaco replied that in case something might be wrong and are ratifications done during a regular meeting and City Attorney Caballero replied that ratifications can be done during a regular meeting and City Manager Davila added that what they had done in the past years including whenever we weren't here and what City Consultant Eddington is trying to do and since the audits were already approved is say that whatever was spent on those categories

and your ratifying it because the audit is done and everything came out correct and there were no discrepancies found and City Consultant Eddington said if the ratification there were an overdraw in a line item because that is what the auditors have now and we will continue to do this as long as I am here because we have to ratify because one it protects the City Council and two it protects the people who are expending the funds and you have appropriations that are required within City government and if you go outside those appropriations you need to do a budget reallocation and or ratification so we can do budget reallocations every month but I don't think you're going to want me to do that because we would probably have ten or fifteen every month so the ratification through the audit itself because it's a third party that approved it is the best and easiest way to do it. A motion to approve ratification of previous years financial transactions during the Mayoral term for Sylvano Sanchez of 2008-2017, to include budgeted line items, budget reallocations, also per adopted budget policy as follows to expend funds approved by the City Council within each budget line items such as salaries, insurance, repair & maintenance, food, travel, fuel purchases, telephone services, utilities and other office operations was made by Councilwoman Maldonado and she was seconded on the motion by Mayor Pro Tem Arizola, all were in favor so motion carried.

13. ***Discussion and Action on approval of Disability Accommodation Policy for employees, contractors & elected officials with the City of Encinal.*** City Attorney Caballero told Council that in the past the City has always followed the Americans with Disabilities Act and there is also a Texas version that is put out by Governor Abbott and we follow the statutes and we don't have our own individual guidelines or how to apply those statutes and I don't have the policy in written form yet and I would ask that it be discussion only and for the next meeting I will bring you the documents to set up the policy along with the City rules for any person with disabilities and whether it be a City employee or elected official or an independent contractor that is going to be hired by the City it will basically follow and mirror the requirements of the Americans with Disabilities Act and of the recommendations of Governor Abbott's Committee on Texans with Disabilities.
14. ***Discussion and Action to approve the City of Encinal Tax Abatement Guidelines, these guidelines must be approved by the city council every two years, the last approval date was March 10, 2015.*** City Consultant Eddington explained to Council that Chapter 312 of the Texas Tax Code gives us authority to do the tax abatements and these abatement guidelines have helped us bring in new businesses like Family Dollar and we used this policy along with EEDC to help bring them along and Road Ranger also was the initiator of this policy and if we plan to continue to use it and City Attorney Caballero added that when Road Ranger came in they were the ones that caused us to come up with this policy not that Road Ranger initiated it and City Consultant Eddington told Council that we are requesting that you renew the policy for another two years and by statute it is required to be renewed every two years and there are no changes to the agreement. A motion to approve the City of Encinal Tax Abatement Guidelines was

made by Councilwoman Maldonado and she was seconded on the motion by Councilman Aldaco, all were in favor so motion carries.

15. **Discussion and Action on approving Resolution No 06132017 for the FNB.** City Councilman Jordan asked what that was and City Consultant Eddington replied that we had already approved this but this is just the resolution and every year we have been getting a loan for the betterment of our trash truck and we need this resolution for the bank itself and they have already approved the loan agreement and what they needed was the minutes from the last meeting and City Manager Davila added that she had forgot to attach the resolution last month and she added that it was the same one as last year. A motion to approve Resolution No. 06132017 for the FNB was made by Councilwoman Lopez and she was seconded on the motion by Councilman Jordan, all were in favor so motion carried.
16. **Discussion and Possible Action on Bills paid for July.** City Manager Davila told Council that she had previously told them that sometimes she would have the bills that are not paid presented to you and you all can approve them and question them and sometimes we will have a meeting and they have already been paid and it all depends on how we get our sales tax and these payments will be going out on Friday and if you all have any questions just let me know and what isn't in there is the disbursement for EEDC because we won't find out till tomorrow how much we are going to receive and then I will take the .25% and put it on here. A motion to approve the Bills paid for July 2017 was made by Councilwoman Lopez and she was seconded on the motion by Mayor Pro Tem Arizola, all were in favor so motion carried.
17. **Discussion on 2<sup>nd</sup> Annual 3 on 3 Tournament hosted by the Encinal Police Department and City Staff.** City Manager Davila told Council that Damiana has been working with Chief Vallejo on this and she already has some movie passes she has to go pick up and they will be donating movie passes from all 3 theaters in Laredo and we also got discounts at Under Armour and Nike to buy the tennis shoes and their back packs and Chief Vallejo added that Road Ranger and Love's would be sponsors as well, Citizen Mario Granados asked if there were different age groups and Chief Vallejo replied that the team consisted of two adults and one youth and the only ones with a restriction on age would be the kids they must be within 14 to 18 years of age and be in high school and Citizen Mario Granados asked if there would be different age groups to play against like himself against Councilman Jordan and City Manager Davila added that we would have two EMS teams and an Air life team, two teams from the State Troopers, and we actually have a lot of support from law enforcement and the only requirements are that you have two adults and one kid and it will be a double elimination and it will be held at the park and Commissioner Alba agreed to let us use the park without charging us.
18. **Discussion on Summer Work Program.** City Manager Davila told Council that we have 7 kids working on the Summer Work Program and I know that we had only approved 2 boys and 2 girls but some can't work all of the hours so we made it so that they work 12 hours a week and Councilman Jordan asked if the kids were from Encinal and if they had id's and City Manager Davila replied that they were from here and if they don't have a

driver's license or an id their checks are done under their parents name and that is something that we can do and we do keep copy of their social security's and if they have school ids we will make copies of those as well but as for the check it is made out to the parents and some of these kids already have their own bank accounts and City Consultant Eddington told Council that this program was through stipend not thru payroll and City Manager Davila told Council that they had been doing really good and today was the first day one of our boys went outside and he was really tired but we do try to keep them indoors but there are only so many things you can do indoors, Councilwoman Lopez asked what they did and City Manager Davila replied that they clean, vacuum, do some mopping and filing, they help Linda with her complaints and Mayor Sanchez added that they don't pick up trash and City Manager Davila said one of them was cutting grass at the old City Hall and they help with the elderly program and we do make sure that they are well hydrated and they do take their 15 minute breaks.

19. ***Discussion on City of Encinal monument that will be placed on the donated 6x6 slab by G2K Partners on the corner of Hwy 44 and Access 35.*** City Manager Davila told Council we have not received the plan from Mr. Guajardo for the monument yet and Councilman Jordan asked what this was about and City Manager Davila explained to him that G2K (Family Dollar) had donated a piece of property with a 6x6 slab in the corner so we could place a monument for the City that says welcome to the City of Encinal and we included it on our Gazette to see if a community members had any suggestions as to what they would like to put on there and that is still out there for the public to consider and so Council can approve it because we didn't want to put something on there we wanted the community to do it. Citizen Elena Rodriguez told Council that several years ago when Mr. John Lupear was here he had designed a design and it was also on the Encinal water bottles and that was supposed to be the Welcome sign of Encinal and City Manager Davila asked if they had it and Citizen Rodriguez stated that she believed it was the logo we have on our shirts and I believe he had copyrighted that and I think Mayor Sanchez was already Mayor when Mr. Lupear was doing all that and I believe that would be a good idea because he donated a lot of money for the kids here in Encinal and he would pay all the entry fees for baseball. Citizen Rodriguez told Council that when she had left last month's meeting she remembered about the design and Mr. Lupear and I think it would be something nice to do because he did contribute a lot of his own money to the kids here in Encinal and Citizen Mario Granados said that maybe we can do the sign in memory of Mr. John Lupear and City Manager Davila replied that we could do that. Citizen Rodriguez told Council that ever since he got here he started paying entry fees for baseball or the boys and girls club or whatever function the kids had and the parents didn't have to pay for anything and Councilwoman Lopez added that it would be a good idea since that is the logo we use for the shirts and City Manager Davila stated that it would be a nice tribute to him and Citizen Rodriguez stated that it was just a suggestion. Citizen Guadalupe Granados told Council that they had spoken to Bobby Rokohl about maybe getting a scholarship program going again and City Manager Davila



added that you could have plate sales to raise money for scholarships and she added that we can give money from the City for that but we can help with the fundraisers for the kids. City Manager Davila told Council that she would contact the architect so that he could do a design for us.

20. ***Discussion of recommendations for the Encinal Economic Development Corporation board on options for collecting, bartering and/or forgiving the outstanding debts of the Encinal Water Supply Corp. of water improvements (\$42,200). Discussion will give each City Council Member, Mayor & staff an opportunity to voice their opinion.*** City Manager Davila told Council that last time we brought this before Council and since then we have gotten together with Mrs. Rodriguez and Mr. Casas and we were discussing different ideas of how we could come to an agreement and help each other out so we will continue discussing it and we are going to see how far it would be to run the water lines a different way and we added this discussion because some of you had some concerns and we do want you to voice your opinions and we want to let you know that we are working with them and we do want to work with them and we want to continue to do what we can to help our community because if we don't work together it hurts the community members not us and City Consultant Eddington added that another reason we have is that this is a financial decision that has to go on our books so we have to make some financial declarations for our financial statements so that is why it states on there that we be able to hear from each individual Councilmember so that we can make the right choice on our audits. Councilwoman Lopez stated that she agreed working with the water but will they be helping us once we start the park and City Manager Davila replied that we are still trying to figure out a less costly way of running the water lines to our City Park not necessarily worrying about what is being developed next to us and Mr. Casas had a great idea to go through or to get an easement from the edge of the water park to the water tower and it would be much closer like that and we would run a 2 to 4 inch line from there but we are working together to try and find a solution and I know both of us are low in funds. Mayor Sanchez stated that he like the idea that City Manager Davila proposed. Councilman Aldaco stated that until we find a better solution I will not vote for or against and City Manager Davila replied that what would be his solution and Councilman Aldaco stated that he felt that it wasn't done right and forty two thousand dollars is forty two thousand dollars and City Manager Davila replied that the only thing she had to say about that is that was done before our time and when it was done it was Mr. Mancha that did this through EEDC so for whatever reason that contract was never signed and verified by both parties so whatever happened there I don't understand and I don't know and can't explain to you and I even spoke to Mrs. Rodriguez about it and Mrs. Rodriguez said she had a comment on that and I believe that the comment made by the President of the EEDC made in last month's meeting was that the Encinal Water Supply Corporation had not paid any money towards that \$42,000 and that was incorrect we have paid almost \$6,000.00 on that but supposedly and this was way before my time too and we are trying to clean up

like you all are and it states that if any new establishment or resident were to be on Berry Street we were to pay \$1,000.00 for that and back to EEDC and that is what been agreed but if you look at it what other establishments are you going to have on Berry Street and City Manager Davila added that I think that when they did that contract or agreement they didn't take into consideration that there is not much that you can build on Berry Street. City Manager Davila asked Citizen Anselma Aldaco if she was on the Board at that time and Mrs. Aldaco replied that she could not comment on that because they money that they picked up where did it go and you're talking about the \$42,000 but there are other things that were brought in and I would rather just keep quiet. Councilwoman Maldonado stated that we should work together with the water the best way we can and we can't take money from them because we know they don't have any money and Citizen Anselma Aldaco added that we were the same the Water Corporation and the citizens are the same because we are the ones paying the water and Councilwoman Maldonado replied that we are trying to work together and Citizen Aldaco added that the community and the water corporation are the same thing because we are paying the water and Councilwoman Maldonado replied that she didn't know what her argument was about if we are trying to work together and City Manager Davila said she would like to clarify something there are two different type of entities one is a governmental entity and the other is a nonprofit and it is totally different bylaws and rules and I know what Mr. Aldaco is trying to say and it would concern me also its \$42,0000 and it does concern me but we were not here and we don't know what happened and I really would like to hear how City Attorney Caballero feels about this and if City Council or Staff could get in trouble for or for trying to barter or make an agreement and try and work together with the water and City Attorney Caballero stated that the money was spent through the EEDC and the EEDC's purpose is to promote economic development and infrastructure and if the EEDC were to decide they could have voluntarily paid the \$42,000 without any obligation of having it returned so if that wasn't what was done there was supposed to be repayments now the EEDC can sit down and negotiate a bartering for it or a full repayment or if the EEDC feels that wouldn't be appropriate they could decide to go as far as to say if you need more help we can give you another check and City Manager Davila stated that we keep kicking around this and we want to see what the City Council members wants to do but this doesn't pertain to City Council it pertains to EEDC and it's a decision that the EEDC Board Members should decide and it has nothing to do with the Council because it was not the Council's money and City Attorney Caballero said that despite that the Council can express its wishes and they can't make the decision but the can give some guidance to the EEDC and City Consultant Eddington added that these were the recommendations being given to the EEDC and we do have the EEDC President here, Citizen Frank Weikel stated that he felt that we could work with the water and Councilman Aldaco asked if it was EEDC why are we dealing with it and that is my concern only and City Manager Davila replied that everything is brought to the City

Council because EEDC is part of the City Council and we want Council to be aware of what happened and this is what is owed and I believe that the situation that happened here is that we put in the \$42,000 plus the \$14,000 because that came from the City also but the City gave the recommendation to EEDC to pay for the \$14,000 for the pipe so that is why it was brought to Council and Council needs to be aware of what is going on in the City also and Councilman Aldaco replied that was the problem that he didn't know what was going on and he was concerned and I am not for or against but I am not going to vote for something if I don't have enough information. Citizen Frank Weikel stated that he believed that the EEDC could work with them and that he would rather see peace then fighting.

21. **Discussion and Action on possibly changing the regular time & date of next meeting.** **The next City of Encinal Regular meeting will be held on \_\_\_\_\_, August 2017, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 5:30p.m.** City Manager Davila told Council if they would like to keep the City Council meetings on the second Tuesday of the month or would you like to change it to the third Tuesday or leave it the way it is and it is the Council's choice. Councilman Jordan stated that he would just like to change the time to 5:45 and it was suggested that they schedule the meeting at 6:00 p.m. Everybody that they would keep the meetings on the 2<sup>nd</sup> Tuesday of the month and have the meetings at 6:00 p.m. A motion to change the time to 6:00 p.m. and to keep the meetings on the 2<sup>nd</sup> Tuesday of the month and to have the next City of Encinal Regular meeting on August 8, 2017 at 6:00 p.m. was made by Councilman Jordan and he 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 Maldonado and she was seconded on the motion by Councilman Aldaco, all were in favor so motion carried. The meeting adjourned at 6:46 p.m.

Minutes were approved by Council Member *L. Arizola* and a second Motion was made by Council Member *R. Aldaco* on this the *17<sup>th</sup>* day of August 2017.

*Velma Davila*  
Velma Davila, City Manager  
Attest City Secretary

# NOTICE OF 1<sup>ST</sup> BUDGET WORKSHOP

## CITY OF ENCINAL

1<sup>ST</sup> BUDGET WORKSHOP

Tuesday, August 8, 2017

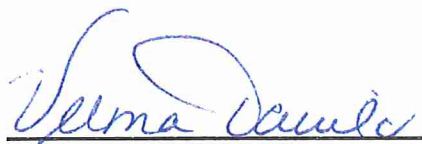
@ 5:30 P.M.

City Hall Chamber's Room, 701 Berry St., Encinal, Texas 78019

### CITY OF ENCINAL

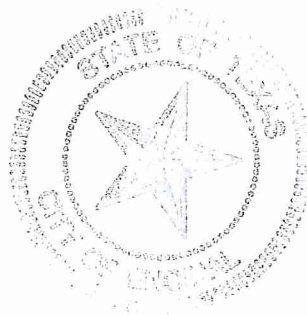
1. Roll Call, Establish Quorum, Call to Order.
2. The City of Encinal will be having their 1<sup>st</sup> Budget Workshop on the above date, time and location on the 2017-2018 proposed budgets.
3. Discussion on Current Projects, Grants and other Revenues.
4. Adjournment.

(The attached notice was published according to the state law requirements).



Velma Davila/City Manager

Attest: City Secretary



**Posted on: Thursday, August 3,  
2017 @4:00 p.m.**



***City of Encinal***  
***1<sup>st</sup> Budget Workshop***  
***August 8, 2017***

1. ***Roll Call, Establish Quorum, Call to Order.*** Mayor Sanchez called the 1<sup>st</sup> Budget Workshop to order at 5:30 p.m. Present were Councilmembers Roberto Aldaco and Oliver Jordan and Councilwoman Irma Arizola.
2. ***The City of Encinal will be having their 1<sup>st</sup> Budget Workshop on the above date, time and location on the 2017-2018 proposed budgets.***
3. ***Discussion on Current Projects, Grants and other Revenues.*** City Consultant Ashley Eddington told Council that they would be discussing the budget and the revenue portion of it which includes the Sales Taxes, Property Taxes, and Franchise Fees and all the amounts that we received through sales tax, municipal services and public works and the second page covers the sales tax analysis and I will cover how that was computed later and budget worksheet 2 is the property taxes and we will be discussing the possibility of lowering our taxes for the 3<sup>rd</sup> straight year in a row, budget worksheet 3 is public works and code compliance, budget worksheet 4 is municipal and police department and budget worksheet 5 is AEP franchise tax and we will discuss this one a little bit more later because we have more than AEP but since AEP gives us about 95% of our revenues and the last page is the tax rate breakdown. City Consultant Eddington told Council that the overall budget for 2018 is increasing by \$100,833.87 and we have had an increase in sales tax. City Manager Velma Davila told Council that the FY 2017 is what we have right now and the FY 2018 is the proposed budget and City Consultant Eddington explained to Council that the FY 2017 was our budget for last year not necessarily what we received because we received more and so the difference in the budget from 2017 to 2018 in sales tax it is going up \$65,210.67 and we have experienced an increase in the last two quarters of sales tax dollars but this number is lower than what we received and we received \$513,000 at this point and we are forecasting \$493,000 and we are trying to stay conservative with the sales tax because it hurt us in 2015 when we weren't as conservative in property taxes we are dropping \$2,219.44 and that is with your approval and we have lowered the property taxes for the Citizens of Encinal and this would be the third year in a row and while everybody else keep raising their rates like the County and the School District and even utilities we have been trying to bring the tax rate down because it fits what we need in terms of dollars basically we use the property tax money to pay for our debt and our debt is approximately about \$109,000 so we try and pass on to the Citizens whatever we can in savings also there will be an increase in our sales tax because of family dollar, the franchise fees have dropped by contract, we had to enter into an agreement with AEP and that contract puts a cap on how much we can charge as per state law so that is why it is lower and we approved this last year and by and large the AEP franchise fees pay for our light and City

