

## City of Encinal, Texas Regular Meeting

**NOTICE** is hereby given of a Regular Meeting of the City Council of the City of Encinal, County / La Salle, State of Texas, to be held **Monday January 28, 2013. At 5:00 PM at 107 N. Tejas, Encinal, Texas**, for the purpose of considering the following numbered items. The City Council for the City of Encinal reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §§ 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberation about Security Devices), and 551.086 (Economic Development), and any other provision under Texas law that permits a governmental body to discuss a matter in a closed executive session.

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 citizen shall make every effort to be brief, get to the point, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.

Call to order by Sylvano Sanchez, Mayor and let the record show that a quorum of City Council Members are present, that this meeting has been duly called, and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

1. Pledge of Allegiance.
2. Approval of minutes for Regular Meeting on December 11, 2012 & Special meeting December 17, 2012.
3. Open Forum:
  - A. Individuals and Committees
  - B. EEDC Report
  - C. City Manager's Report
4. Approval of Mayor & Council member seats available for the May 11, 2013 General Election.
5. 1<sup>st</sup> reading of Resolution 2013-0128 for the purpose of A RESOLUTION AUTHORIZING A GENERAL (REGULAR) CITY ELECTION TO BE HELD ON MAY 11, 2013 FOR THE PURPOSE OF ELECTING ONE CITY COUNCIL MEMBER FOR EACH SINGLE MEMBER DISTRICT, CONSISTING OF FIVE (5) TOTAL DISTRICTS AND ONE MAYOR BY THE QUALIFIED VOTERS OF THE CITY OF ENCINAL. SPECIFYING THE NUMBER OF VOTES REQUIRED FOR ELECTION; AUTHORIZING AN ELECTION TO BE HELD ON MAY 11, 2013; APPOINTS THE CITY MANAGER/ATTEST CITY SECRETARY VELMA DAVILA AS ELECTION

ADMINISTRATOR/JUDGE, AUTHORIZING THE CITY MANAGER/ATTEST CITY SECRETARY TO DESIGNATE ELECTION DISTRICTS; APPOINTING ELECTION OFFICIALS; ESTABLISHING PAY RATES FOR ELECTION WORKERS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF MANUAL BALLOTS ; PROVIDING FOR EARLY VOTING; ESTABLISHING REGULAR BUSINESS HOURS OF THE CITY MANAGER/ATTEST CITY SECRETARY'S OFFICE ON THE FINAL TWO DAYS OF EARLY VOTING BY PERSONAL APPEARANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

6. 1st reading of Public Notice Posting for Election on May 11, 2013.
7. 1<sup>st</sup> Reading of Order of Election for May 11, 2013.
8. 1<sup>st</sup> reading on Amendment on Ordinance NO: 2012-10-24-A1 The City of Encinal adoption of the 2012 Edition of the International Building Code.
9. Discussion and Action on Inter-Local agreement between the City of Encinal and La Salle County regarding funding for Animal Shelter.
10. Discussion and Action on Voluntary Annexation for Norstar Investment Group, Inc.
11. Discussion and Action on entering in Agreement with City of El Cenizo to collect their weekly trash pick-up.
12. Adjournment

#### CERTIFICATION

I CERTIFY THAT THE ABOVE NOTICE OF THIS REGULAR MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on , Thursday, January 24, 2013, 4:00 p.m.

  
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City Manager



This facility is wheelchair accessible and accessible parking spaces are available. 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, at (956) 948-5226 or FAX (956) 948-5571.

City of Encinal

Regular Meeting

January 28, 2013

*Call to order by Sylvano Sanchez, Mayor and let the record show that a quorum of City Council Members are present, that this meeting has been duly called, and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551. Meeting started at 5:01 p.m.*

1. **Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and the City Council.
2. Approval of minutes for Regular Meeting on December 11, 2012 & Special meeting December 17, 2012. A motion to approve the Minutes as stated was made by Council Member Frank Weikel and he was seconded by Rosa Rivera. Both sets of minutes were approved as stated all were in favor so motion carried.
3. **Open Forum: A. Individuals and Committees; B. EEDC Report; C. City Manager