Manager Davila added that we usually pay between \$2600 to \$2900 a month and then our franchise is between \$2800 to \$3200 so what we pay out in our street lights we make it up with the franchise fee and our office and city revenue dropped \$23,000.00 and why have we had such a substantial drop and it's probably because this figure has been overbudgeted throughout the years because there is so much that goes into it like parking tickets and things like that and that is something that is included in city revenue and we probably give less parking tickets that we did in the past because our officers are more involved with steady state and enhanced patrol which is better protection for the community and that was the largest revenue on there so I decided to reduce it severely, and for the reduction in public works I think it has to do with the loss of some businesses in the city and we were also doing a lot of work for Road Ranger and I'm not sure how much we were doing for them towards the end of their construction and it was somewhere between 5 and 6 thousand dollars and the largest amount had to have been through Road Ranger because we supplied roll-offs for Road Ranger and we were also picking up their trash and we charged \$600 to \$700 a month. Councilman Jordan asked if we were still doing that and City Manager Davila replied that they had an excessive amount of trash and we were filling up our truck and what they were paying us was not enough because we had to pay for the disposal fees so it wasn't worth us doing it and we were just adding wear and tear to our truck because we would go twice a week to dispose because of Road Ranger and they didn't want to pay what the roll-offs cost us and City Consultant Eddington added that we were basically charging them cost and this was revenue only and on the municipality we have a \$73,000 increase and it is a big increase and that increase is because we now have Linebarger and they are helping us collect and they are doing a great job collecting on our delinquent tickets. Councilman Jordan asked what that was and City Manager Davila explained that it was the outstanding tickets that don't get paid and the previous firm was not collecting for us they were just taking our money so we were wasting a lot of money and not getting any revenue back but these people have been collecting for us and what helps is the OMNIBASE system and what Linda does is sends it to the DPS so that you cannot renew your license and City Consultant Eddington added that this is in addition to our normal municipal and our municipal is at about 22% and 25% is the figure that the state doesn't like for you to go above but budget wise we will be at about 22% and that does not mean we are going to collect 22% so those are the highlights on the changes. City Manager Davila told Council that the reason City Consultant Eddington was doing the property taxes first is because Hilda from the School Tax Office needs a resolution so by the 24<sup>th</sup> of next month we have to adopt the tax rate and we will have a special meeting to adopt the resolution for it because they need it before September 1<sup>st</sup> because if not we usually collect a big portion in November then they won't give it to us and City Consultant Eddington added that what we did last year we started in July with the first budget workshop but we had to modify that because they need that number before September 1<sup>st</sup>. City Consultant Eddington asked Council if they were ok with reducing

the property tax rate and Councilman Jordan stated that he would love to lower it but he asked if that would hurt us in three years and City Consultant Eddington replied that no because we adopt a tax rate every year and he added that this year we are losing \$2,219.00 and City Manager Davila added that last year we didn't lose any money but actually made \$3,000.00 more even by lowering it but what happened was that the Appraisal District came back and they modified all the property values and we lost a million dollars in property value and City Consultant Eddington added that another reason for this is that we are trying to become more competitive with the cities around us and I would have to check what Cotulla's rate is but I have heard that they are raising their rates and Dilley, Cotulla, and Pearsall they are all dependent on the oil where we are not as dependent on the oil and Lewis Energy is not in our City Limits and City Manager Davila added that she believes that is something we must look at because they break all our street and it's something we should talk to them about and City Consultant Eddington added that what we did we worked diligently to try and attract other businesses to the City like Road Ranger and Family Dollar that will bring in more revenue and in terms of property values and in terms of people using their dollars here instead of in Laredo or Cotulla and that is another reason we try and be more competitive in bringing the tax rate down and I feel that accounting wise as long as we can stay in a certain range we can continue to reduce the property tax to be more competitive with everyone else. City Manager Davila asked Mayor Sanchez if we were receiving the full property value for Love's now and Mayor Sanchez replied yes and City Manager Davila added that it should be worth more because of all the things they have inside and City Consultant Eddington added that they did an increase for the tire shop last year or the year before and he asked if Love's had added anything else to the property and City Manager Davila added that they have over one million in merchandise and that should cost some money also and we really should check into that and City Consultant Eddington added that they are included on the appraisal roll for personal property and they have taken inventory of that and City Manager Davila added that they had a list of that in their packets and it's the appraisal district information. Mayor Sanchez commented that they had already gotten somebody else for the appraisal district and City Manager Davila replied that they hired somebody else. City Consultant Eddington told Council that he would have to call them and ask them but there is 4 million in personal property and they do pay tax on the costs but I will check on it. City Consultant Eddington asked Council what they thought on the property tax because he would put it in the budget and we will have to adopt it and Mayor Sanchez asked if the value was 17 million and City Consultant Eddington added that it was \$17,120,660 dollars an increase of about \$120,000 which really should have been an increase of about 2 or 3 million and that is why I was saying that we lost value and I think that the jump from the previous year we went from 12 to 14 from 14 to 16 million and this year we went only to 17 million so we only got \$120,000 but there is a new crew doing it and Councilman Jordan asked what he meant by new crew and City Consultant Eddington

replied that the new value is being done by a new County Appraiser because Annie is no longer there. City Consultant Eddington told Council to turn to Budget Worksheet #1 and for your information I will be pointing out a couple of things to you, this is a 5 year average on the formula so this also accounts for the years that we made a lot more money in sales tax which was before 2015 when the price of oil was over \$100 a barrel so what I did to make sure we don't get into a problem by putting too much money on the budget I added some qualifiers and I don't want to get into a heavy standard deviation math course but basically the qualifiers were if our average amount was above a certain figure then I dropped it by a percentage or two so it wouldn't be too high so if our sales tax should have been \$55,000 I put a multiplier to reduce it to 42 or 47 thousand because it's better to have a lower figure than a higher figure because you can't survive on the higher figure so just based on our experience I use those different multipliers and you will see that under the standard deviation adjustment and the highest one was a 3% reduction where we had received sixty nine thousand dollars for a sales tax month but we don't want to over budget our numbers and that is the only big highlight for that. City Consultant Eddington told Council that for the Budget Worksheet #4 for the Police Department we had a total number of 2052 tickets as of today so we had a real good increase from last year where we had 1,544 tickets our officers are doing a great job patrolling and also we have an overtime grant and our past due tickets that we have with Linebarger is \$755,673.00 and that is what they are collecting for us and that number will continue to grow as people don't pay their tickets and their collection rate is a little lower than 10%. Councilman Jordan stated that they were giving a lot of tickets, \$345,000 in tickets was a lot and City Manager Davila added that they give them but it doesn't mean that we collect it all and about 60% of that goes to the state and then we have to pay the collections and then we have to pay OMNI and City Consultant Eddington added that the state regulates it so that cities don't try and make this a money maker for them and it makes your policing to be more involved in the community because you spend more time in the community than giving tickets and once you consider the wear and tear on the vehicles maybe you make about 10% and he added that the majority of the tickets come from IH35 and highway 44 and City Manager Davila added that everybody they give to in town they don't pay they come and do community service and City Consultant Eddington added that our Police department functions with the La Salle County Sheriff's department along with Border Patrol and Webb County so we have a lot of corridor to patrol and I think that is where a lot of the tickets come from. Councilman Jordan asked how many officers we have and City Manager Davila answered that we have four officers two full time and two-part time and four reserve officers so a total of 8 and our reserves are good they participate in everything and they don't get paid they will be on the 3 on 3 on Thursday and they all came and attended Silva's mother's funeral and they come from San Antonio and Eagle Pass and they are very dedicated to our City and they appreciate that the Chief picked up their license and they also work the IH35 corridor. City Consultant Eddington added



that the total revenue is \$1,053,936.72 and the other set of papers is the projects that we have along with the budgets so that you can study them and see if you have any questions and the first one is the Park Grant and it is for \$75,000 and we still have \$64,671.70 in our budget and we have had quite a bit of community service to help us clear and we have delayed finishing the park because we had other things to take care of and hopefully we can start this month with the sidewalks and the walking trail and then we will have the gentleman for the playground equipment and you may be wondering why the grants are not in the budget well the grants do not go into the budget because the dollar for dollar requirement for the particular entity and if we had to spend monies on these items then we would include it and if we had a match but normally the match is not done within the expense body of the budget it is done with the capital project side so we don't have to do matches on these other than the property that was already pledged so we don't have to spend any money on it. City Consultant Eddington told Council that we had a Local Border Overtime Budget and it is for \$18,500 and that is the grant we were just awarded and this is the second overtime grant we were awarded and we are just now finishing the other one we were awarded and the grant is for \$15,000 for overtime pay and \$3,500 for vehicle maintenance and Councilman Jordan asked if Lewis wasn't fixing our units for free and City Manager Davila replied that Lewis has stopped doing the maintenance on a lot of our vehicles and that is why I was mentioning earlier that they don't help us anymore and they do tear up our streets and the Chief can tell you because we have had to pay for the maintenance on our vehicles and the \$3,500 if being paid by the Governor's grant and we will be able to use those monies for routine maintenance for tires and if anything should happen to the vehicles and oil changes, tires, and City Manager Davila added that the grant helps a lot because the officers don't have a big salary but with the overtime they get about \$3,500 more per year. City Consultant Eddington told Council that the last one was the Off Road Vehicle and Training for \$56,000 and it's still pending the final order to receive it but we have received and Chief gave a presentation for it and it was the number one and we were number one on the grant itself and the presentation so we are just waiting for the Governor's approval that should come this month and of the \$55,000 will be used for the vehicle itself and it is an off road vehicle and \$1,000 will be used for training and the vehicle will have cameras, radio, lights and sirens, cage and radar, decals and installation and the vehicle itself is \$37,471.00 and City Manager Davila added that we would be doing a schedule of when they would be using it so we won't over use it and City Consultant Eddington added that there is Tahoe written on here but we have just found out that they may have another vehicle and it's a Ford F150 4X4 truck and Councilman Jordan asked if those trucks would be brand new and City Consultant Eddington replied that yes they would be brand new. City Consultant Eddington told Council that he didn't write up other revenues but I just wanted to remind you that we do have and we did approve a maximum of 2% franchise fee for the water and we had approved that last year and it's not in this budget and it's

not going to go in this budget especially because they have that project but of course that is up to you all and it's just a reminder that it has been passed and City Manager Davila added that she was aware that the water had gone up because our bill from here went from \$40 to \$70 or \$80 and City Consultant added that he knows that they went through a rate analysis as part of their requirement to get the grant. City Consultant Eddington added that as of July for this year we have already collected over 1 million dollars so we are budgeting conservatively so that we don't run out of money at the end of the year. City Manager Davila added that the water doesn't hold back from charging more and that Mr. Aldaco said we shouldn't hold back either and people here don't consider that but back in Oilton where I live they charge you \$55 and they only come once a week and here we pick up twice a week and we only charge \$19.10 and City Consultant Eddington added that we have not raised the sanitation accounts but we did add an assessment about 3 years ago and residential customers were charged seventy cents while businesses were charge \$5.00 and City Manager Davila added that we had to do that because we had a \$22,000 sales tax that was owed and actually we owed \$50,000 but City Consultant Eddington and I went to the State Comptroller's Office because we didn't want to pay that and it was something that hadn't been paid in years since Mancha was Mayor and then Mayor came in and nobody paid the sales tax and we were supposed to pay it so for years no one paid the sales tax and they went back 10 years and they charged us that and City Consultant Eddington added that we will be approving a tax rate on the 24<sup>th</sup> during a Special Meeting and City Manager Davila added that we need everybody to show up for this meeting because if all City Council isn't here we can't approve it and then they will not give us our property tax until the very end.

4. **Adjournment.** A motion to adjourn the 1<sup>st</sup> Budget Workshop was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Aldaco, all were in favor so motion carried. The 1<sup>st</sup> Budget Workshop ended at 6:11 p.m.

*Budget Workshop Minutes were approved by Council Member Brianda Lopez and a second Motion was made by Council Member Oliver Jordan on this the 13<sup>th</sup> day of September 2017.*

*Velma Davila*  
**Velma Davila, City Manager**  
**Attest City Secretary**



CITY OF ENCINAL  
CITY COUNCIL AGENDA  
Special Meeting  
Thursday, August 24, 2017

NOTICE is hereby given of a Regular Meeting of the City Council on Thursday, August 24, 2017 at 6:45 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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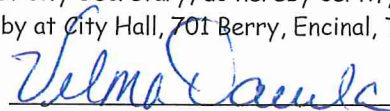
5. Discussion and Action on approving Resolution no. 08242017. A RESOLUTION ON APPROVING THE CITY OF ENCINAL TAX RATE: (Tax rate will be lowered from .00699100 to .00679100 for the 3<sup>rd</sup> consecutive year Mayor Sylvano Sanchez has requested that our tax rate be lowered and with City Council approval this has been possible.)

## 6. 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, August 21, 2017 at 10:00 a.m.

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

City of Encinal  
Special Meeting Minutes  
August 24, 2017

1. **Meeting called to order.** The Special meeting was called to order by Mayor Sylvano Sanchez at 7:00 p.m.
2. **Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and members of Council.
3. **Roll call to establishing a quorum.** Present were Councilmembers Oliver Jordan, Brianda Lopez, Christina Maldonado, and Irma Arizola. Councilman Roberto Aldaco was not present.
4. **Citizens Comments.**
5. **Discussion and Action on approving Resolution no. 08242017. A RESOLUTION ON APPROVING THE CITY OF ENCINAL TAX RATE: (Tax rate will be lowered from .00699100 to .00679100 for the 3<sup>rd</sup> consecutive year Mayor Sylvano Sanchez has requested that our tax rate be lowered and with City Council approval this has been possible.)** City Manager Velma Davila told Council that she had received a letter from Cotulla ISD from Dr. Jack Seals and it was informing Mayor Sanchez about the processing of sending out tax notices and we will need for you to provide us with your tax rate as our rates will go out in September and it would really help if we could have that tax rate broken down and in m and o's and I and S by the 15<sup>th</sup> of September 2017 and this would allow us to perform the necessary steps for processing and allowing us a little leeway in case we encounter any problems and I know that its early for the City to approve its tax rate but the benefits of early payment is going to be awarded payment of school taxes beginning in October so we need the tax rate by a specific time and failure to submit the tax rate may result in a separate run for taxpayers for the City and cost will be accrued to the City and I prepared the Resolution and City Consultant Eddington will do the M & O's and the I & S and I will send him the resolution tomorrow and City Consultant Eddington will send in his by next Tuesday. City Attorney Caballero asked what M & O was and City Consultant Eddington replied that it was maintenance and operation and that is how the rate is broken up and I just wanted to point out that this is the third year in a row that City Council has lowered the property tax rate and it's a tribute to bringing in economic development and good fiscal management and City Manager Davila added that if you all notice an increase in your taxes it's not the City it's the County or the School District and City Consultant Eddington added that this was something for the Council to let the community know that we have lowered the tax rate and we are trying to get more competitive with the communities around us and as Encinal grows it gives people an alternative to living in Cotulla or Laredo. A motion to approve Resolution no. 08242017. A RESOLUTION ON APPROVING THE CITY OF ENCINAL TAX RATE was made by

Councilwoman Maldonado and she was seconded on the motion by Councilman Jordan, all were in favor so motion carried.

6. **Adjournment.** A motion to adjourn the meeting was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Jordan, all were in favor so motion carried. The meeting adjourned at 7:04 p.m.

Minutes were approved by Council Member Christina Maldonado and a second Motion was made by Council Member Bruanda Lopez on this the 12<sup>th</sup> day of September 2017.

R. Aldaco - abs.

Velma Davila  
Velma Davila, City Manager  
Attest City Secretary



# NOTICE OF 2<sup>nd</sup> BUDGET WORKSHOP

## CITY OF ENCINAL

2<sup>nd</sup> BUDGET WORKSHOP

Thursday, August 24, 2017

@6:15 P.M.

City Hall Conference Room, 107 N. Tejas, Encinal, Texas 78019

### CITY OF ENCINAL

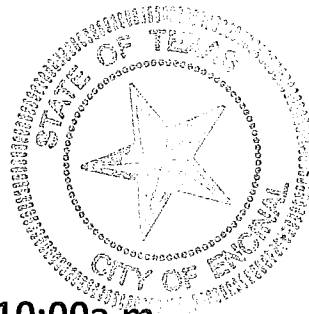
1. Roll Call, Establish Quorum, Call to Order.
2. The City of Encinal will be having their 2<sup>nd</sup> Budget Workshop on the above date, time and location on the 2017-2018 proposed budgets.
3. Discussion on, Revenues, Expenditures, Salaries & Contract Pay.
4. Adjournment.

(The attached notice was published according to the state law requirements).



Velma Davila/City Manager

Attest: City Secretary



Posted on: Monday, August 21, 2017 @10:00a.m.

**City of Encinal**  
**2<sup>nd</sup> Budget Workshop**  
**August 24, 2017**

1. **Roll Call, Establish Quorum, Call to Order.** Mayor Sanchez called the Budget Workshop to order at 6:19 p.m. Present were Councilmembers Oliver Jordan, Christina Maldonado, Irma Arizola, and Brianda Lopez. Councilman Roberto Aldaco was absent.
2. **The City of Encinal will be having their 2<sup>nd</sup> Budget Workshop on the above date, time and location on the 2017-2018 proposed budgets.**
3. **Discussion on Revenues, Expenditures, Salaries & Contract Pay.** City Consultant Eddington told Council that they had a comparison of the 2017 & 2018 budget, the other one has the revenues and the third one is the consolidated one. City Consultant Eddington told Council that he would be covering the overall budget and then go back to the salaries and professional pay and then we will cover the expenses. City Consultant Eddington told Council that are projected revenue is \$1,061,003.44 and our total employee salaries, employees benefits and taxes are \$432,275.71 and our total professional services and contractors is \$107,058.00 and that will give us a net operating amount of \$521,669.73 and that is before we start looking at expenses and that is before we start looking at capital budget. City Consultant Eddington told Council that we would be covering the salaries and benefits and first we will cover sanitation so our total sanitation payroll budget is \$61,193.67 and we do not have a Public Works Manager this year and we did have a manager last year but instead of having a manager we have a supervisor now because that manager is no longer with us and yet we haven't seen a drop in services, services have actually picked up and Councilwoman Lopez asked what he meant by services and City Consultant Eddington replied the picking up of the trash, cutting grass and the cutting of the trees and hauling all that stuff away and Josh is doing a really good job of leading the crew and Tony has been here for about 3 years and he is a good steady worker and Smokey is doing a good job also and City Manager Davila added that they all work good together and City Consultant Eddington told Council that they would all be having an increase in the amount of work they have to do as we try and finish the park and I don't believe we will need another person for the public works department and City Manager Davila added that the Judge does have people that come and do community service work and there are also some that have to do community hours for the County so they help as well and now that we lay down the sidewalk for the park that will be a big help and today the Judge told us that he had somebody that could do carpentry work also. City Consultant Eddington told Council that the next budget would be the police budget and the total budget is \$178,581.00 and I believe that the police budget is down in terms of pay and City Manager Davila added that they were down but not in salaries we just don't have an extra officer on the

payroll we have more reserves now and the part timers don't work too many hours and I believe that we budget them for 24 hours a week and Councilman Jordan asked if there were a total of 4 officers and City Manager Davila replied that we do have 4 officers and two of them are part time and two of them are full time and Councilman Jordan asked if the reserves get paid and City Manager Davila replied that no the reserves do not get paid they come on their own time and volunteer and we hold their license they are only obligated to work 16 hours a month and City Consultant Eddington added that what is not included in here is the overtime pay because that is not a part of the City budget and we would end up having a supplemental for the grants only and we have \$15,500 in overtime budget and that would be for the next fiscal year as well and we also have \$3,500 for vehicle maintenance and that is not included here and Councilwoman Lopez asked if that was a separate budget and City Manager Davila added that it was separate because those are their grants and they have a certain timeline they must abide by and then they begin a new one and City Consultant Eddington applied for another one and they received it as well and Councilman Jordan asked what happens when that money runs out and City Manager Davila replied that when the money runs out they let us know and they send us a link so that we can reapply and Councilman Jordan asked if when the money runs out will the City be paying for that and City Consultant Eddington replied that no they would not work the overtime and City Manager Davila added that they get paid time off and on Monday we had that fire and two of our officers stayed over their hours and even the Chief stayed later than he should and they are working the overtime grant and they shouldn't be over there because the grant has to be used to do enhanced patrol only and that would entail drugs, illegals, or contraband of money and border protection so three of them were working overtime and one of them wasn't so he was the one that had to stay over and Councilman Jordan asked who was officers one and two and City Manager Davila replied that officers one and two are full time and officers three and four are part time and the part timers work 1,248 hours a year. City Consultant Eddington told Council that the next budget we will cover will be the City Staff and the total budget is \$141,507.81 and I know we increased the clerk position with shared cost with EEDC so instead of the EEDC paying specifically for a clerk we could do a shared cost so they will reimburse the City for that and the next one is the professional services and contractors and the total budget is \$107,058.00 and this is all the professional services whether it's the auditor, City Attorney, or the Municipal Judge and these are the budgeted amounts for that and next we have the Municipal and the total budgeted amount is \$50,992.31 and Vicky splits this one and the City clerk and she is half municipal and half city clerk and Linda is the primary clerk and City Manager Davila added that on the City staff we will be getting about \$12,000 from the EEDC and City Consultant Eddington told Council that what City Manager Davila is talking about is that you have a sheet that has a comparison between 2017 and 2018 and it shows you the increases and decreases in the city budget and Councilman Jordan stated that he had a question on the office clerks and I'm wondering



why they are making \$11.24 and I think they should be making more and City Manager Davila replied that is what the budget is for and if you all want to give them raises and that is the choice that Council has and Councilman Jordan stated that he would want them to be making \$14.00 an hour and City Consultant Eddington added there are a couple of things with equity if you go with \$14.00 an hour we would have to adjust other things but that is up to you guys and Councilwoman Lopez added if they would adjust everybody else's pay rate and City Manager Davila added that they do get \$11.24 an hour but what we do is that they get their holidays paid and now with the new budget they will be getting 5 days of sick leave paid and before that they weren't getting them paid and Councilman Jordan added that some of them having been here two years and they are still getting \$11.00 and City Manager Davila added that they started at nine something and they are going on three years and actually they are going on 4 years so that is what I'm saying it's up to the Council whatever you all want to do and that is what the budget is for and we can't tell you give them so much and we are only obligated to give them the 5% and I'm glad you brought it up and Councilwoman Lopez asked if you increase the pay rate what other part of the budget will it affect and City Manager Davila added that the City would have to pay more 941 taxes and a smart way to do it would be to do an incentive like I had thought of doing and we would be giving them 5 days of sick leave and 3 days of personal leave and they wouldn't get that paid before but they would be getting that paid now and then they would be getting 3 days added to the vacation so now they would get a week of vacation and an additional 3 days added to that and they are always off they have to take off with their kids and now they would be getting it paid and if they don't use it they can get it at the end of the year and if they don't get their vacation they can get it at the end of the year or before and they could ask that we pay their vacation and their regular check also but if we add it here it will affect our 941s and we have to pay more taxes and City Consultant Eddington added that we could always do the analysis and Councilman Jordan stated that he would say \$14.00 and City Consultant Eddington asked if he wanted to do a what if at \$14.00 an hour and Councilman Jordan repeated that he wanted it done at \$14.00 an hour and City Consultant Eddington replied that we would have to move monies from somewhere else and Councilwoman Lopez added that was one of her questions where was the money going to come from and Councilman Jordan asked how many hours a day the clerks worked 8 or 10 hours and Mayor Sanchez replied that they worked 8 hours a day and City Consultant Eddington replied that if we go to \$14.00 an hour for everyone and Councilman Jordan replied that we would do \$14.00 for Clerks 1, 2, and 3 and Councilman Lopez stated that Damiana's would come out of EEDC also and City Consultant Eddington replied that if we go to \$14.00 it would increase the City payroll to \$151,188.00 and City Manager Davila added how much would they go up per year and City Consultant Eddington told Council that right now the City payroll is at \$141,000.00 so the payroll would go up approximately \$10,000 a year so City Clerk #1 would go from \$19,296.41 to \$24,024.00 and City Clerk #2 would go from \$9,648.21 to

\$12,012.00 and City Manager Davila reminded Council that this clerk had a shared cost and she still gets money from the other one and City Clerk #3 would go from \$17,576.00 to \$19,928.00 and that makes up the increase in the payroll and City Manager Davila added that it would be \$23,296.00 per year so you all would like to give them the raise and not give them the extra vacation, extra sick pay or extra personal days because it has to be one or the other and just let them keep their weeks' vacation and Councilman Jordan replied just to give them the one week vacation and City Manager Davila added that they would not be getting the extra incentive and they wouldn't be getting the sick days paid and Councilman Jordan said why weren't they be getting the sick and holidays paid and City Manager Davila explained that they couldn't have both if they are going to get the \$14.00 an hour then they can't get the extra incentive of extra vacation days, sick days or extra personal days you would be giving them an increase of about \$15,000 but it is up to City Council and City Consultant Eddington added that would also affect the municipal budget and Councilman Jordan asked what it is that we would be giving them and City Manager Davila replied that we would be giving them one week of vacation and their paid holidays, Councilwoman Lopez asked if they would be getting paid their personal days and City Manager Davila replied that they would not be getting personal days because that would have been part of the incentive package she was proposing and the incentive package was estimated at \$2800 and Councilwoman Lopez added that if they had an emergency tomorrow they can get the day off but they will not be getting paid for it and City Manager Davila added that it was the Council's choice whatever they wanted to do and City Consultant Eddington added that it would also be affecting the Municipal because it would go from \$9,648.00 to \$12,012.00 and it would bring the total payroll for the Municipal to \$53,752.00, Councilman Jordan asked how much the clerks would be making at the end of the year at \$14.00 an hour and City Consultant Eddington replied that they would be making \$24,024.00 and that would be their gross pay and City Manager Davila added that the clerks only work 32 hours a week and Councilman Jordan added that's good for them being here 4 years and City Manager Davila replied that was fine but we can't tell you what to do and Mayor Sanchez asked City Consultant Eddington what would he recommend and City Consultant Eddington and he replied that it was up to the City Council and Mayor Sanchez added what is best for the City and City Consultant Eddington replied that we tried to keep the costs down because it affects our payroll taxes and City Manager Davila added that the way she figured it out it's because if we pay all these and give them the extra vacation then we don't pay that much on the 941's and that is the way I was looking at it and they would be getting the same amount of raise it doesn't show it in paper but when you add the sick, vacations and personal days it would be like if they were getting the \$4,000 raise and that would be as an incentive or you could do it as an evaluation every 3 months and add for these 3 months I did an evaluation and you are getting \$800 for the evaluation because you wouldn't have to pay those taxes and Mayor Sanchez added that was the most important things the taxes and we have to pay

for those and City Manager Davila added that we have to pay a lot for the taxes so we try to make it so that we don't have to pay that much on the payroll taxes so giving them incentives would be better than raising their pay because you get the same amount of money and City Manager Davila asked the girls if they would want the \$14.00 raise or the incentive that is worth \$4,500 and City Manager Davila added that it would be a good thing to give them a raise but its whatever they want and Damiana Lopez added that she could use a raise and Vicky Rodriguez added that she could use a raise also because we don't get paid our sick leave and City Manager Davila added that the way she was going to do it is I was going to be giving you more vacation days and paid sick leave and the paid personal days which would total up to the \$4,000 raise you all are getting and it would be 5 sick days, 2 personal and 10 vacation days but you all can get the \$14.00 and the week vacation only and please remember girls please take into account that you all are always off and take into account that you all don't work it you can't get it paid and I can bring the calendar and show them how many days you all are off a month and it got to the point where I had to tell them that for the bonus in December if they are off more than 2 days in the month then I will be deducting \$25.00 off because they can be off 5 to 8 days a month and they can get their \$14.00 an hour but I want you to be aware that they will not be getting their sick days paid because it has gotten to the point where they are off a lot and there is times that we need them here and I understand that they have children but we all do but they also need to understand that they have a job to do and when they don't come to work I can't do that job because that is part of their job and everyone has their specific duties they must do and as an example Vicky does the permits and when she's not here we can't access the permits and even though everybody is cross trained they already have set things that they do every day and Damiana does impounds and Monik does sanitation and they get in a routine for the things that they do every day and when Linda went on vacation Vicky filled in for her but she did it totally different then how Linda does it and they all have a different schedule of how they do their work and Mayor Sanchez added that the City Hall is a business and City Manager Davila added that is why they have to come to work and Councilwoman Maldonado added that it wasn't that they don't appreciate what the clerks do because I know that you all do a lot for the City but it's up to you all would you all rather have the days off or the raise and City Manager Davila added that if you consider the clerks then you have to consider sanitation also because they work just as hard as the girls and our Officers work just as hard also and I now that our officers get an incentive of an apartment because they stay there and Councilwoman Maldonado stated that why don't we do a review and City Manager Davila added to do a review and to give them a bonus and Councilwoman Maldonado added that everybody would get a review and City Consultant Eddington added that we would do \$14.00 across the board for sanitation also and City Attorney Caballero added that they were going to have to decide where they will be pulling the money from and Councilwoman Lopez added that if they could do the difference with everybody at \$14.00 and then the way you wanted

to do it with the incentive and City Manager Davila added that she didn't believe that everybody in sanitation could be at \$14.00 because they have not been here for more than a year straight and Tony is the only one that has been here for 4 years straight and he has been here more than the girls but you also have to consider that Tony doesn't have a driver's license and not that your being discriminatory but he does good work but then he can only help us so much so you would be paying somebody \$14.00 an hour who doesn't have a driver's license and can't help us when the other driver doesn't come but he does good work and I do appreciate everything that they do and Smokey is the same thing he doesn't have a driver's license so if Josh doesn't come we can't do anything because then we have to be driving them around and you have to consider that also and don't get me wrong I appreciate everything that they do but you have to consider all these things and City Consultant Eddington added that if we do \$14.00 across the board it would move the payroll up \$13,000 for the sanitation from \$61,000 to \$74,000 and Councilwoman Maldonado stated that we should do an evaluation type thing and they would get a bonus instead of affecting all the budget right now and Mayor Sanchez reiterated that the most important thing to consider is the payroll taxes and City Manager Davila added that we could give the girls the raise at \$14.00 and we can do the sanitation guys as a bonus and Councilman Jordan stated that we would give the girls the raise and the sanitation guys a bonus and Councilwoman Maldonado added that it would be pending the evaluations and City Manager Davila added that she didn't have any problems with the sanitation guys and Councilwoman Lopez added that if we were going to give them and end of the year bonus and City Manager Davila replied no that it would be every 6 months and City Consultant Eddington added that you technically can't give a bonus and City Manager Davila stated that she meant we could give it to them after an evaluation and City Consultant Eddington added that you could include it in their pay after you do an evaluation and City Manager Davila replied that you could give them an evaluation every quarter and give them an extra amount then and City Consultant Eddington added that the City would still have to pay the payroll taxes on any amount that they are given and with that across the board increase the payroll would go up \$25,728.46 and that would include the increase in pay and the payroll taxes and City Manager Davila added that the sanitation had just gotten a raise because their pay did go up and we just gave them the raise about 2 months ago and City Consultant Eddington stated that he would suggest that normally the positions are at a grade and you might have 2 years grade 1 and 4 years grade 2 and so on and you start with a base salary or base amount per hour for that position and then you would go from there and we can come back and come up with a grading system and pick our starting amount per hour and include a bonus structure with that and we already have that and we just need to put it down on paper to include the holiday pay and things like that into the pay grade and that would be the best way to do it and Councilwoman Lopez asked how often they got raises and City Manager Davila replied that every year and City Attorney Caballero asked if he could suggest something because of time

constraints and since you will be having another budget hearing coming up I suggest that you prepare the 2 versions with whatever options that have been suggested and next time that we set our budget hearings before the Council meeting I would suggest we give ourselves an hour or an hour and a half for the budget workshop and City Manager Davila added that the latest we could start our City Council meeting would be at 7 and we have to approve the tax rate and City Consultant Eddington told Council to look at the expenses portion of the budget and when we do our other budget they will change because if you change the salary side of it you are going to have to change the expenses portion of it so City Manager Davila suggested if we could discuss that during the budget workshop so that we can go ahead and have our Special meeting and City Consultant Eddington will prepare it with \$14.00 an hour and then he will prepare it with the extra time that we were going to give them and you all can decide which one you all want and do understand that if we do pay them \$14.00 an hour they are not going to get the incentives that I had suggested early so if they don't work then they don't get paid and maybe our payroll taxes won't be up because they don't come to work and City Consultant Eddington added that we could create grades for every position and that is the most equitable way of doing it because if you have someone that doesn't have a license or skills then it may not be fair to give them \$14.00 because they can't work by themselves and Councilman Jordan added that we were going to make more money with Family Dollar so we will be good and City Manager Davila added that we have actually seen an increase with Road Ranger and Love's and City Consultant Eddington added that during the 1<sup>st</sup> budget workshop that we had and that was prior to us receiving the \$78,000.00 sales tax so the budget was adjusted for that and our revenues went up about \$7,000.00 we were at \$493,000.00 for sales tax and now we are at \$500,000.00.

4. **Adjournment.** A motion to adjourn the Budget Workshop was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Jordan, all were in favor so motion carried.

Minutes were approved by Council Member Christine Maldonado and a second Motion was made by Council Member Guanda Lopez on this the 12<sup>th</sup> day of September 2017.

R. Aldaco - eb

Velma Davila

Velma Davila, City Manager  
Attest City Secretary





CITY OF ENCINAL  
CITY COUNCIL AGENDA  
Regular Meeting  
Tuesday, August 8, 2017

*NOTICE is hereby given of a Regular Meeting of the City Council on Tuesday, August 8, 2017 at 6:30 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. 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 from March 14, 2017 & July 11, 2017.
6. Discussion and/or approval 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 2<sup>nd</sup> Annual 3 on 3 Tournament hosted by the Encinal Police Department and City Staff.
    2. Discussion on Summer Work Program.
    3. Discussion on City of Encinal monument that will be placed on the donated 6x6 slab by G2K Partners on the corner of Hwy 44 and Access 35 South.
    4. Discussion on expected opening day for Family Dollar.
    5. Discussion on Sidewalk project.
    6. Discussion on August Gazette.
    7. Discussion on School Supply giveaway date and time.

8. Discussion on Area Health Education Center Health Fair.
9. Discussion San Antonio Food Bank Refrigerator Grant Award.
10. Discussion on August Food Bank.
11. Discussion on City of Encinal welcome sign.
12. Discussion on cleaning of EEDC property on Nogalitos.

- B. Accountant
- C. Police Chief
- D. Municipal Clerk

7. Discussion and approval on Bills paid for August.
8. Discussion of Council members attending TML Newly Elected City Officials' Orientation.
9. Discussion and Action on approving City of Encinal Budget Workshops days and times. August 8, 2017, August 24, 2017 & September 12, 2017.
10. Discussion and Action on approving Special Meeting on August 24, 2017 for approving City of Encinal Tax Rate.
11. Discussion and Action on approving Mayor Sylvano Sanchez, City Manager Velma Davila & Consultant Ashley Eddington to ATTEND the Annual Board of Directors Meeting to be held on **August 30, 2017** at the International Center for Trade 3295 Bob Rogers, Eagle Pass, Texas and any accommodations/expenses associated with meeting.
12. First Reading on Ordinance no. 2017-09-12. AN ORDINANCE RESTRICTING "MOTOR VEHICLES AND TRAFFIC", FROM STOPPING, STANDING OR PARKING, MAP OF THE CITY OF ENCINAL: RESTRICTED PARKING AREAS, ESTABLISHING A "NO PARKING TOW AWAY ZONE" ON THE NORTH AND SOUTH SIDE OF ACCESS 35 WEST, OFF HWY. 44 WITHIN CITY LIMITS IN EFFECT EVERY DAY.
13. Discussion on 1st Reading of Ordinance no. 2017-09-12 A. An ordinance on the adoption of a Disability Accommodation Policy for employees, contractors & elected official with the City of Encinal.
14. Discussion and Action on possibly changing the regular time & date of next meeting. The next City of Encinal Regular meeting will be held on \_\_\_\_\_, September 2017, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 5:30 p.m.

## 15. 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, August 3, 2017 at 4:00 p.m.



*Velma Davila*  
 City Manager/Attest City Secretary

**City of Encinal**  
**Regular Meeting Minutes**  
**August 8, 2017**

1. **Meeting called to order.** Mayor Sanchez called the meeting to order at 6:30 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 Roberto Aldaco, Irma Arizola, and Oliver Jordan. Absent were Councilwoman Christina Maldonado and Brianda Lopez. After Roll call, Mayor Sanchez determined that there was a quorum and the meeting could proceed.
4. **Citizens Comments.** There were no Citizens Comments.
5. **Discussion and approval of minutes from March 14, 2017 & July 11, 2017.** City Manager Velma Davila advised Mayor Sanchez that the minutes would have to be approved separately because Councilman Jordan would not be able to vote on the minutes from March 14, 2017. A motion to approve the minutes of March 14, 2017 was made by Councilwoman Arizola and she was seconded on the motion by Councilman Aldaco, all were in favor so motion carried. Councilman Jordan abstained from voting on the March 14, 2017 minutes. A motion to approve the minutes of July 11, 2017 was made by Councilwoman Arizola and she was seconded on the motion by Councilman Aldaco, all were in favor so motion carried.
6. **Discussion and/or approval of City Manager's 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 2<sup>nd</sup> Annual 3 on 3 Tournament hosted by the Encinal Police Department and City Staff.** City Manager Davila told Council that we had originally planned to have the tournament at the County Park but we had several kids interested in taking part in the event so we changed it to the Bus Barn because they like to play there and the Police department has 3 teams and EMS had 2 teams and DPS will be sending teams as well and we have two local teams as well and we also have a team from Cotulla that will be participating and if you can't participate we would appreciate it if you came and supported the players and we have prizes for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> and it will be a double elimination tournament and we will also be having a concession stand and any profits made from that will be going into our Cinco de Mayo fund and what we have been doing as staff we have been contributing \$20 a month for the Cinco de Mayo fund and whatever we collect we are going to use to buy the air conditioners and bikes for next year's Cinco de Mayo so it's about 15 of us and we are putting \$20 a month per person and it is a voluntary contribution it is not mandatory and it is only those that want to participate.
    2. **Discussion on Summer Work Program.** City Manager Davila told Council that we have been doing very good with the summer program and right now because they have started all their extracurricular things like football, volleyball, cheerleading and band they are not coming in as much but they are doing a really good job and they have



enjoyed it and they will be here on Thursday for the 3 on 3 and next week will be the last day that they work and they have been able to work inside and outside and they planted flowers at the old City Hall and they also participated in the elderly program.

3. ***Discussion on City of Encinal monument that will be placed on the donated 6X6 slab by G2K Partners on the corner of Hwy 44 and Access 35 South.*** City Manager Davila told Council that Mr. Guajardo had sent in a rendering of the monument and this will be put in the meeting we have in September for your approval and Councilman Jordan asked who Mr. Guajardo was and City Manager Davila responded that he was our architect the one who designed the City Hall and the only thing that we are lacking is the plaque and Mrs. Ramirez had an idea about that right now but the one we are lacking is the one for Mr. Lupear and he is the one that designed the City logo so I'm not sure if you all want us to dedicate the monument in memory of Mr. Lupear and Councilman Jordan asked how big the plaque was going to be and City Manager Davila replied that it would be about 12 inches high and it would be in bold letters but like I said earlier it is up to the Council what you all would like to put on it like in his memory or logo designed by John Lupear or in memory of the late John Lupear and Mrs. Ramirez was saying since there is nothing in the back we could put a plaque like the one in the entrance to City Hall with you all's name on it and that it was designed while you all were here and when the Family Dollar opened and we could put something like that here in the back with the City Council members names, the Mayor and the City Staff and for the design he is also going to add lighting so maybe he can add lights for the back also so would you all like something like that in the back and Councilman Aldaco replied that it would be nice and City Consultant Eddington added that it was designed using the design that was used for the City Hall and City Manager Davila added that is why you see the same color of stone on the monument and the same back wall that is in my office because he is doing it exactly like our City Hall and like the façade that is at the top of the City Hall so I will put this item on the September agenda and you all can have some time to think about what you will want to put on it and then we can get moving on it.
4. ***Discussion on expected opening day for Family Dollar.***
5. ***Discussion on Sidewalk Project.***
6. ***Discussion on August Gazette.*** City Manager Davila told Council that for the monthly gazette we included the school supply give away and we will also be having a health fair and we have 6 different companies coming and participating and the back to school bash will be from 4 to 7. Councilman Jordan asked if it would be the same doctor that was here last year and City Manager Davila replied that she wasn't sure if it would be the same doctor or not.
7. ***Discussion on School Supply giveaway date and time.***
8. ***Discussion on Area Health Education Center Health Fair.***
9. ***Discussion on San Antonio Food Bank Refrigerator Grant Award.*** City Manager Davila told council that we had gotten a new refrigerator through a grant that we applied for from the food bank so now we have a freezer and a refrigerator and what is going to be beneficial is that we will be able to store drinks and we can put food from the food bank and for our elderly program.

10. **Discussion on August Food Bank.** City Manager Davila told Council that we will be having our food bank on August 17<sup>th</sup> and I also pre ordered the turkeys from the San Antonio Food bank because last year we were only able to buy 50 and last year they were about \$1 a pound and now we will be getting them for .35 cents a pound and I ordered 150 but I don't know if I will get all of them but that is what we ordered and we can put them in the freezer and if we have some left over we can put them in the freezer for Christmas.

11. **Discussion on City of Encinal welcome sign.**

12. **Discussion on cleaning of EEDC property on Nogalitos.** City Manager Davila told Council that during our last meeting we had a concern about the property on Nogalitos, Mr. Mario Granados let us know at the last meeting that the lot on Nogalitos was in really bad shape with a lot of weeds and high grass so the next day I sent the public works guys Tony, Smokey and Josh and they went and cleaned it really good and Councilman Jordan asked where the lot was at and City Manager Davila replied that it was next to Mario Maldonado's trailer and that lot belongs to EEDC so I sent the guys and they cleaned it all.

B. **Accountant.** City Consultant Eddington told Council that he had passed out a financial statement and I am not going to go over all of it because I have been working on the budget and a lot of these numbers I believe we already covered in July but I did want to let you know that we are over a million dollars and our budget from last year was only \$955,000 so our budget has changed because of the sales tax increase and we also picked up an extra \$30,000 in property taxes so the total income is \$1,007,557.77 and the total expenditures were \$912,272.19 and leaving an increase in fund balance of \$95,285.58 and on that \$95,000 what is not included in the profit and loss is the revenue expenditures that is how much you pay for your loans and we have the City Hall payment of \$45,000 and we have another City Hall payment of \$25,000 along with all of our principal payments we have made on our loans. Mayor Sanchez asked if \$31,786.51 was the amount spend on Festivals & Events and City Manager Davila replied that was a budgeted amount and City Consultant Eddington replied that what we paid for Cinco de Mayo is not here individually but it is part of our Festival and Events and our Festival and Events includes the back to school bash, Christmas, Cinco de Mayo and they are all together and City Manager Davila added that it does not include people that give donations and City Consultant Eddington stated that he was asking how much about a particular line item and City Manager Davila added that it was not all spent from the City because we do get donations for this and Councilman Aldaco added that the way it looks is that it is money spent from the City and I don't think people would like it when they see that it is \$31,000 and City Consultant Eddington added that we did spend that money on festivals and this is not an expanded report if I had the expanded report I could tell you what is in each item because it includes Cinco de Mayo, Christmas, Easter, Back to School, and City Manager Davila added that she believed that what he needed to do was put a category of what was spent on there but this is what got donated because we ask for donations and we do get donations and City Consultant Eddington replied that the donations are at the top of the Cinco de Mayo for \$4,950.00 and this is not a final financial statement because when you go through and do an audit that's when you go back and move any dollars that are not categorized and City Manager Davila asked where

the donations for Christmas were and City Consultant Eddington replied that this is not a final financial statement and it is not categorized and once it gets categorized and finalized it will be put into the financial statement but if you want to see the expanded version of Festivals and Events we can always print that out. City Consultant Eddington told Council that the Community Development category that includes items from, Councilman Jordan asked if that was what the City Manager wanted and City Manager Davila replied that she wanted it in there because every festival and every event that we do we send out letters for donations so as an example when we do the Christmas event we get a donation of four or five thousand dollars then that is what we go spend on Christmas toys and I understand what he is doing he is categorizing everything in a way that it is going to be in the budget of what you spend and what we do is we get the donation and when we get the donation we have to write out a check or pay with a credit card for anything that we get and we have to deposit that money, and as an example say you give me \$2000 then that money I have to put it into the account I can't just go buy the stuff with that money it has to go into the account so we have a paper trail of that deposit that you gave just like the \$100 that Chief's friend came and gave and we used it for this and we put it into the account and we went and used the \$100 to get this so it shows as income and then it shows as an expenditure so when you see this and I hadn't noticed it and Councilman Jordan added that it seems that the City is paying for that and City Manager Davila added that the City is paying for that and City Consultant Eddington added that accounting wise the City did pay for it anything that the City writes a check for or expends money for the City paid for it regardless if the monies are donated we still have to pay for it and account for it in our financial statements and City Manager Davila added that she can't get the cash that was donated and use that to go and buy something because then they will accuse the City Manager of taking the \$100 you have to have a paper trail and City Consultant Eddington added that he could definitely individualize this but I will have to go through it and do an audit function so we can separate it and if we do show these individually I will start doing the expanded statement so you can see the individual statements and Councilman Aldaco stated that people ask him who donates the money and I cannot answer them and City Manager Davila replied that the people that donate the money are people that don't even live here but I know them and they are individuals and companies from Laredo, San Antonio and Lewis Energy is the only one from here that donates and AEP and City Consultant Eddington added that as far as who donates we can do that list but that is for City Council only because that is a part of a public information request and they would have to make a public information request for that and City Manager Davila added that they (Council) can't go give them (public) this because then you all would be in violation of the public information request act and City Consultant Eddington added that they wanted to know who made the \$4900 donations then they would have to make a public information request and Councilman Aldaco added that he felt bad when they asked him and he couldn't answer them so they tell me then what are you doing there and City Manager Davila added that every time we have an event say like Christmas I always say who donated and I always put it in your packets and for our Cinco de Mayo I always tell you all who donated and City Consultant Eddington added that the number one thing is if somebody asks you that call the City Hall and I can give you that information and City Manager Davila added that she could give him that information as well

and we do have folders for every single event that we do and City Consultant Eddington added that if the citizens are asking but we don't want them to say that we don't have the information or that we are hiding something because we are not hiding anything it's just a matter of asking a question of us and City Manager Davila added that they should be happy that we get donations and that we don't have to spend it from our City funds and that is what they should be happy for and to answer your question every time that we have a function I always recognize those who donate and right now for the school supplies I didn't send out letters for the back to school supplies because I don't want to over exert everybody that donates because for the school supplies Chief Vallejo helped us because a friend of the Chief works at Middle Rio Grande and they donated some things so if the City is going to pay for some of this because I don't think it's worth me calling Lewis Energy and tell him to donate for Cinco de Mayo or one of my friends because I'm going to need them for Christmas and Christmas is around the corner so I need them for that and for the Cinco de Mayo and this is not a lot that we spend on school supplies because we had some of this left over from last year like everything you see here we had left over from last year so everything that you see hear we haven't spent not one cent from the City yet I will probably end up spending about \$250 to \$300, Councilman Jordan asked if we would write down the names of everybody that is getting back to school supplies and City Manager Davila replied that every time that we have a function we write down who we gave to because when they come they have to come and sign up because they would come and say they were taking for their grandkids but now we make them bring their kids because they were trying to take from kids that are from Laredo and its only for Encinal kids and it's the same thing that happens with food bank they have to call in and Councilman Aldaco added that if the City is giving out it's up to you all to give them out instead of giving it to the school and City Manager Davila told Mr. Aldaco that we had gotten to fill almost all the grades already and we are only missing several small things because now they are asking for different things but we were able to do everything and with Chief's help they (Middle Rio Grande) gave us a lot of crayons and markers and now we got an email from the school asking us to donate to the teachers and what they were requesting was a welcome bag for the teachers with things such as sanitizers and Kleenex and City Consultant Eddington added that was not included in the non-cash items like Chief has a gentleman that donates his time when he does the DJ work and he does it virtually for free so that isn't included and we had volunteer work for the bash, national night out, Halloween and donating all that because from the people we know as a City otherwise we would have to pay 400 or 500 dollars per event and City Manager Davila added that we did that an individual from town charged us \$450 because nobody from here does it for free and what we did with Chief's funds we went and purchased a small boom box and it has a speaker and it was \$124 at Sam's and now we can use it as a speaker using the mic and it is battery operated or you can plug it in so that is going to save us money too for all of our events and City Consultant Eddington added that to avoid an open records request I can produce a report of this fiscal year of anytime we have had an event and anybody who has donated and how much money we have spent for them and we can do a spreadsheet on that and for Cinco de Mayo we already have a spread sheet and City Manager Davila added that she does her own spread sheet of everybody that donates on that and we do copies of the checks and it does show on there that we spent it

out of our funds but it is not showing the people that donated and City Consultant Eddington added that it is more than one category it's probably like 9 categories within that festival but anytime that anybody asks you a question come to me and we will print it out its right there in the computer and that way you can answer the question and have them informed instead of wondering. City Councilman Aldaco asked if it would be illegal for the City to give out school supplies out of City money and that was one of the things that I was asked and to be honest I don't know the answer and City Consultant Eddington replied that the City can donate to any non-profit the City cannot donate to an individual unless it's part of an approved program like the Mayor's helping hand and City Manager Davila added that is somebody comes and says they can't pay their light they have to fill out an application through the Mayor's helping hand then if the circumstances are right and you bring in all your required proof that you don't have the income and City Consultant Eddington added that we are basically donating the supplies to the school and they in turn give them to the kids but you cannot donate to an individual unless it's through a program and City Manager Davila added that is why people get upset Mr. Aldaco because they were used to coming and saying can you pay my water, can you pay my light or can you pay my rent and they get mad when we say no but it's not that we don't want to do it its illegal and we can't do that and Councilman Aldaco stated that he has considered resigning because of people asking me questions that I cannot answer and City Manager Davila replied that is exactly what I'm saying on the Cinco de Mayo I know I gave you all a spreadsheet and that spreadsheet had everybody that had donated and City Consultant Eddington added that if anybody had a question please come to the City or call us right then and there because we do have the information we just have to print it out and City Manager Davila added that Vicky is the one who takes care of all those files City Consultant Eddington added that we have to follow generally accepted accounting principles and generally accepted auditing standards and there is an A133 auditing standard that we have to adhere to with internal controls and things like that so what you look at in a logical sense is not always what is presented in an accounting sense but you can always do an individual spread sheet and break it down so that it is easier to understand and City Manager Davila added that she didn't want them to resign we want you to know what is going on and when you all ask something I will show you and that is why at every meeting we are trying to bring more things so that you can be aware of so if people are asking and its funny how people say that the City shouldn't be doing this but yet it's the same people that are coming and wanting all that help and that seems to be the problem that these people are two face and their attitude is you're not helping me so you should be doing that and it shouldn't be like that you don't know the circumstance of the person that does fall in the category of the Mayors helping hand and City Consultant Eddington added that they don't understand city government and city government has it owns set of laws and set of rules so something you may do as a private business you may not do as a city you have to go through certain steps and get approval and City Manager Davila added that when you all ask for the donations for baseball we can do it because it's for a nonprofit but if an individual comes and asks for assistance for his own kids you can't do it but if it's for the whole team then you can help them but there's people that come and say my daughter is going to Italy but in that instance we can't help and City Consultant Eddington added that people were talking about the park they wanted us to do

the park somewhere else well that land was donated to us in order to get the grant for the park and those monies can only be spent on the park you can't use those monies to build a road and we got that road build by donations through Lewis Energy along with EEDC securing some funds for the park so and a lot of people don't understand the requirement and constraints of city government but they just need to come here and ask questions and City Manager Davila added that Council needed to come here and ask question because we don't want you all to feel clueless that you don't know what's going on and that is not what we want we want you all to know what is going on but it's difficult for me or the staff to call you every minute and let you know this is happening and City Consultant Eddington told Council that he would have the report ready for the September meeting and we will individualize everything that is in the festivals and the community development because we have donations through the elderly program also.

- C. **Police Chief.** Chief Vallejo told Council that the Police Department has gone paperless with the new program and we are able to do our crash accident reports and we are up to date now and City Manager Davila added that when he says paperless he means and if you were here at the last meeting we went into that Spielman contract where they are doing everything online now so the officers can do their reports from their phone and we will come back and talk to the City Council and not everybody can use their phone to do their reports like Butterflied but maybe try and get them an iPad so that when they are out on patrol they can do their reporting through the I-pads and not their phones and we might bring that to Council in the September meeting to make it safer and easier for them and Councilman Jordan asked if they would get a little I-pad and City Manager Davila replied that they can add a keyboard to the I-pad and Chief Vallejo added that Butterfield finds it easier to use his phone because he is not too computer savvy and he can talk to it and it types his report for him and Councilman Jordan asked if we could get a computer that the officers can talk to and City Manager Davila added that most computers ardent equipped with that except the Macs but those are very expensive but with the I-Pads you can put on your earphones and you can talk to it and you can also add an attachable keyboard and Chief Vallejo added that they do have to have internet because that's the only way they can get in the system and they can also do the accident reports on the side of the highway instead of coming and wasting their time here in the office and Councilman Jordan asked if the I-Pad would take pictures and City Manager Davila replied yes it does take pictures and Chief Vallejo added that he could show them a report that Officer Ruiz did and he took a picture of a suspect and he adds it on to his report and when his report prints out you will have the suspects information, the owner of the vehicle and everything will be saved into the database now so if I pull over the same person and do a report it will autofill all the information and City Manager Davila added that you can buy an I-Pad or rent it for \$25 a month or you can buy it for \$499 but we would need 4 of them and City Consultant Eddington added that we could look for a technology grant and City Manager Davila added that maybe we can get them the surface and those are like \$299 but you would have to add the internet to them and Chief Vallejo added that they do their shift reports on there and I can be at home and see what they are doing and the guys are still learning the system Ruiz and Silva have gotten the hang of it and Butterflied likes it now because he can talk to his phone and do the reports that way and City Consultant Eddington added that we signed up

for additional monies through the Comptroller's Office and City Manager Davila added that when Chief went to Chief school he found out we could get money from the State Comptroller's Office and we already applied for it and Chief Vallejo added that Encinal had never applied for it so they gave us double the allocation of the money and City Manager Davila added that the money has to be used for training but maybe we can get technology through it as well and Chief Vallejo added that he could use it to train the officers but maybe he could use it to buy equipment as well like the Tasers and City Manager Davila added that the officers need the Tasers and Chief Vallejo added that he had already done a quote on the Tasers and they cost \$6,000 for 4 Tasers and City Consultant Eddington added that these dollars do not go into the budget until we actually know what those numbers are and Chief Vallejo added that we won't know the amount until December and City Consultant Eddington added that we may be amending the budget and City Manager Davila added that even though the officers want all these things I'm very hesitant because they are very daring and they want the Tasers and the road spikes and for me the most important think is their safety and Chief Vallejo added that as police officers there will always be safety issues, Councilman Jordan stated that he didn't believe the officers were well trained and I don't believe they are built for stuff like that and City Manager Davila asked what he meant by that and Councilman Jordan added that he didn't think they were fit for running and City Manager Davila added that you don't have to be built for running and Officer Silva can run and play basketball and Councilman Jordan said he was not referring to Officer Silva and City Manager Davila added that she understood what he was saying but we went to an accident where the guys were involved in Cotulla deputies and our officers Butterfield and Chief Vallejo helped in this traffic so our officers even though you may not think they are trained but if you would see some of the videos of their stops and how they protect themselves and how they handle these people that are not listening and one of these days you might want to come in and look at one of those videos and our Officers are very well trained and you'd be surprised at how well they are trained and they do attend trainings and Chief Vallejo added that sometimes people don't understand what we go through and their perception is they just give out tickets and City Manager Davila added that the reason she was hesitant was because our officers are daring and Chief Vallejo added that they should try and sit in a car for 8 or 12 hour shifts and do what they do all night and I guarantee you that your perception about them would change and City Manager Davila added that the Judge has had cases where they complain against the officers and you pull up the video not knowing that the officers have body cams on them and are recording everything that is happening and Chief Vallejo added that he would use today as an example we have a guy who is homeless and he has close to \$7,000 in cash and we take him to La Salle and us as trained officers told him were keeping your money for safe keeping because you are not in the right state of mind and we are going to put it in our safe until you can come and pick it up so what we do is give him a cash receipt and we go to Cotulla and tell the jailer this is the receipt for the money we put in the safe for him when he's ready to get out and also he had 3 drivers licenses and I get a call today and the jailer says you have \$9,000 and only 1 id but I'm glad I took everything away and put it in our safe because imagine if we would have left that money over there and that would have been us there was only \$500 and everything was videotaped our officer counts the money and he makes sure he signs it under witness and

City Manager Davila added that we got a phone call from the officer and that is the first thing that Chief Vallejo and I stress is that their body cam better be on and this was after 11:30 at night because this officer was supposed to get out at 10 and he was still working at 2 o'clock in the morning and that suspect was not in his right state of mind and he did put up a fight with Ruiz so you have to be mentally sharp and Chief Vallejo added that if a civilian went and talked to this person they would probably want to fight with him but we are not trained to do that we are taught to talk this person down and were there to help him and Councilman Jordan stated that's what he wanted to hear not about the Tasers and Chief Vallejo added that Taser were for their safety because just imagine I have only one officer working and how far is our back up and City Manager Davila added that right now we have 3 but Silva had a call the other night and they had illegals and everything and thank God that our other officers were working but he was at another call so if this guy runs Silva has to run after him and you have illegals running out of the vehicles and he does have everything recorded and Chief Vallejo added that he has told the officers when you see people running don't run after them let them run but I do want you all to know that was the way I (City Manager Davila) thought I thought the same thing the officers aren't doing their jobs they aren't doing what they are supposed to they are talking very ugly and being rude but I have seen the videos and just recently we had 3 or 4 stops from people from Encinal and they called the Judge telling him the officer did this and that and in reality it isn't true because we went in there and saw the video and the officer was doing what he was supposed to and it's not protocol for him to show you the video but you would be surprised at what you see and Chief Vallejo added that is why the cameras are set to record 2 to 5 minutes prior to the stop and City Manager Davila added that the body cams and the car is recording as well and we received these body cams through a grant last year and they have been lifesavers for our officers when they are being accused of things.

#### **D. Municipal Clerk**

7. **Discussion and approval on Bills paid for August.** City Manager Davila told Council that they had copies of the bills for August and they will be going out on Friday and if you have any questions please let me know and our bills are usually the same ones every month. Councilman Jordan asked where we are at because we didn't discuss about the 6x6 slab and the Family Dollar and City Manager Davila explained that we had already discussed that and the Family Dollar is already taking applications online and they should open sometime in September and the 6x6 slab is for the monument in memory of John Lupear and Councilman Jordan asked how much the monument was going to cost and City Manager Davila replied that she didn't think it would cost more than \$5,000 and I know that John Lupear worked for Lewis Energy so I am going to try and talk to Craig Rosenstein about this and I will do that as soon as I have everything together including the plaque to see if he can help us with it and if not I will do a fundraiser to raise money for that in Laredo with our staff on our own time and when we cooked steaks for that little boy that needed a transplant we raised almost \$5,000. A motion to approve the payment of Bills for August was made by Councilwoman Arizola and she was seconded on the motion by Councilman Aldaco, all were in favor so motion carried.
8. **Discussion of Council members attending TML Newly Elected City Officials Orientation.** City Manager Davila told Council that she was able to get a refund for Councilman Aldaco's registration and the ones who attended were Councilwomen Arizola, Lopez and Maldonado and Councilwoman Arizola added that she learned a lot and City Manager Davila added that Councilwoman Arizola took a picture with the mayor of Live Oak who is actually the TML



President and she added that Councilwomen Lopez and Maldonado had also enjoyed the training and that she would try and look for other trainings so Councilman Jordan and Councilman Aldaco could attend. City Manager Davila asked if they had done their trainings because you all have 90 days from the day of the election for the open records request and the public information training.

9. ***Discussion and Action on approving City of Encinal Budget Workshops days and times.*** August 8, 2017, August 24, 2017 & September 12, 2017. City Manager Davila told Council that these would be the dates for our budget workshops and we will approve the budget on September 12<sup>th</sup> so we just need an approval as to the dates. A motion to approve City of Encinal Budget Workshops days and times of August 8, 2017, August 24, 2017 & September 12, 2017 was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Arizola, all were in favor so motion carried.
10. ***Discussion and Action on approving Special Meeting on August 24, 2017 for approving City of Encinal Tax Rate.*** City Manager Davila told Council that we have to have at least 4 Councilmembers at this meeting to approve the tax rate. A motion to approve the Special Meeting on August 24, 2017 for approving City of Encinal Tax Rate was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Arizola, all were in favor so motion carried.
11. ***Discussion and Action on approving Mayor Sylvano Sanchez, City Manager Velma Davila & Consultant Ashley Eddington to ATTEND the Annual Board of Directors' Meeting to be held on August 30, 2017 at the International Center for Trade 3295 Bob Rogers, Eagle Pass, Texas and any accommodations/expenses associated with meeting.*** City Manager Davila told Council that this was our annual meeting for Middle Rio Grande and Mayor is a part of the Board and I am an alternate in case the Mayor cannot go but in this meeting they tell us about any upcoming grants and what we can apply for and any new members that will be joining and if they are going to change anything and registration starts at 7:30 in the morning and Mayor and I will probably be leaving the night before and City Consultant Eddington always leaves San Antonio at 3 in the morning but I'm not going to do that and after the meeting I have to travel to San Antonio because I have a class in the evening. A motion to approve Mayor Sylvano Sanchez, City Manager Velma Davila & Consultant Ashley Eddington to ATTEND the Annual Board of Directors' Meeting to be held on August 30, 2017 at the International Center for Trade 3295 Bob Rogers, Eagle Pass, Texas and any accommodations/expenses associated with meeting was made by Councilman Aldaco and he was seconded on the motion by Councilman Aldaco, all were in favor so motion carried.
12. ***First Reading on Ordinance no. 2017-09-12 AN ORDINANCE RESTRICTING "MOTOR VEHICLES AND TRAFFIC", FROM STOPPING, STANDING OR PARKING, MAP OF THE CITY OF ENCINAL: RESTRICTED PARKING AREAS, ESTABLISHING A "NO PARKING TOW AWAY ZONE" ON THE NORTH AND SOUTH SIDE OF ACCESS 35 WEST, OFF HWY. 44 WITHIN CITY LIMITS IN EFFECT EVERY DAY.*** City Manager Davila explained to Council that this was the first reading of the ordinance and since Mr. Caballero couldn't be here I will try and explain what it is about, the Chief and I met with TxDot about a month ago and we had a lot of different concerns that we talked about the trucks stopping on the other side because what they are doing is they are creating a big mess right there by the underpass and when it rains it makes a hole and it starts breaking the street and they are always having to fix it and we also talked about Family Dollar because Chief wanted a no parking sign on the other side so they asked if we wanted one by the access road and we have to pass this ordinance so that they can come and put the no parking signs so it has to be approved by City Council because they are state roads so if we approve it they will come and place the no parking signs because I can guarantee you that once Family Dollar opens

we will have 18 wheelers parking there and they could cause an accident and this is a first reading and if you all were okay with it and we also talked to them about the amount of traffic that we have with the stop signs and they are actually going to do a study to see if they can put a traffic light there so the study would start as soon as we approve that and maybe they will install a traffic light because when they were here they saw a couple of vehicles that didn't even stop at the stop sign and Chief Vallejo added that they requested the statistics for the month as far as stop sign violations and City Manager Davila added that we have about 5,000 transients a day that go through our city and this is a discussion item only and if you have any questions for when we meet with them again.

13. **Discussion on 1<sup>st</sup> Reading of Ordinance no. 2017-9-12 A. An ordinance on the adoption of a Disability Accommodation Policy for employees, contractors and elected official with the City of Encinal.** City Manager Davila told Council that Mr. Caballero couldn't be here to explain this further but in this Disability Accommodation Policy it doesn't necessarily pertain to Mayor because he is disabled and right now we have Damiana who had an accident and sprained her ankle and she can barely walk but the doctor told her that she had to keep her foot elevated and with this policy we could accommodate her because she could be able to keep her foot elevated at her desk and you can still type but I can't bring her in for fear of her hurting herself and Damiana is getting better so she might be able to come back next week but to help protect the City we do need a policy like this and as an example say Mayor needs to go somewhere he can have somebody accompany him and it doesn't necessarily have to be city staff and we can't always go with him and I did include a copy of the policy in your packets and Mr. Caballero was the one that drew it up and he got it from the Attorney General's office so it is all within the law but you can take it home and read it and before we adopt it we can discuss it and add any changes that you would like to make to it and Councilman Jordan asked that this was not just for the Mayor you could take somebody to help you and City Consultant Eddington replied that no you would have to request the accommodation and you would have to state why you need the accommodation and City Manager Davila added that even though all our policies are adopted we bring everything before Council.
14. **Discussion and Action on possibly changing the regular time & date of next meeting.** The next City of Encinal Regular meeting will be held on \_\_\_\_\_, September 2017, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 5:30 p.m. A motion to have the next City of Encinal Regular meeting will be held on September 12, 2017 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 Arizola, all were in favor so motion carried.
15. **ADJOURNMENT.** A motion to adjourn the meeting was made by Councilwoman Arizola and she was seconded on the motion by Councilman Jordan, all were in favor so motion carried. The meeting adjourned at 7:32 p.m.

Minutes were approved by Council Member Oliver Jordan and a second Motion was made by Council Member Brianda Lopez on this the 12<sup>th</sup> day of September 2017.

Velma Davila  
Velma Davila, City Manager  
Attest City Secretary

# NOTICE OF FINAL BUDGET WORKSHOP

## CITY OF ENCINAL

FINAL BUDGET WORKSHOP

Thursday, September 12, 2017

@6:00 pm

City Hall Chamber's, 701 Berry, Encinal, Texas 78019

### CITY OF ENCINAL

1. Roll Call, Establish Quorum, Call to Order.
2. The City of Encinal will be having their Final Budget Workshop on the above date, time and location on the 2017-2018 proposed budgets.
3. Discussion on, Revenues, Expenditures, Salaries, Contract Pay & Capital Budgets.
4. Adjournment.

(The attached notice was published according to the state law requirements).



Velma Davila/City Manager

Attest: City Secretary-Administrator



**Posted on: Tuesday, September 7, 2017 @5:00 p.m.**

**City of Encinal**  
**Final Budget Workshop**  
**September 12, 2017**

1. **Roll Call, Establish Quorum, Call to Order.** Mayor Sanchez called the Final Budget Workshop to order at 6:00 p.m. Present were Councilmembers Oliver Jordan, Irma Arizola, Brianda Lopez, Roberto Aldaco and Councilwoman Christina Maldonado was running late. After roll call Mayor Sanchez determined that there was a quorum present and the Budget Workshop could continue.
2. **The City of Encinal will be having their Final Budget Workshop on the above date, time and location on the 2017-2018 proposed budgets.**
3. **Discussion on Revenues, Expenditures, Salaries, Contract Pay & Capital Budgets.** City Consultant Ashley Eddington told Council that they would be picking up from where they had left off last time and that first he would be discussing the Encinal Staff Position Descriptions and Classifications and we had discussed the raises and the amounts and a suggestion was made that a certain amount be paid across the board for the employees so we did a little research because it would be difficult to have equity across the board where everybody is getting the same amount because classifications and skill levels and skill sets and jobs are all a little different so you can't just do that across the board and we came up with classifying the different positions so we will be covering the Clerks, Sanitation workers and the summary of benefits and if you ask how I came up with this well I went to the City of San Antonio pay scale and researched that but I went to the baseline pay for the clerks and the hourly rates start at \$9.86 and go all the way to \$20.36 and the City of San Antonio did have different classes they had Class 1, Class 2 and Class 3 clerk depending on experience, education and certification and things like that and the City of Laredo the hourly rate was \$9.72 for a data entry clerk and probably a lower level than our municipal clerks and in the City of El Paso the median range was \$9.75 and our beginning hourly wages are about the same as everybody else's and they increase accordingly so what we did with these criteria is we have a Clerk 1, Clerk 2 and Clerk 3 and Clerk 1 starts at \$9.00 an hour and goes up to \$11.50 an hour and that is 0-3 years' experience, Clerk 2 with 3-6 years' experience and starts at \$12.00 an hour and goes up to \$14.00 per hour and for the clerk that has 3 plus years' experience and this clerk they need to have continuing education to do their job and someone that has specific skill sets to do their job like the municipal clerks because they have different levels of expertise that they need to have and 3 plus years' experience is up to \$14.50 to \$21.00 per hour and for sanitation we have the 3 classifications as well we have level 1, 2, and 3 and for sanitation 1 and 0 to 3 years' experience is \$9.25 to \$12.00 per hour and sanitation 2 is 4-6 years' experience with the Texas driver's license is \$12.00 to \$13.60 per hour and Councilman Jordan asked when this was going to take effect and City Consultant Eddington replied that they would take effect on October 1<sup>st</sup> and for

sanitation 3 its 3 plus years' experience with a CDL required and the pay range would be \$12.50 to \$15.00 per hour and then we did the summary of benefits which consists of the number of vacation days, sick days and personal days and that is based on the number of years of experience and it is also based on the different classifications of employee and whether you are professional and non-professional or executive or non-executive and we use a criteria very similar to these already but in trying to make the assessment for the budget we just developed this criteria, Councilman Jordan asked if they had to work here 3 years and City Consultant Eddington replied that they would have to work here 3 years and that could be consecutive years however you may have someone who has worked here but has had to leave for medical or other reasons that are acceptable by the staff and City Council like maternity leave or an illness in the family and sometimes people have to leave and then they come back. Councilwoman Christina Maldonado arrived at 6:07 p.m. City Consultant Eddington told Council that \$14.00 an hour across the board doesn't work mathematically and it just doesn't work and I think that this scale gives an individual to know what they are aiming for. City Councilman Jordan stated that he liked it and Councilwoman Lopez stated that it made sense and at the bottom its says all positions, pay and employee benefits are subject to review as needed by City Staff and City Council so if there is a change we must make within the criteria we can make it so we applied this criteria to the budget. City Consultant Eddington told Council that they would be covering the Budget for the Police Payroll that there was not a change in the amounts and Chief isn't here but we were looking at the criteria for different grades and you would have an officer who has just started and I'm not sure how much that officer would make then you can have Sergeant Lieutenant, captain and Chief of Police so the Chief and I are going to sit together and put that criteria together so as we have officers here more than three years or more than 4 years they can know how to move up the ladder because right now Officer Silva is a Sergeant and how is the Police going to get an increase in pay well we have an overtime grant that we have secured and it is for Fiscal year 2017-2018 and that overtime amount is \$15,500 which is about \$3,500 per Officer and it doesn't always work out to that average but by and large they work the overtime for an increase in pay and this is the second year that we have gotten the grant. Councilwoman Lopez asked City Consultant Eddington that Damiana was in the EEDC so how would that work and City Consultant Eddington replied that EEDC would be paying a fee for her services and she would get her normal rate under the clerk position that she has been designated as and EEDC will reimburse the City not only for her pay but for her taxes as well and that is in the shared allocation for EEDC that we pay back because EEDC not only shares that but shares her work usage she does the website and does a lot of other things for EEDC and she is currently helping me with Family Dollar and she does the website for EEDC and she does the interviews and she is setting up to do those for the business owners so instead of having EEDC secure an individual tax id number and filing 941's taxes and that is what most cities normally do if they don't have a staff person that is paid on EEDC it is

paid through the City as Economic Development. Citizen Guadalupe Granados asked if the meeting was an open meeting and City Consultant Eddington replied that yes it was a Budget Workshop and Citizen Guadalupe Granados stated that he would be addressing the Mayor or Council is the pay scale you are referring to I am just curious to know why you are using San Antonio, El Paso, or Laredo as comparison when you know that in fact those more larger cities because of the cost of living would have or would offer higher pay and I would be curious to know why the comparison to the pay scale chart would not be in reference to Cotulla or Asherton or cities that are similar to the population of Encinal instead of bigger cities because I am sure you would agree that if you have the cost of living up here then naturally the pay scale would have to be higher and City Consultant Eddington replied that he could definitely answer that and most of those cities because we did do the research they do not publish any pay scales and the scales that we came up with have comparison to smaller cities based on population so the beginning amounts and the opening amount of \$9.72 say for San Antonio that takes into account not only San Antonio but the outside of the metropolitan of San Antonio so it takes into account New Braunfels it takes into account Live Oak and it takes into account Schertz and it takes into account all of those cities now again it doesn't have the population of Encinal but Crystal City, Cotulla and other small cities they don't publish those rates and Citizen Guadalupe Granados so your reference to the pay scale again is phone calls websites what are your references and City Consultant Eddington replied websites and records and Citizen Guadalupe Granados asked for each city and City Consultant Eddington replied yes for each city and Citizen Guadalupe Granados knowing that each city obviously some like Big Wells may not have a website or San Diego does not have a website wouldn't you have been able to make some phone calls and City Consultant Eddington replied that he has made those calls to the Middle Rio Grande COG and we have spoken to the cities that are within that COG and got the same information from them and that research was done prior to this because every year when we submit our Middle Rio Grande grant those are statistics that we have to pull up and I keep those statistics because whenever I am doing a grant for the neighboring areas I want to make sure that we establish that it is also required when you do a TDA grant so when you do a TDA grant they have a much broader set of data for smaller cities so places like Asherton are included so enough research was done to figure out the beginning salary range. City Consultant Eddington told Council that it was applied to the Sanitation payroll and our total Sanitation payroll didn't go up very much and it ended up being \$62,138.11 after making the change and I believe it was \$61,193.67 as for the grading for sanitation it didn't go up very much and we had done the grading for sanitation so the rates didn't go up substantially and like I told you last time we don't have a public works manager like we had in the past but we have a public works supervisor. City Consultant Eddington told Council that next he would be covering Budget 14 and Budget 14 went from \$140,111.26 to \$143,736.08 so roughly a \$3400 or \$3500 increase after applying the new pay scale and Councilwoman Lopez added that it

had only increase about 2% and City Consultant Eddington said that this gives the city an opportunity to have a much more even increase after applying the new criteria and individuals can now kind of gage what they will be making and Councilman Jordan asked if they would be putting in any overtime and City Consultant Eddington replied no. City Consultant Eddington told Council that they would be going to cover our debt service and our debt service has not changed and it is still \$109,373.15 and our annual principal and interest payments for City Hall and every other piece of equipment that we make a monthly payment on and primarily this is paid with our property taxes and in 2018 we will have 1 of the obligations paid off and that will be the trash truck but remember that we renew the loan annually and we renew this for maintenance on the vehicle and our trash truck makes us about \$80,000 a year along with providing the needed transport from Encinal to Laredo so we can dump our trash and it also provides the needed trash delivery to Laredo whenever we have the community clean-ups so the trash truck has been a great investment for the City that has paid for itself and we got that truck 5 years ago and it does need maintenance and repair but it has definitely been a great investment for the City. Councilman Jordan asked how old the trash truck was and City Consultant Eddington replied that it was 5 years old and we do need a new one and I wish we could get a smaller one so that we don't have to use this one as much and reduce the maintenance cost however we just can't afford it at this point and in 2018 according to our scheduled it will be paid off but it is renewable and we have 3 others that will be paid off in 2019 and in 2018 we will free up \$10,000 in capital but again that one is renewable and in 2019 we would free \$26,000 in capital and these debts are not all due on a monthly basis but I did break down the monthly amount it is \$9,085.26 and we pay for the City Hall in two different pay cycles one is in February and the other one is in August and in February it is a smaller amount because of the bonds and in August it is a large payment and the City Hall will be paid off in 2053 because we have such a real good increase in revenue average again we have been able to reduce the property taxes and it has been 3 years in a row and it's been one of the highlights of this budget and we take the citizens of Encinal into consideration to make sure we take the burden off them as a City while everyone around us is raising taxes and raising user fees we are trying to reduce as much as we can while still fulfilling our financial obligations and it also makes us competitive with neighboring cities like Laredo or Cotulla and their rates are lower than ours but I don't know what Cotulla's are because I haven't seen their budget but I believe they raised them so that makes the City of Encinal look more inviting and Mayor Sanchez stated that they are raising the taxes in Cotulla to pay for the hospital and City Consultant Eddington replied that the taxes for the hospital are for the County not just for Cotulla. City Consultant Eddington told Council that the budget would be looking a little bit different once the final one is completed and then a member of the Governmental Financial Offices Association and there are some additional things that we want to put in the budget this year that have to do with the write ups of what is contained in the budget and in the past we have always had a budget like this but this



budget will include write ups on the grants that we have for the fiscal year and it will also include what we are currently working on and it will include different audits of the Police Department and it will be a 3 to 5 year projection for the Police Department and we are trying to add some of these things to our budget so it makes it more user friendly so that you are not just looking at numbers so when someone picks it up you can read that the City of Encinal has this number of sales tax coming in and it is an increase percentage of this amount from the previous 3 years and it is good comparative data that most people want to look at and instead of looking at raw numbers and I personally like the raw numbers and it will be published on our website. Mayor Sanchez told City Consultant Eddington that since he was the Chief Financial Officer I commend you on the job you did. City Consultant Eddington told Council that anytime they have a question on anything on the budget whether its financial statements please come to the office or ask and Monik does a excellent job on the entries we have these duties separated and we make sure that we adhere to the A133 audit requirements and you must have the internal controls associated with it and the way internal controls works is anyone who processes a check cannot be associated with the signing of the checks so we have that good separation with Mayor signing them and the City Manager and I don't handle any of the money at all and it works well and the auditors like it and City Manager Davila added that we would have a workshop one day where we will take you through every single step of the way they do the daily cash reports and deposits and their receiving of funds who takes them and how they log everything down and the several procedures that they do and Councilwoman Lopez asked that if that was during the day and City Manager Davila replied yes during the day but we will show you in the afternoon so that you all can see it and that way if you have any questions you all can ask them about it and once in a while I will ask them what they are doing and I see what they have done it correctly or if there is something wrong but so far everything has worked out good and City Consultant Eddington added that we have had clean audits since we have been here and City Manager Davila added that the audits from 2009 through 2011 were not very good but the ones after were a lot better. Councilman Jordan asked if the taxes were going to go up and City Manager Davila replied that the City's are going down but that the ones for the Hospital District are going to go up and of course the school taxes are going to go up because of the bond. City Attorney Caballero told Councilman Jordan that for the hospital district it would be about \$200 per household and City Manager Davila added that was a very important meeting that everyone should have gone to and we attended it because we are part of the City and we want to fight for the community but nobody from Encinal showed up just us and that is why we publicize that they are having these meetings and know what is going on and not say that the City raised the taxes when it wasn't the City and we want to make sure that everyone knows that are taxes have gone down and City Consultant Eddington said that everyone is aware that Lewis Energy is not in our City limits so they are not included in our tax base and Councilman Jordan asked what could we do to get them to



pay taxes to the City and City Manager Davila replied that they have entertained that idea already and we are working with them and they are really good about it and they help out the City in a lot of ways and City Consultant Eddington stated that there are a lot of things in the Local Government Code that you have to do if you are going to annex voluntarily or involuntarily and there is a lot of criteria that has to be met and City Manager Davila added that it is not that easy because if you don't own services you cannot annex and it's not like Cotulla because they own the services and we don't own the services.

- 4. Adjournment.** A motion to adjourn was made by Councilwoman Lopez and she was second on the motion by Councilwoman Arizola, all were in favor so motion carried. The Budget Workshop adjourned at 6:32 p.m.

Minutes were approved by Council Member Brianda Lopez and a second Motion was made by Council Member Christine Maddox on this the 14<sup>th</sup> day of **October 2017.**

Velma Davila

**Velma Davila, City Manager**  
**Attest City Secretary**



**CITY OF ENCINAL  
CITY COUNCIL AGENDA  
Regular Meeting  
Tuesday, September 12, 2017**

*NOTICE is hereby given of a Regular Meeting of the City Council on Tuesday, September 12, 2017 at 7:15 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 from Regula Meeting-August 8, 2017, 1<sup>st</sup> Budget Workshop-August 8, 2017, 2<sup>nd</sup> Budget Workshop-August 24, 2017 & Special Meeting-August 24, 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 City of Encinal monument that will be placed on the donated 6x6 slab by G2K Partners on the corner of Hwy 44 and Access 35 South.
    2. Discussion on Sidewalk project.
    3. Discussion on San Antonio Food Bank upcoming functions. (Food Fair, Food Bank Schedules and Turkey Distribution)
    4. Discussion on 5<sup>th</sup> Annual National Night Out (October 3, 2017)
    5. Discussion on 4<sup>th</sup> Annual Thanksgiving Angel Drive sponsored by City Staff!!
    6. Discussion on 6<sup>th</sup> Annual Toys for Tots (December 19, 2017)

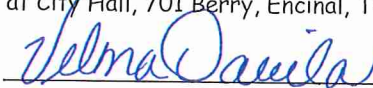
- B. Accountant
  - C. Police Chief
  - D. Municipal Clerk
7. Discussion on Family Dollar opening and Grand Opening dates and times.
  8. Discussion and Action on approving City of Encinal Budget for Fiscal Year 2017-2018.
  9. Discussion and Action to Amend Personnel Policies that includes position classifications, sick days, vacation day and personal days.
  10. Discussion and Action on approving 2017-2018 Holidays for City of Encinal
  11. Discussion and Action on Food Bank months for Fiscal Year 2017-2018.
  12. Final Reading on Ordinance no. 2017-09-12. AN ORDINANCE RESTRICTING "MOTOR VEHICLES AND TRAFFIC", FROM STOPPING, STANDING OR PARKING, OF THE CODE OF ORDINANCES OF THE CITY OF ENCINAL: RESTRICTED PARKING AREAS, ESTABLISHING A "NO PARKING TOW AWAY ZONE" ON THE NORTH AND SOUTH SIDE OF ACCESS 35 WEST, OFF HWY. 44 WITHIN CITY LIMITS IN EFFECT EVERY DAY.
  13. Discussion and Action on approval of Disability Accommodation Policy and Ordinance No. 2017-09-12B for employees, contractors & elected official with the City of Encinal.
  14. Discussion and Possible Action on Bills paid for September.
  15. Discussion and Action on starting a Bank Account at Stockman's for Special Projects.
  16. Discussion of TWO GRANTS awarded to the POLICE DEPARTMENT from the Office of the Governor for Overtime and a new Police vehicle.
  17. Discussion and Action on allowing city staff to purchase a Police vehicle under the Jag Grant and following the procurement requirements (item is more than \$50,000) advertising in newspaper and/or using the Buyboard for procurement.
  18. Discussion on Personnel matters to include Officers accommodations, Chief of Police protection matters & City Council Ethics. *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.*
  19. Discussion and Action on possibly changing the regular time & date of next meeting. The next City of Encinal Regular meeting will be held on \_\_\_\_\_, October 2017, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 5:30 p.m.

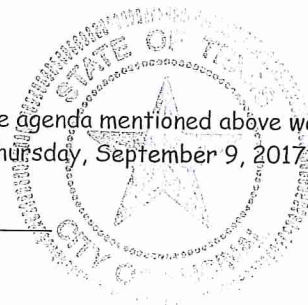
## 20. ADJOURNMENT

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, September 9, 2017 at 2:00 p.m.

  
 City Manager/Attest City Secretary



**City of Encinal**  
**Regular Meeting Minutes**  
**September 12, 2017**

1. **Meeting called to order.** The Meeting was called to order by Mayor Sanchez at 7:15 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, Christina Maldonado, Roberto Aldaco and Brianda Lopez.
4. **Citizens Comments.**
5. **Discussion and approval of minutes from Regular Meeting-August 8, 2017, 1<sup>st</sup> Budget Workshop-August 8, 2017, 2<sup>nd</sup> Budget Workshop-August 24, 2017 and Special Meeting-August 24, 2017.** A motion to approve the Regular Meeting Minutes of August 8, 2017 was made by Councilman Jordan and he was seconded on the motion by Councilwoman Lopez, all were in favor so motion carried. A motion to approve the 1<sup>st</sup> Budget Workshop of August 8, 2017 was made by Councilwoman Lopez and she was seconded on the motion by Councilman Jordan, all were in favor so motion carried. A motion to approve the 2<sup>nd</sup> Budget Workshop of August 24, 2017 was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Lopez, Councilman Aldaco abstained from voting and all others were in favor so motion carried. A motion to approve the Special Meeting Minutes from August 24, 2017 was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Lopez, Councilman Aldaco abstained from voting and all others 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 City of Encinal monument that will be placed on the donated 6x6 slab by G2K Partners on the corner of Hwy 44 and Access 35 South.** City Manager Velma Davila told Council that every year we do a mutual aid agreement between the City of Encinal and the La Salle County Regional Detention Center and they came to us saying that they would be having an audit on Friday and they were asking Mayor to sign and approve the mutual aid agreement and for Chief Vallejo as well and they have to have it in case the Marshall's come in and start auditing their books and they must have an agreement with the city they are stationed in if they have a mutual agreement in case of an emergency and I wanted you to be aware of what the letter was about and City Manager Davila read the agreement to Council and explained that in case of an emergency or a riot the Detention Center could utilize the City Hall parking lot or City Hall offices if need arose. City Manager Davila told Council that she had included a copy of the monthly Gazette in their packets. City Manager Davila told Council that she would like to thank some of the community members that helped us during the time that we had the 28 evacuees and for those of you that weren't aware and I know most of you all came by here when we had the evacuees here, Mr. Aldaco was here for both days and so did Ms. Maldonado, and Oliver and we Miss Irma was here



also and the families we had here were from Corpus, Mathis, Rockport and Alice and they stayed and slept here and we did have a couple staying in another room because the gentleman had COPD and he had to be sectioned off from everybody else and he had a lot of breathing problems so we kept the kids away from him and I do want to say that everything went smoothly and we were hands on with the Emergency Coordinator from La Salle County and with our Fire Chief and we also had several community members donate food and I would like to thank them, one of them was Ms. Elena's mom Iris and Elena's daughters and they brought tacos one morning for everyone and Ms. Janie Guerra and Olivia Garcia and her family and I would like to thank them for all they do for their community and we also had Love's and Road Ranger donate food and drinks and we also had our staff here most of the day and Mayor Sanchez and Chief Vallejo were also here and I appreciate them as well and our Officers brought drinks and another supplies for the evacuees and it means a lot when they are not asked to be here but they come in anyway. City Manager Davila told Council that we are still working on the welcome sign and hopefully by next month Mr. Guajardo will have the final drawing of it ready for us and I believe we decided on a saying for Mr. John Lupear so that will be on there also and we will bring the final draft so that you can do the final approval.

2. ***Discussion on Sidewalk project.*** City Manager Davila told Council that they have already finalized the punch list and we will be having a meeting on the 13<sup>th</sup> at 10:00 a.m. to make sure that everything is done right and anything that is lacking from the Contractor he can fix it and if you all have any questions please let us know.
3. ***Distribution on San Antonio Food Bank upcoming functions.*** (Food Fair, Food Bank Schedules and Turkey Distribution)
4. ***Discussion on 5<sup>th</sup> Annual National Night Out (October 3, 2017).*** City Manager Davila told Council that the Police Department would be having their 5<sup>th</sup> Annual National Night Out and every year it has been a great success and last year we had a really great turn out and our staff all worked together to make it a success and what we do as a staff is we all put money together so that we can give out good prizes for the kids and last year we gave a tv and a PS3 and a Nintendo DS and we actually do that from our own and we don't use City funds for that and we would like for Council to join us and we will be sending out invitations to the community and it will be on October 3<sup>rd</sup> and we have some agencies that have already confirmed that they will be here and Damiana and Chief are working together for this event.
5. ***Discussion on 4<sup>th</sup> Annual Thanksgiving Angel Drive sponsored by City Staff!!*** City Manager Davila told Council that we would be having our 4<sup>th</sup> Annual Thanksgiving Angel Drive and our staff donates items for 3 families so that we can make a box for them and the City does buy the turkey but all the fixings are donated by the staff and we will be giving it out the day that we have food bank which will be on November 16<sup>th</sup> and EEDC will be providing the turkeys for the 25 families and what we did last year was make a list of anybody that might need a box and we discuss it amongst ourselves as to who might need a box and we did have some input from community members last year, Councilwoman Lopez asked if the box included the whole meal and City Manager Davila replied that it was a complete meal and one year we helped the families that lost their jobs at the prison and different families after that.

6. **Discussion on 6<sup>th</sup> Annual Toys for Tots (December 19,2017)** City Manager Davila told Council that the letters would be going out for the Toys for Tots and I believe we had discussed this before and what we do is get donations from individuals or businesses and we purchase the toys from there so we don't use City funds for that and we will be having that on December 19<sup>th</sup> at 9:00 a.m. at the School and we would like to invite the Council and every year Mr. Weikel is our Santa but hopefully this year we will be having the Blue Santa from Laredo but we will continue to invite Mr. Weikel and we are hoping to have McGruff for National Night Out.
- B. **Accountant.** City Consultant Ashley Eddington told Council that he would be discussing the financial statement from October 2016 thru August 2017 and this is not a document that is ready for audit and I will only be covering some of the highlights, the total revenue was \$1,105,872.15 and it was definitely above our budgeted amount and the reason the amount is so much higher is because we received \$30,000 in delinquent property taxes that we had not budgeted in and we also received 3 months in a row of substantial sales tax and it was much higher than what we had budgeted and also the collections from Linebarger they have really stepped it up and they are collecting quite a bit for us for the outstanding tickets and we are very pleased with them because the other group wasn't doing as well. City Consultant Eddington told Council that the total expenditures were \$1,011,201.32 leaving us with a net fund balance of \$94,670.83 and remember this is revenue and expenditure's and it does not include the payment of our debt so our debt is in a different schedule so the \$94,000 that is remaining is used to pay debt.
- C. **Police Chief**
7. **Discussion on Family Dollar opening and Grand Opening dates and times.** City Manager Davila told Council that Family Dollar will be opening their doors on the 21<sup>st</sup> and right now they are working on getting the store stocked and ready and they actually need 4 more people and all they will be hired on the spot and all they have to do is go to Cotulla and apply there and they are guaranteed 40 hours right now until the 21<sup>st</sup> and from the people they have they will be keeping 6 or 7 and it will be two assistant managers and four part time workers and I spoke to the General Manager Mr. Jim and they will be having their ribbon cutting on September 30<sup>th</sup> and they will open their doors on the 21<sup>st</sup> and on the 29<sup>th</sup> they will be having a lot of sales and I encourage everybody to go and on the 30<sup>th</sup> the first 50 people that come in the doors they will be getting a \$5.00 gift card and EEDC will be sponsoring this event also, Damiana's husband will be cooking the burgers for us and we will be providing the food and drinks and Mr. Alfredo Valles will be providing a bouncy castle and the Police Department and the Fire Department and we will have Congressman Cuellar's office that will be here and City Consultant Eddington will be bringing his Corvette and Chief Vallejo will be bringing his Camaro because the General Manager requested sports cars and I hope that everyone can make it and this is a really big occasion for us because we have been waiting for a store like this to open here in Encinal.
8. **Discussion and Action on approving City of Encinal Budget for Fiscal Year 2017-2018.** City Consultant Eddington told Council that we just completed the Budget Workshop and that was our third one and I am asking that you approve the 2017-2018 Budget. A motion to approve the City of Encinal Budget for Fiscal Year 2017-2018 was made by Councilwoman Lopez and she was seconded on the motion by Councilwoman Maldonado, all were in favor so motion carried.

9. ***Discussion and Action to Amend Personnel Policies that includes position classifications, sick days, vacation day and personal days.*** City Consultant Eddington told Council that this was the same item that we had talked about regarding the classes and different pay scales including our policies and procedures and on the bottom, it states that some of these might change because of the variances and City Manager Davila added that this will be placed in our policy and procedures book and it will be in our binder in the Clerk's office. A motion to approve and Amend Personnel Policies that includes position classifications, sick days, vacation day and personal days was made by Councilwoman Lopez and she was seconded on the motion by Councilman Jordan, all were in favor so motion carried.
10. ***Discussion and Action on approving 2017-2018 Holidays for City of Encinal.*** City Manager Davila told Council that she had done the format a little different this year but it includes almost the same holidays as last year and it must be approved by Council because we can't be off just because we want to. A motion to approve the 2017-2018 Holidays for City of Encinal was made by Councilwoman Lopez and she was seconded on the motion by Councilwoman Arizola, all were in favor so motion carried.
11. ***Discussion and Action on Food Bank months for Fiscal Year 2017-2018.*** City Manager Davila told Council that we had always discussed about having the Food Bank quarterly and it seems that we have been doing it every month because of the needs of our community and they always call and ask us if we are having it and so we always end up having it and if you all approve it we can continue to have it quarterly or if you want us to have it every month we can do that as well. City Manager Davila told Council aht this year we had the Food Fair which I liked but we received too many vegetables and they send you whatever they want and I wanted for them to send us frozen foods because that is an item that helps everyone in our community so we won't do the Food Fair again but every month we will have Food Bank because we get to choose what we get when we do the Food Bank and for November 16<sup>th</sup> for Thanksgiving we already pre-ordered 100 turkeys and for Christmas we will try and give hams so I will need a motion to table the item so that I can bring it back next month. A motion to table the Food Bank months for Fiscal Year 2017-2018 was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Lopez, all were in favor so the motion was tabled.
12. ***Final Reading on Ordinance no. 2017-09-12. AN ORDINANCE RESTRICTING "MOTOR VEHICLES AND TRAFFIC", FROM STOPPING, STANDING OR PARKING, OF THE CODE OF ORDINANCES OF THE CITY OF ENCINAL: RESTRICTED PARKING AREAS, ESTABLISHING A "NO PARKING TOW AWAY ZONE" ON THE NORTH AND SOUTH SIDE OF ACCESS 35 WEST, OFF HWY. 44 WITHIN CITY LIMITS IN EFFECT EVERY DAY.*** City Manager Davila asked Mayor Sanchez to table the item because she was still working with TxDot on it. A motion to table Ordinance no. 2017-09-12. AN ORDINANCE RESTRICTING "MOTOR VEHICLES AND TRAFFIC", FROM STOPPING, STANDING OR PARKING, OF THE CODE OF ORDINANCES OF THE CITY OF ENCINAL: RESTRICTED PARKING AREAS, ESTABLISHING A "NO PARKING TOW AWAY ZONE" ON THE NORTH AND SOUTH SIDE OF ACCESS 35 WEST, OFF HWY. 44 WITHIN CITY LIMITS IN EFFECT EVERY DAY was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Lopez, all were in favor so motion was tabled.
13. ***Discussion and Action on approval of Disability Accommodation Policy and Ordinance No. 2017-09-12B for employees, contractors & elected official with the City of Encinal.*** City

Attorney Juan Caballero told Council that under Federal ADA laws if you have a member that is disabled or an employee that is disabled you are required to provide certain accommodations and accommodations can be the way the building is built or accommodations could be what their duties are and accommodations could include travel companions and we had already approved a policy for this and all we are doing by this is creating an ordinance which is the same as our policy and it is based on ADA requirements and Texas Disability Act requirements and I went ahead and prepared it and put it in your packets and we need for you to approve it as an ordinance. A motion to approve Disability Accommodation Policy and Ordinance No. 2017-09-12B for employees, contractors & elected official with the City of Encinal 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 Possible Action on Bills paid for September.** A motion to approve the Bills paid for September was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Jordan, all were in favor so motion carried.

15. **Discussion and Action on starting a Bank Account at Stockmen's for Special Projects.** City Consultant Eddington told Council that we had discussed this previously and a Special Projects Account would be so that we can separate the City operating funds from Grant funds because you cannot use grant funds for city operations and this would add another level of accountability and another level of internal controls and it will allow you to reconcile those numbers for a particular grant and it will be used for ongoing grants with a large amounts that we have to disburse over a period of time and we would also use this account to park large amounts of property taxes that are used to pay our debt that we spoke about and we can draw interest and it may be small amounts but we will still get some and that money would be left there and distributed to the City account as it is needed thru the budget and it will be used to pay the debt and this account is a good opportunity for the City to make some money like all the other cities do and to be more accountable to those specific funds and you will get a report on that also, Councilwoman Lopez asked if they all had to go to Cotulla for this and City Consultant Eddington replied yes everyone would have to go and City Manager Davila added that we are still pending for everybody to go to Laredo together so that everyone can be registered to sign checks. City Consultant Eddington added that once we get the requirements to open the account we will request who needs to go and sign the signature cards, Councilwoman Maldonado asked why Stockmens and City Manager Davila replied because it is not associated with Falcon Bank and we will put everything that we have to make payment on over here and nobody can touch it until they sign the check and the check will be issued to go straight over there like the City Hall payment and it will be easier not to spend it there and City Consultant Eddington added that Stockmen's also gives you the ability not to transfer or mistakenly transfer because we have a lot of different fund accounts and you can make a mistake when you have 16 accounts because of the requirements and City Manager Davila added that every department has a requirement you have to follow like when you make 941 payments you have to use a certain account and criminal costs comes from another account and when you pay the bills it's from the general fund and when you're dealing with the police it's the police account so when you get parking tickets paid it goes to a certain fund for the police and when you have municipal it goes to the municipal account and when you have impounds it goes to another one. A motion to start a Bank Account at Stockmen's for Special



Projects was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Lopez, all were in favor so motion carried.

**16. Discussion of TWO Grants awarded to POLICE DEPARTMENT from the Office of the Governor for Overtime and a new Police vehicle.** City Manager Davila thanked City Consultant Eddington for applying and receiving these grants and thanks to him our Police Department is growing and they are receiving a lot of different grants and I don't believe we thank him enough for all he does and even when he is at his own business he gets phone calls from all of us and he is the person with the money making ideas and we need to make sure we do the right thing when we transfer money and thank you for allowing us to receive these grants to improve our Police Department. Police Chief Vallejo told Council that they had reapplied for the Border Security Grant and we got it again and City Consultant Eddington added that this time we got \$18,500 and before we had received \$15,000 and Chief Vallejo added that it doesn't seem like much but for our small department it is a lot and I give my guys most of the grant and City Manager Davila added that she wanted to commend Chief Vallejo for doing that because he only takes like 5 hours for himself every month so that his officers can get the rest of the overtime and Chief Vallejo added that he might be driving the oldest vehicle but it's because I would rather they have the best before me and City Consultant Eddington added that this grant includes \$3,000 for the maintenance of our vehicles. Chief Vallejo told Council that the second grant that we got was the JAG Grant. Chief Vallejo told Council that City Consultant Eddington had written the number one grant and he presented it to the COG (Middle Rio Grande) and City Manager Davila added that the grant scored number one out of 15 agencies and we received \$59,000 and Chief Vallejo added that other departments only got half of what they had requested but we got the full amount.

**17. Discussion and Action on allowing city staff to purchase a Police vehicle under the Jag Grant and following the procurement requirements (item is more than \$50,000) advertising in newspaper and/or using the Buy board for procurement.** City Manager Davila told Council that this is an action item because when you are going to purchase an item that is \$50,000 or less it doesn't have to be approved by Council but regardless of that I always bring the items before Council but for this item we must get the procurement procedures the way they are supposed to so that we can get this vehicle and we need for Council to approve it so that we can follow the next step and Chief Vallejo did get 3 quotes for the vehicles and no decision has been made as to what vehicle we will be choosing and you can take a look at the quotes he received but please do not circulate these quotes around this items are for Council only and the Chief, City Consultant Eddington and I will go over them again and we will bring it back to the Mayor to see what we decide. A motion to allow the City Staff to purchase a Police vehicle under the JAG Grant and following the procurement requirements (item is more than \$50,000) advertising in newspaper and/or using the Buy board for procurement was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Arizola, all were in favor so motion carried. City Consultant Eddington told Council that before we move forward with the next item and the reason that we want to do the procurement is because the item is over \$50,000 and we are bound by State law and the Local Government Code to make sure that we do the procurement even though we may be able to accept bids we still need to put it through the bid process and whether we go thru the advertising thru the newspaper or the buy board or we have the option also to send out notifications to certain individuals so in this case we are probably going to use

the buy board and the notifications to give everybody ample opportunity to bid under the procurement and we had to make sure that we approved it before we were able to discuss it. City Manager Davila told Council that she had asked the Public Works guys to attend the Council Meeting and I would like to commend them for the great job that they are doing in trying to clean up our City and I wanted to thank them all personally and the reason I wanted them here was so that if you had any questions for them you could ask them and if the community members don't see the trash truck on Mondays or Thursday's its because there is something wrong with the truck not just that we don't want to pick up the trash and we had one day when Josh didn't come in because he had a doctor's appointment because he is going to be a Dad and we would like to congratulate him on that as well.

18. **Discussion on Personnel matters to include Officers accommodations, Chief of Police protections matters & City Council Ethics.** A motion to retire into executive session was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Aldaco, all were in favor so motion carried. Mayor Sanchez and Council went into closed session at 7:57 p.m. A motion to reconvene to regular session at 8:31 p.m. was made by Councilman Aldaco and he was seconded by Councilwoman Lopez, all were in favor so motion carried.
19. **Discussion and Action on possibly changing the regular time & date of next meeting. The next City of Encinal Regular meeting will be held on \_\_\_\_\_, October 2017, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 5:30 p.m.** A motion to have the next Regular City Council Meeting on October 10<sup>th</sup>, 2017 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 Lopez, all were in favor so motion carried.
20. **Adjournment.** A motion to adjourn the meeting was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Arizola, all were in favor so motion carried. The meeting adjourned at 8:33 p.m.

Minutes were approved by Council Member Brianda Lopez and a second Motion was made by Council Member Nora Arizola on this the 14<sup>th</sup> day of October 2017.



Velma Davila, City Manager  
Attest City Secretary



Tuesday, November 14, 2017

*NOTICE* is hereby given of a Regular Meeting of the City Council on Tuesday, November 14, 2017 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 September 12, 2017 & Final Budget Workshop September 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 Family Dollar
    2. Discussion on Sidewalk project
    3. Discussion on October & November Gazette
    4. Discussion on Haunted House
    5. Discussion on San Antonio Food Bank upcoming functions. (Food Bank Schedules and Turkey Distribution)
    6. Discussion on 4<sup>th</sup> Annual Thanksgiving Angel Drive sponsored by City Staff!
    7. Discussion on 6<sup>th</sup> Annual Toys for Tots (December 19, 2017) \*\*\*\* Donations received!
  - B. Accountant
  - C. Police Chief
    1. Discussion on 5<sup>th</sup> Annual National Night Out (October 3, 2017)
7. Discussion and Action on Ratifying the approval of the purchase an Ad from the "Cotulla-La Salle County Chamber Business Directory."

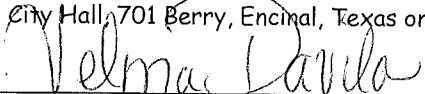
8. Discussion and Action on passing Resolution no. 11092017. A Resolution, WHEREAS, the City of Encinal, Texas (the "City") is one of the taxing jurisdictions within the La Salle County Appraisal District (the "District"). **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENCINAL: The City of Encinal has been requested by the County Judge to join the lawsuit against the Appraisal District for failure to properly appraise and has resulted in significant property tax decrease. Legal assistant has been procured per Professional Procurement Requirements by LaSalle County.**
9. Discussion and Action on voting on a candidate for the 2017 LaSalle County Appraisal District.
10. Discussion and Possible Action on Bills paid/to be paid for October & November 2017.
11. Discussion on Bid Procurement for the Police Department vehicle that was awarded through the Governor's Office "JAG Grant."
12. Discussion and Action on Police Department JAG Grant Awarded to Rolltechs Specialty Vehicles LLC. For a 2018 Ford Explorer Utility Police Interceptor AWD w/equipment.
13. Presentation and Introduction from Gordon Heaney from Rolltechs Specialty Vehicles LLC. Will give a summary of the new police vehicle awarded from the JAG Grant.
14. Discussion and Action on the damage of Old City Hall Building. Proposed repairs and/or filing an Insurance Claim with TML.
15. Discussion and Action on equipment at Old City Hall. Possible trade for the repair of the forklift for the generators that were donated from the LESO program.
16. Discussion and Action on using the property adjacent to City Hall offered by Father Nolasco in trade for using the property the City will cut the church property and cut down and clear the trees. The City is required to construct a 6" fence with 2" bob wire risers and enter into a Hold Harmless Agreement with the church.
17. Discussion and Action on approving the purchase of City of Encinal Shirt for all City Council members.
18. Discussion and Action on appointing a new Board Member for the Economic Development Council.
19. Discussion and Action with City Council in closed session regarding personnel/legal issues. *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.*
20. Discussion and Action on the regular time & date of next meeting. The next City of Encinal Regular meeting will be held on \_\_\_\_\_, November 2017, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 5:30 p.m.

## 21. 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, November 9, 2017 at 5:00 p.m.

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

**City of Encinal**  
**Regular Meeting Minutes**  
**November 14, 2017**

1. **Meeting called to order.** The Meeting was called to Order by Mayor Sanchez at 6:00 p.m.
2. **Pledge of Allegiance.**
3. **Roll call to establishing a quorum.** Present were Councilmembers Oliver Jordan, Irma Arizola, Christina Maldonado, Roberto Aldaco and Brianda Lopez.
4. **Citizens Comments.**
5. **Discussion and approval of minutes for Regular Meeting held on September 12, 2017 & Final Budget Workshop September 12, 2017.** A motion to approve the September 12, 2017 was made by Councilwoman Lopez and she was seconded on the motion by Councilwoman Arizola, all were in favor, so motion carried. A motion to approve the Final Budget Workshop September 12, 2017 was made by Councilwoman Lopez and she was seconded on the motion by Councilwoman Maldonado, 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:**

**City Manager.** City Manager Velma Davila welcomed guest Gordon Heaney to the Meeting. City Manager Davila asked Mayor Sanchez if we could please move up agenda items 11,12, and 13 because Mr. Heaney is coming from out of town. City Manager Davila asked Council to please make a motion to move up items 11, 12, and 13. A motion to move up items 11, 12, and 13 was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Arizola, all were in favor, so motion carried. **11. Discussion on Bid Procurement for the Police Department vehicle that was awarded through the Governor's Office "JAG Grant".** City Manager Davila explained to Council that this item was posted in the newspaper and we followed the process that we were supposed to for the JAG Grant and what Police Clerk Lopez did was email everyone. City Consultant Ashley Eddington told Council that anytime we are going to purchase something that is over \$50,000 it is required that we follow the procurement procedures to make sure that we adhere to the Local Government Code. City Manager Davila told Council that this was posted in the newspaper and we also emailed individual companies to let them know that we were going out for bids for this police vehicle and we had spoken to several dealerships and we only received 2 bids. **12. Discussion and Possible Action on Police Department JAG Grant Awarded to Rolltechs Specialty Vehicles LLC for a 2018 Ford Explorer Utility Police Interceptor AWD w/equipment.** City Manager Davila told Council that she had asked Mr.



Heaney to attend the Council Meeting so you all could know who he was and so that he could discuss the bid he sent us, and they were the lowest bidder at \$53,448 and the other bid that we got was for \$58,000 and that was way over our budget and Mr. Heaney was able to accommodate everything that Chief Vallejo needed in that police unit. 13. ***Presentation and Introduction from Gordon Heaney from Rolltechs Specialty Vehicles LLC. Will give a summary of the new police vehicle awarded from the JAG Grant.*** Mr. Gordon Heaney told Council that he represents Rolltechs Specialty Vehicles and we are out of Schertz Texas and we have been in business since 1977 in the San Antonio and Schertz area and we started out with the mobile communications networks with a lot of the names your probably familiar with and now we do command and control vehicles so we do a lot of work with that mainly with the San Antonio Police and San Antonio Fire Department as well as the Department of Homeland Security and a number of other federal agencies and we did partner with Red McCombs Ford and this was something that was asked of me on multiple occasions was that if it was a police cruiser and the answer is yes it is a Ford Explorer 3.7 Police interceptor and we do have the option of color for it and it is a 2018 vehicle and it does have a 3.7 engine so basically what we will do is take the vehicle from Red McCombs Ford and upon receipt we will up fit it with the particular items that were listed in the Laredo Times newspaper that list specific items that were requested and we had a last minute for a Motorola Apex radio and that items is a high cost up fit and fortunately we were able to work out a deal where we could keep it under the \$55,000. City Manager Davila told Council that she did want to mention that when it was posted in the newspaper the APEX Radio was not included so Mr. Heaney and his company worked with us so that we could have the system and they needed it because it cost over \$5,000 and we appreciate the fact that Mr. Heaney was willing to work with us on that and as for the color of the vehicle if you all approve the bid we will have Chief Vallejo and we would have to coordinate with the grant and City Consultant Eddington added that with the JAG Grant we will have to do a specific procedure for the payment/reimbursement of the vehicle and it is supposed to be a reimbursable grant and we are trying to do this on the invoice and we are obligated for the vehicle itself so we can then request the funds and pay for it directly and as far as the grant goes it was a \$55,000 grant and we have met that requirement in terms of how I wrote the grant and the officers will be able to use the vehicle off-road and rough terrains so we have met all those requirements. City Manager Davila asked Council if they had any questions for Mr. Heaney and if there aren't any questions Mayor Sanchez we would ask for approval from Council for this item. Mr. Heaney told Council that the vehicle would be a 2018. A motion to approve the Police Department JAG Grant Awarded to Rolltechs Specialty Vehicles LLC for a 2018 Ford Explorer Utility Police Interceptor AWD w/equipment 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 resume discussion on Item 6 was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Arizola, all were in favor, so motion carried. City Manager Davila told Council that the Public Works guys have been cleaning on Encinal Boulevard because I was walking the inspection of the sidewalk and it did

not pass inspection but it is not our fault it is TX Dots fault so we didn't have a very good conversation with TxDot because they charge us every time they are out there because they are letting the project and they wanted to let the project because they get to charge the administrative fee so I called the top guy Mr. Ovina because the previous week the ADA gentleman had come in to check the ADA accessibility to make sure the ramps were accessible and the ramps on Encinal Boulevard and Front Street did not pass because the elevation was too deep and TxDot should have known that because they had a supervisor on site for the whole project and my argument with Mr. Ovina was that they had their supervisor here at all times and I didn't think he was doing his job and throughout the project we had meetings but I felt that this supervisor was too busy giving the contractor a hard time and I did notify them to let them know that the inspection had failed and I also let them know that I didn't believe it was fair that they charge us because they should've known better so now they have 120 days to fix the ramps and now they need to call the contractor and I believe that the contractor has gone over his budget because they made him remove sidewalks because this same supervisor didn't like them. Councilman Jordan asked if they had 120 days to fix it and City Manager Davila replied yes and City Consultant Eddington added that was the standard time for those type of inspections. City Manager Davila told Council that we had a concern because the children were not using the sidewalk so I instructed the Officers and the Chief to let the middle school kids know that they should be using the sidewalk but before we can go and tell them we must first write a letter to Dr. Jack Seals, the Superintendent for the schools so that he can inform the students to please use the sidewalk and not the street and I did see adults using the sidewalks to exercise but we also want to encourage the students to use them as well so the Chief will be sending a letter to Dr. Jack Seals and our guys are cutting grass but there were some vehicles on the corner of Encinal Boulevard and Front Street so they couldn't get to some of the areas and we did have School Board Member Reese come and ask for us to cut around that area and I informed him that we would be doing our part but the property owners must also do theirs and that is why Vicky sent out 46 code enforcement letters by certified mail because we cannot go into their properties and like I informed Mr. Reese that we cannot go into Mr. Cassianos property to cut their grass because it's against the law and Councilman Jordan replied that a County Commissioner from Cotulla told him that they help the elderly cut their grass in their lots and City Manager Davila replied that the County Judge had told her in the past not to go into anybody's property and Councilman Aldaco added that when he was commissioner they used to do that but then an ex-commissioner went and spoke to the Judge about that and they stopped me from doing that and everybody used to do it even though we knew it was against the law and City Manager Davila added that we weren't going to do something that is against the law because when you try to do a kind gesture for somebody then it backfires on you and people take it the wrong way. Councilman Jordan praised the public works guys for doing a great job and City Manager Davila added that she had instructed Smokey to go and cut around that area and to cut any limbs that are hanging out from the fenced in area around Mr. Cassiano's property and I know that the area on

Highway 44 and Front Street is also an issue but we can't go into Mr. Springers property and we have sent him a letter also and we have done that in the past and he ends up sending us a letter from his attorney. City Attorney Juan Caballero told Council that Mr. Springer's wife is an attorney and previously she requested our ordinances and the minutes and City Manager Davila added that we did send it to him and we are only doing our jobs in trying to keep our City clean. City Manager Davila told Council that right now you see a lot of commotion around Main Street and we will be having around 600 Union Pacific Railroad people working there and they will be working from 4 miles down and all the way to Laredo and they will be here until the end of December and we did have a meeting with them because they were going over our sidewalks and I was going to go and buy caution tape so that they wouldn't be going over our sidewalks but the gentleman said he would be paying for that and he also brought a power washer to wash the sidewalks that had been driven over. Councilman Jordan asked what the status of the park was, and City Manager Davila replied that we would be starting with the sidewalk and the playground and the walking trail so hopefully by the middle of December the sidewalks would be done and hopefully by January we can have the playground fully constructed. Councilwoman Lopez asked if the walking trail was going to have exercise stations and City Manager Davila replied that yes, we would be having exercises stations and we had awarded the sidewalk construction at the park to Johnny Guzman.

1. ***Discussion on Family Dollar.*** City Manager Davila that they had been speaking to the people from Family Dollar and the response from the Citizens has been great they always have people there and they did tell us that their sells were good. City Manager Davila told Council that they had been approached by Arguindegui who owns some property next to Road Ranger and they wanted to know what would be a good business for that property. City Consultant Eddington added that he and the Mayor had spoken about a concept of trying to keep Encinal dollars in Encinal because those additional tax dollars stay in Encinal for the benefits of its citizens.
2. ***Discussion on Sidewalk project.***
3. ***Discussion on October & November Gazette.*** City Manager Davila told Council that since we didn't have a meeting in October I wasn't able to let you all know what a great success our Haunted House had been, and the kids really enjoyed it and the staff did a great job and if you go to the back you will see all the toys we have purchased and some of the elderly gifts as well.
4. ***Discussion on Haunted House.***
5. ***Discussion on San Antonio Food Bank upcoming functions.*** (Food Bank Schedules and Turkey Distribution) City Manager Davila told Council that in conjunction with our Food Bank we also have the Thanksgiving Angel Drive that the staff donates for and that also includes all the officers and the reserves, the city staff and the public works guys as well as the Mayor and City Consultant and myself as well and I would also like to thank Councilwoman Lopez for



participating as well and we will be doing 32 boxes and we made a list of people who had a lot of children or people that didn't have a job and we donate all the fixings and the City provides the turkeys and we also have the turkeys that we purchased from the Food Bank and we changed the time of distribution from 5 to 7 and instead we will be having it from 3 to 5 because it gets darker earlier and we did post it on Facebook and we notified the elderly as well and if somebody can't make it they can always call the City and there will be a limit of 1 per family. Councilman Aldaco requested a copy of the people receiving the boxes and City Manager Davila replied that she would provide one for him.

**6. Discussion on 4<sup>th</sup> Annual Thanksgiving Angel Drive sponsored by City Staff!**

**7. Discussion on 6<sup>th</sup> Annual Toys for Tots (December 19, 2017) \*\*\*\*\*Donations received!** City Manager Davila told Council that we do have a list of all the people that have donated so far and they include Road Ranger \$250, Hat Creek \$240, SJ Well Services \$240 and those 2 companies are where Sonny, Vicky's husband works, Linebarger who does the court collections for us donated \$500, Arguindegui Oil donated \$100, Escamilla and Poneck \$200, AEP \$500, Summit Building \$500 and Lewis Energy \$1,000 and as of right now we have \$2,800 left over and we are almost done purchasing everything and what we do when we distribute the gifts to the kids we buy a gift so that we can have a drawing and we are still lacking about 40 elderly and 45 kids to get the gifts for and if you would like to review the list of donors and the amounts they donated it is available to you. City Manager Davila told Council that we had a great turn out for the National Night Out and we gave out a TV and every month the City Staff donates \$20 for our Cinco de Mayo and we decided to do this on our own because we wanted to establish a fund for next May to see how much we could raise to buy more air conditioners and other things at the Cinco de Mayo besides so we were able to put 20 32 inch TV's and 25 air conditioners and we put them on lay away and we gave a down payment on them and Vicky donated 2 and we are going to have to think of a way to raffle them this year because last year it didn't go as planned and this year we are going to put the elderlies in a pot and we will be choosing the winners from there and you must be present to win and we are not going to wait till the end to give them out because last year some adults took some air conditioners and they were not elderlies and we are going to have a really good lineup for the Cinco de Mayo this year and we are expecting a lot more people and we will probably be charging a little bit more but we will have presale tickets and we have already booked Solido for it and we also have the Garcia Brothers, Fish and Los Favoritos and the Krazy Pimps and possibly Ricky Naranjo and we already have people calling and asking about our Cook Off and I believe the line-up will draw a lot of people and Councilman Aldaco asked if we were going to be able to get the money from the entrance and City Manager Davila replied that the Staff will be having 2 or 3 fundraisers as

well because we do have Variety Meats who has told us that we can use their parking lot for fundraisers and on a different note I did want to let you all know that Craig Rosenstein from Lewis Energy stated that he was willing to donate a bench with a barbeque pit for our park and we will be sending letters to local businesses to see if they would like to donate a bench and Mr. Rosenstein also commended the City Council and the Mayor for all the improvements in the City and he stated that he had never seen so much progress before and I did tell him that we were struggling with our streets and Mr. did want to thank you all for everything you all do, and he told the Chief about helping them with a tower because the Officers radio reception is poor and it's very hard for them to use their portable radios and I would like to commend our Officers because last Saturday there was a bad accident and the La Salle County Fire Department wanted to thank Officer Ruiz because of all the officers assisting that day he was the only one who was there helping them.

- A. **Accountant.** City Consultant Eddington told Council that he would be covering some of the highlight for the Fiscal year ending in September 2017 and please keep in mind that this is not an audited statement and we are in the process of preparing documents for the auditors for the Fiscal year for 2016. City Consultant Eddington told Council that the total revenue for the fiscal year that ended in September 2017 is \$1,204,094.11 and this is a very large increase from the budgeted amount and the main reason is that we have a new collection company and they collected about \$76,000 in additional monies for tickets and we had a past due of \$30,000 in property tax that was also paid and then we have seen an increase of sales tax in the last 3 or 4 months and that could be in part to the price of oil and we have seen an increase in sales tax and that is a welcome economic boost and for the total expenditures we had \$1,134,998.95 and we had \$69,795.16 in fund balance and money that is left over from the fund balance and those are used to pay the principle portions of the loans so we did really good this year and this should be a good audit for us and we still budgeted conservatively for the Fiscal year 2018 and I don't mind us having to do a ratification to approve the numbers above the budgeted amount that came in. City Manager Davila told Council that they have a list of all the annual community events that we have, and we did have our Elderly Thanksgiving Luncheon and we had a great turnout and we did have a lot of elected officials that attended.

**B. Police Chief**

**1. Discussion on 5<sup>th</sup> Annual National Night Out (October 3, 2017)**

**7. Discussion and Action on ratifying the approval of the purchase of an Ad from the "Cotulla-La Salle County Chamber Business Directory."** City Manager Davila told Council that she was going to ask them to approve this last month but since you weren't able to because we didn't have a meeting but I did speak to a couple of you and they are doing a Chamber Business Directory and they wanted to know if we wanted to purchase an ad and there was a fee for it so

the fee was \$395 for half a page and it would include all the City Council members, the Mayor, the City Manager, the Police Chief, the City Consultant and the City Attorney and it has our phone number and our website and our hours of operation so it will be coming out in their directory and it is through the Cotulla Chamber of Commerce so I believe it would be a good idea to be good partners with them so that everybody can be aware that we have a website and when they receive them we will be getting some as well. A motion to approve the purchase of an Ad from the "Cotulla-La Salle County Chamber Business Directory" was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Jordan, all were in favor, so motion carried.

**8. Discussion and Action on passing Resolution No. 11092017. A Resolution, WHEREAS, the City of Encinal, Texas (the "City") is one of the taxing jurisdictions within the La Salle County Appraisal District (the "District"). BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENCINAL: The City of Encinal has been requested by the County Judge to join the lawsuit against the Appraisal District for failure to properly appraise and has resulted in significant property tax decrease. Legal assistant has been procured per Professional Procurement Requirements by La Salle County.** City Consultant Eddington told Council that he didn't have all the details but that the County is suing the appraisal district because there are some surplus funds that are available from the previous year in some previous categories and they do not want the appraisal district to keep them they want them to come back to the County so that the County can distribute them and City Manager Davila added that it is not supposed to cost us anything because the County Judge said that the County would be procuring all the expenses and City Attorney Caballero checked the resolution. City Attorney Caballero told Council that you are authorizing the City Manager to join in the lawsuit but it specifically states that you are not authorizing her to incur any legal fees or to obligate the City to incur any cost whatsoever and if the County Judge wants us to join his lawsuit and if you are willing to do that you can as long as it doesn't cost you any money and City Manager Davila stated that it does say that in the resolution and Councilwoman Lopez asked what the City was getting in return and City Manager Davila replied that we would get surplus money and City Manager Davila added that the appraisal district changed personnel and there are some properties that are not appraised here and there are some people who have never gotten a tax bill and we are missing out on a lot of money. A motion to approve the passing of Resolution No. 11092017. A Resolution, WHEREAS, the City of Encinal, Texas (the "City") is one of the taxing jurisdictions within the La Salle County Appraisal District (the "District"). BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENCINAL: The City of Encinal has been requested by the County Judge to join the lawsuit against the Appraisal District for failure to properly appraise and has resulted in significant property tax decrease was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.

**9. Discussion and Action on voting on a candidate for the 2017 LaSalle County Appraisal District.** City Manager Davila told Council that before them is a list of people that are in the running for the Appraisal District and you have a chance to vote for them. There was some discussion amongst Council as to who they would be voting for from off the list. City Attorney

Caballero told Council that it wouldn't make that much of a difference who they voted for because the school gets something like 3,000 votes. City Manager Davila tallied the votes and there were 5 votes for Mr. Alfredo Zamora and Councilman Jordan abstained from voting for anyone. A motion to cast 5 votes for Alfredo Zamora for the 2017 LaSalle County Appraisal District was made by Councilwoman Lopez and she was seconded on the motion by Councilman Aldaco, all were in favor excepting for the abstaining of Councilman Jordan.

**10. Discussion and Possible Action on Bills paid/to be paid for October & November 2017.**

A motion to approve the Bills to be paid for October and November 2017 was made by Councilwoman Lopez and she was seconded on the motion by Councilman Jordan, all were in favor, so motion carried.

**11. Discussion on Bid Procurement for the Police Department vehicle that was awarded through the Governor's Office "JAG Grant".**

**12. Discussion and Possible Action on Police Department JAG Grant Awarded to Rolltechs Specialty Vehicles LLC for a 2018 Ford Explorer Utility Police Interceptor AWD w/equipment.**

**13. Presentation and Introduction from Gordon Heaney from Rolltechs Specialty Vehicles LLC. Will give a summary of the new police vehicle awarded from the JAG Grant.**

**14. Discussion and Action on the damage of Old City Hall Building. Proposed repairs and/or filing an Insurance Claim with TML.** City Consultant Eddington told Council that we had a roof leak at the old City Hall and that leak saturated the sheet rock and the ceiling part of it fell so the question is whether or not we want to file a claim with TML or not because we do have a fairly large deductible or if we are going to repair it ourselves using our public works guys and there is only one section that is leaking and it is the same section that leaked 3 or 4 years ago so either we spend the money and have the guys do the repair or if we file with TML and bring in a licensed roofer and we will have to pay a large deductible and Councilwoman Maldonado asked how much was our deductible and City Consultant Eddington replied that our deductible is 2% of our book value for our total assets which includes the City Hall so when we had our claim here it was \$15,000 and City Manager Davila stated that she believed we should do it and if they send us a little bit of money it can still help us out. Councilwoman Maldonado asked if our insurance with TML was \$3,000 a month and if so why is our deductible so high still and City Manager Davila replied that you're not just paying for the worker's comp you are also paying for the insurance for all the vehicles and the liability on the people driving the vehicles and you are also paying for the trash truck, city hall and the old city hall and the dog pound and workers comp is separate and our workers comp is \$1,400 and we have never had a workers comp case. Councilman Jordan asked how long we had owned the trash truck and City Manager Davila replied that we have had it for 3 years. City Consultant Eddington told Council that what he would ask of Council to repair the old City Hall is that you would approve to give us an option on whether we would want to do the insurance claim or fix it ourselves and get some more data on how much it would cost for us to fix it. A motion to approve that the City Manager and City Consultant to have the option to approve to either get the roof fixed through the insurance claim or by the City paying for the repairs was made by Councilman

Jordan and he was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.

**15. Discussion and Action on equipment at Old City Hall. Possible trade for the repair of the forklift for the generators that were donated from the LESO Program.** A motion to table the item 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 using the property adjacent to City Hall offered by Father Nolasco in trade for using the property the City will cut the church property and cut down and clear the trees.** The City is required to construct a 6' fence with 2' bob wire risers and enter into a Hold Harmless Agreement with the Church. City Manager Davila explained to Council that we used to keep our City equipment in there but we had a new Father come in and he had us remove everything from in there so what this new Father is asking from us is that we mow the grass at the church and Councilwoman Maldonado asked if we wouldn't get in trouble for cutting his grass and City Manager Davila replied that we wouldn't get in trouble because the church is a non-profit organization and she added that the reason we don't go into people's properties when we pick up trash is because if something goes missing from there we might be blamed for it and the reason the Father wants the bob wire on the top is so that nobody can get in there and get hurt and Mayor Sanchez added that they had spoken to Bishop Tamayo. City Consultant Eddington told Council that the church is requesting a Hold Harmless Agreement and we will probably need Mr. Caballero to help us with that and I believe it's a great idea because this is where we used to have our equipment before and we will have cameras there. A motion to approve the using of the property adjacent to City Hall offered by Father Nolasco in trade for using the property the City will cut the church property and cut down and clear the trees and the City will be required to construct a 6' fence with 2' bob wire risers and enter into a Hold Harmless Agreement with the Church was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried.

**17. Discussion and Action on approving the purchase of City of Encinal Shirt for all City Councilmembers.** City Manager Davila told Council that currently EEDC has shirts for when they have functions and the City Council doesn't and it looked really nice when we had the Family Dollar grand opening and they wore them so Damiana was able to get a quote for us and it comes out to \$197.82 for City Council to get the shirts and the lady that does our shirts is Butterfields wife and Councilman Jordan asked how many shirts we would be buying and City Manager Davila replied that it would be 9 shirts and we would be buying one for Mr. Caballero also. A motion to approve the purchase of City of Encinal Shirt for all City Councilmembers was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Jordan, all were in favor, so motion carried.

**18. Discussion and Action on appointing a new Board Member for the Encinal Economic Development Corporation.** City Manager Davila read the letter of resignation from Board Member Bart Grimes and in accepting Mr. Grimes resignation we can nominate someone in his place, so I would recommend that we appoint Mr. Joe Garcia and we have spoken to him and he does want to be a part of the board. City Consultant Eddington added that the authority to


appoint a Board Member is granted to the City Council from the Bylaws of the EEDC. A motion to appoint Joe Garcia to the EEDC Board was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Jordan, all were in favor, so motion carried.

**19. Discussion and Action with City Council in closed session regarding personnel/legal issues.** A motion to go into executive session was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried. Council retired into executive session at 7:16 p.m. A motion to reconvene into regular session was made by Councilwoman Lopez and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried. Council resumed regular session at 8:08 p.m. Mayor Sanchez stated for the record that Councilman Jordan left while Council was in closed session. Councilwoman Maldonado asked Mr. Caballero if they needed to make a motion on what had been discussed and City Attorney Caballero responded that they need to make a motion on the reimbursement of Attorney fees. Councilwoman Maldonado made a motion to approve the reimbursement of attorney fees for City Manager Velma Davila and Mayor Sylvano Sanchez and the motion was seconded by Councilwoman Lopez, all were in favor, so motion carried.

**20. Discussion and Action on the regular time & date of next meeting. The next City of Encinal Regular meeting will be held on \_\_\_\_\_, December 2017, at City Hall Chambers, 701 Berry Street, Encinal, Texas at 5:30 p.m.** A motion to approve the next Regular meeting on December 12, 2017, 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.

**21. Adjournment.** A motion to adjourn the meeting was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Arizola, all were in favor, so motion carried. The meeting adjourned at 8:10 p.m.

Minutes were approved by Council Member Brianda Lopez and a second Motion was made by Council Member Oliver Jordan on this the 12<sup>th</sup> day of December 2017.

  
Velma Davila, City Manager  
Attest City Secretary





Tuesday, December 12, 2017

*NOTICE* is hereby given of a Regular Meeting of the City Council on Tuesday, December 12, 2017 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 November 14, 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 December Gazette
    3. Discussion on City of Encinal Shirt for all City Council members.
    4. Discussion on No Parking Signs installed by TxDot along Access 35 South
    5. Discussion on San Antonio Food Bank for December 21, 2017.
    6. Discussion and Action on approving 6<sup>th</sup> Annual Toys for Tots with a surprise by Blue Santa from Laredo Police Dept. & Elderly Gifts (December 19, 2017) \*\*\*\* Donations received!
  - B. Accountant
  - C. Police Chief
    1. Discussion on Police Unit that was awarded by JAG Grants.
    2. Discussion on attending DPS Trooper Damon Allen's funeral.
    3. Discussion and action on attending San Marcos Police Officer Ken Copeland funeral date to be determined.
7. Discussion and Action on joining the Laredo Border Patrol and other agencies in the R.E.A.L. Mission Program..



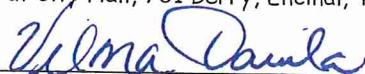
8. Discussion and Action on appointing committees for the Cinco de Mayo events.
9. Discussion and Action on Re-allocating budgeted funds for legal contingencies and legal re-imbursements.
10. Discussion and Action on approving Christmas Lunch for City of Encinal Elderly Program participants to be held December 14, 2017 from 9am to 1pm.
11. Discussion and Action on FEMA Meal Kits from Surplus Property Program.
12. Discussion and Possible Action on Bills paid/to be paid for December 2017.
13. Discussion on the damage of Old City Hall Building. Proposed repairs and/or filing an Insurance Claim with TML.
14. Discussion and Action on equipment at Old City Hall. Possible trade for the repair of the forklift for the generators that were donated from the LESO program.
15. Discussion and Action on the regular time & date of next meeting. The next City of Encinal Regular meeting will be held on \_\_\_\_\_, January 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 Tuesday, December 5, 2017 at 5:00 p.m.



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City Manager/Attest City Secretary

**City of Encinal**  
**Regular Meeting Minutes**  
**December 12, 2017**

1. **Meeting called to Order.** Mayor Sanchez called the meeting to order at 6:02 p.m.
2. **Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and Council.
3. **Roll call to establishing a quorum.** Present were Councilmembers Oliver Jordan, Irma Arizola, Roberto Aldaco, Christina Maldonado and Brianda Lopez.
4. **Citizens Comments.**
5. **Discussion and approval of minutes for Regular Meeting held on November 14, 2017.** A motion to approve the Regular Meeting Minutes of November 14, 2017 was made by Councilwoman Lopez and she was seconded on the motion by Councilman Jordan, 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 enhanced 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**
    1. **Discussion on Sidewalk project.** City Manager Velma Davila told Council that the sidewalk project is still pending the review from the ADA inspection and they will have to come back and redo all of Encinal Boulevard and Front Street the east, west, and south ramps and they have already sent letters back and forth and the reason its taking a while is because I don't think that the City should be held responsible because they had an inspector there at all times and I don't believe its fair that the City should incur those costs because they have to come back and tear up the cement and pour new cement and new asphalt so we are still pending with that project and it has not been closed out yet.
    2. **Discussion on December Gazette.** City Manager Davila told Council that in the Gazette it has that we will be having the Blue Santa on December 19<sup>th</sup> and all City Council is invited if you would like to go and it is on a Tuesday at 9:00 in the morning and the whole staff and Police Department participate and we are going to have the Blue Santa and every year we have Mr. Weikel help us, but the Laredo Police Department offered to bring the Blue Santa and we do want to give them an opportunity to participate.
    3. **Discussion on City of Encinal Shirt for all City Councilmembers.**
    4. **Discussion on No Parking Signs installed by TxDot along Access 35 South.** City Manager Davila told Council that if they had seen the no parking signs put up by TxDot because they were revamping exit 39 and the one going south also so they went ahead and installed those no parking signs and I did send them an email

because they told us we could have some of the left-over asphalt because they are working on a big project and they said that they would donate what was left over.

5. ***Discussion on San Antonio Food Bank for December 21, 2017.*** City Manager Davila told Council that we would be having the food bank on the 21<sup>st</sup> and we will be trying to get hams for that day so when Linda places the order on Monday we will see what is available but if not, we will see if through EEDC we can get some hams to give out for Christmas. City Manager Davila advised Council that the City would be closing on Monday December 25<sup>th</sup> only and I also wanted to mention the little prayer that we put in our Gazette for those people that have lost a loved one and it doesn't necessarily have to be someone from law enforcement or the military it can be just anybody and just praying for everyone in general.
  6. ***Discussion and Action on approving 6<sup>th</sup> Annual Toys for Tots with a surprise by Blue Santa from Laredo Police Dept. & Elderly Gifts (December 19, 2017) \*\*\*\*\*Donations received!***
- B. Accountant.** City Consultant Ashley Eddington told Council that in this financial statement these are the numbers for the first month of Fiscal year and we do not have all the data entered into the system yet but we are working on that but we do have a new policy that we are putting in place but I did want to give you a snapshot of what the financials look like at this point and for the next Council meeting I will have all of October and whatever we have of November. City Consultant Eddington told Council that the total revenue and this doesn't include the Municipal yet so the total revenue is \$58,719 and the Municipal has approximately \$21,000 and the highest expense we have is the salaries and wages at \$21,000 and for the operating expenses we have for the operating expenses so the total expenditures were \$49,630.21 and our net increase in fund balance is \$9,000 plus the \$21,000 for the Municipal is not included and City Attorney Juan B. Caballero asked if there was an expense associated with the \$21,000 and City Consultant replied that there are state fees associated with that and also any operating expenses associated it with it as well and City Manager Davila added that we must also pay for the Hill Country Software that Linda uses and you can pay that cost either monthly or yearly and City Consultant Eddington added that we have approximately \$30,000 in the fund balance and we will have an accurate figure when we have our next City Council meeting
- C. Police Chief**
1. ***Discussion on Police Unit that was awarded by JAG Grants.*** City Manager Davila told Council that they had gone and signed the paperwork for the vehicle for the JAG Grant, so we are working with them and they want to submit numbers for the vehicles we own for insurance purposes and that is what we are working on and that is already in order and it should take about 3 ½ weeks to get here.
  2. ***Discussion on attending DPS Trooper Damon Allen's funeral.*** I don't work on Fridays, but I accompanied Chief Vallejo and Officer Silva to Trooper Damon's funeral and about the 1,020 Law Enforcement officers that attended. Chief Vallejo

told Council that they decided to attend the funeral to represent the City of Encinal and the Encinal Police Department because we have never gotten any exposure out there so we attended to show respect for the fallen Trooper and to pay our condolences to the family and that was the first time I attended a ceremony like that and it was huge and City Manager Davila added that as a City we had never attended a funeral like that for a fallen law enforcement officer and it was really sad but it was also beneficial because you get to meet law enforcement from everywhere in the state and on Saturday I went to Nardis because I went to take one of our Officer's gifts to put the patches on their Christmas gifts and there was a gentleman that worked there and when he heard that I was from the City of Encinal he came and talked to me because he said he could finally put a face to somebody from Encinal because so many people talk about you and I asked him why and he said that they speak about our Police Department and that they spoke good about our department and that they also comment on our patch for the Police Department because our patch is very different from the others and he collects patches for the various departments in the state so he wanted one of ours. City Manager Davila told Council that the shirts they had gotten looked very nice on everybody.

**3. Discussion and action on attending San Marcos Police Officer Ken Copeland funeral date to be determined.**

**7. Discussion and Action on joining the Laredo Border Patrol and other agencies in the R.E.A.L. Mission Program.** City Manager Davila told Council that JP Oscar Martinez from Laredo started a program and he was always involved with the Laredo youth and he started this Mission program to help the truancy kids in his court that needed to pay fines and I know that we don't deal with truancy but we have a lot of kids that would like to do community service hours either for college or for Student Council and I called the gentleman who is in charge of this Victor Cardenas from the Laredo Border Patrol and they are going to put us on their agenda and any City Staff and anyone who has traffic citations here or kids that want to volunteer for a program and they are going to put it on their board meeting and I don't know yet when that is going to be but he said he would let me know and they could do a program where they come and clean a home or two here in Encinal and there are different projects that they do like beautifying and elderly persons home or beautify someone's property that is very low income and they would come in together as a team to do it and it would include our Police Department, Border Patrol, and DPS told us they would join us as well but as soon as they give us all the details about when the Board Meeting will be, Chief Vallejo and I will attend the Board Meeting so that we can bring you back more information about the program and after that we can bring it to Council and ask who in the community we can help first or which home we should clean or which family should we help and it doesn't necessarily have to be just here in Encinal we are welcome to come and participate in Laredo also and I believe this is a good program to benefit the community and I would like to know if you would approve that the Chief and I join this program in order to bring more things to our community. Councilwoman Lopez asked what the age limit for kids to participate and City Manager Davila replied that it could be all ages and the kids would be supervised but as for us we are not going to target the truancy kids we want to help the kids that want to do community services hours to help them academically and of course they would always be monitored by adults and they would not be put in a predicament and we will also ask the parents to sign a release form and I believe its best if we start them from 7<sup>th</sup> grade and up. A motion to approve Chief Vallejo and City Manager Velma Davila to join the Laredo

Border Patrol and other agencies in the R.E.A.L. Mission Program was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.

**8. Discussion and Action on appointing committees for the Cinco de Mayo events.** City Manager Davila told Council that Jackie Reese and Claire Rodriguez were here today because they had shown an interest in being a part of the Cinco de Mayo celebration and I thought that was a great idea because that would take a lot of the stress from us and we could concentrate on something else. City Manager Davila asked Jackie if they were interested in being in charge of the Queen Contest and Jackie replied that it really didn't matter what event it was but that she felt that she had some ideas on how to improve the Queen Contest and she felt that it didn't matter what they put her in charge of and City Manager Davila suggested that we have a meeting with the Staff and anybody else that would be interested in being part of the celebration and that way we can assign who would be in charge of what event and the music is already set and we also have some prizes that the City Staff has been donating \$20 a month and we bought some air conditioners and we also put some on layaway because they were on sale at Walmart and we will be using the air-conditions and TVs as prizes and every year we have added a different prize so this year we decided to add TVs and we always have bikes and last year we added the air-conditions so this year we are adding the TVs and these are free prizes to people that attend and I am glad that you all want to be involved to see if we can make this celebration bigger and better and I wish there were more people in the community that would want to get involved and Jackie replied that she tried to get other people involved but that nobody wanted to volunteer. Councilwoman Lopez asked Jackie what she was most interested in and Jackie replied that she would like to do the pageant because she felt that her Claire could get it organized and even if its little details like the sashes and things like that and trying to have the queen be more involved and be present at all events happening in town like the Fall Festival and when they are on vacation from school they should participate in the food drive and dress up and wear the sash and be present in the community because we are a small town and we don't see the queen every where and let here know you are going to run but these are going to be your responsibilities. City Manager Davila told Council that we should have a stipulation for the queens that says that they need to be involved with the City functions if they expect to get a scholarship from us to attend college. Police Clerk Damiana Lopez added that they need to notify the city about the parades that they would like to participate in and they don't let us know. Jackie Reese told Council that she wouldn't mind finding out information like that because in our Church we participate in the Freer one and my daughter Emily is on all the floats and we also do the Cotulla ones and the Hondo one and I also know the one in Laredo and I know some queens in the past have not been very active and I don't know if you all have a rule book and City Manager Davila replied that we had one but we need to keep adding to it and Claire added that we should have something in writing that we expect of them and City Manager Davila told them that is something that would help us out a lot because that is not the only event that we have to organize because we have to parade, the cook-offs and we also have the people that want to reserve the tables, the bands, the vendors and Jackie replied that is something

she could take care of and I could order the crowns and City Manager Davila told them that would be a big help for us if you all wouldn't mind taking care of that for us and we will give you whatever we have and whatever we need to add or change and we can bring it before Council and have it approved. Claire asked if we have a book for the rules for the queens and City Manager Davila added that we do have a sheet for them and we could add to that and City Manager Davila added that she would not like to see any kids hurt and when kids are young you hurt them and as adults we should be adults and not say things that are hurtful and the social media is also very hurtful and I do ask that anything that has to do with the City that we keep it off Facebook but I don't have a problem with you guys posting something about the events that are coming up or about trying to have people sign up to run for queen and I'm glad that we could agree today that you and Claire can be in charge of the Queen Pageant and then later on we can discuss about the queen court participation in the parade. A motion to approve the appointment of Claire Rodriguez and Jackie Reese as the Queen Pageant committee for the Cinco de Mayo events was made by Councilwoman Lopez and she was seconded on the motion by Councilwoman Maldonado, all were in favor, so motion carried.

**9. Discussion and Action on Re-allocating budgeted funds for legal contingencies and legal re-imbursements.** City Consultant Eddington told Council that this was a budget reallocation that had been discussed during closed session and the spreadsheet shows how the monies will be allocated from budgeted amounts and how we are taking monies from those particular categories and we are reallocating to legal contingencies and legal re-imbursements and the total amount we are reallocating is \$5,200 and you can see the new budget amount on the right hand side so Summer Hire is going down to \$2,000, Elderly Program is going down to \$6,000, Repair/Non vehicle is going down to \$3,750, Insurance \$26,800, Travel \$1,900, and Meals \$1,850. City Attorney Juan Caballero told Council that before they take a vote I would like to remind you that this item was discussed during closed session but City Manager Davila asked me to bring something in writing about this and I have a Texas Attorney General opinion that states that a county or city has the discretion to reimburse for attorney's fees provided that the official employee is not guilty or not found guilty which is what we have and they may reimburse cost after determining that prosecution of an act performed was a bonafide performance of an official duty which we have discussed and that the prosecution of that act or going to that function reimbursement of the expenditure would serve a public interest and the public interest is that we don't want anybody on the Council to be afraid of carrying out their duties if there is legal action later because we want them to be able to do their duties and if need be than the City will need to reimburse somebody else if it happens again and the only thing I have to add to this is that City Consultant Eddington has this reallocation item at \$5,200 but I do recall that the fees were higher and that is something I would like to discuss because the fees were actually paid to the lawyer and I think the amount we need to reallocate is not just the amount that is going to be reimbursed to the Mayor and to the City Manager but the amounts that actually went out to pay the lawyers so if you all make a motion I ask that you make a motion that you have City Consultant Eddington reallocate enough funds to cover the entire amount of attorneys fees that were spent and not limited to the \$1,500 that he saved because if you limit it to the \$5,200 that he saved I'm afraid that next month we are going to have to put another item on the agenda so that we can do it over again and that would be my recommendation. City Consultant Eddington told Council that we would use the same categories that they have right now and we can find a few other categories to have the full amount to be reallocated and that is what we will do and we are moving original budgeted figures and taking monies from those to budget for the entire contingency which

was \$7,500 and City Attorney Caballero added that they could pass a resolution for the whole amount or would you like the resolution to specifically say what categories they are being moved from and City Consultant Eddington stated that if we pass for the specific amount then we can come back with the allocation items because the budget reallocation can always change categories at any time but being able to do the reallocation for the \$7,500 and if we can go ahead and pass that then we can always come back for the reallocation items from each category. Councilman Aldaco asked if whatever is paid to a lawyer would we as Council have a copy of the lawyers fees and City Attorney Caballero replied that Council had been shown that and Councilman Aldaco replied that would be for something in the future and City Manager Davila stated that she wouldn't mind sharing a copy with him and City Attorney Caballero asked Councilman Aldaco to be more specific if it was for this particular item or for future items and Councilman Aldaco replied that he would want copies for this one and any future ones that might arise and City Attorney Caballero stated that he didn't see any problem with that and City Manager Davila added that she didn't want her personal business out there in the public and I understand that you all are part of the City Council but it doesn't give you all the right to discuss our business out there because I am informing you that I will be forced to do something about it. Councilman Jordan told Council that he was unaware of what they were discussing, and City Manager Davila replied to him that it was during closed session but that he had left early. City Attorney Caballero told Council that they could go into executive session to continue discussing the item. A motion to retire into executive session was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried. Council retired into executive session at 6:36 p.m. A motion to reconvene into regular session was made by Councilman Aldaco and he was seconded on the motion by Councilwoman Maldonado, all were in favor, so motion carried. Council returned to Regular session at 7:25 p.m. City Consultant Eddington told Council that they now have before them the reallocation of \$7,500 from the various departments and you see the departments on the left such as Telephone, Lodging, Summer Hire, Elderly Program, Repair/Non-Vehicle, Insurance, Travel and Meals and we are reallocating to Legal Contingency/Legal Reimbursements. City Manager Davila told Council that for the Elderly Program and don't think that our program is going down but sometimes we get donations from Love's or Road Ranger in where they donate food and I personally cook for them as well. A motion to approve the Re-allocating budgeted funds for legal contingencies and legal re-imbursements in the amount of \$7,500 was made by Councilman Aldaco and he was seconded on the motion by Councilman Jordan, all were in favor, so motion carried.

**10. Discussion and Action on approving Christmas Lunch for City of Encinal Elderly Program participants to be held December 14, 2017 from 9am to 1pm.** City Manager Davila told Council that we would be having the annual Christmas Lunch for the Elderly and I would like to invite all the Councilmembers to attend. A motion to approve the A motion to approve the Christmas Lunch for City of Encinal Elderly Program participants to be held December 14, 2017 from 9am to 1pm. Was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Aldaco, all were in favor, so motion carried.

**11. Discussion and Action on FEMA Meal Kits from Surplus Property Program.** City Manager Davila told Council that she had gotten the FEMA Meal Kits for a very good price they were \$5.00 a case and I was going to order 50 of them but they said I had to order a whole pallet, so we are getting 72 of them and I felt that they would be very useful because



lately we have had more families and individuals needing to access our food pantry. A motion to approve the FEMA Meal Kits from Surplus Property Program was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Jordan, all were in favor, so motion carried.

**12. Discussion and Possible Action on Bills paid/to be paid for December 2017.** A motion to approve the Bills paid/to be paid for December 2017 was made by Councilwoman Lopez and she was seconded on the motion by Councilman Jordan, all were in favor, so motion carried.


**13. Discussion on the damage of the Old City Hall Building.** Proposed repairs and/or filing an Insurance Claim with TML. City Manager Davila told Council that she would recommend that we file a claim with TML and we can use that money to repair the damages. A motion to approve the filing of a claim with TML to repair the damages at the Old City Hall Building was made by Councilwoman Lopez and she was seconded on the motion by Councilwoman Maldonado, all were in favor, so motion carried.

**14. Discussion and Action on equipment at Old City Hall. Possible trade for the repair of the forklift for the generators that were donated from the LESO program.** A motion to table the item was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.

**15. Discussion and Action on the regular time & date of next meeting. The next City of Encinal Regular meeting will be held on \_\_\_\_\_, January 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 January 9, 2018 was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Lopez, all were in favor, so motion carried.

**16. 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 7:38 p.m.

Minutes were approved by Council Member Roberto Aldaco and a second Motion was made by Council Member Irma Arizola on this the 9<sup>th</sup> day of January 2018.

  
**Velma Davila, City Manager**  
**Attest City Secretary**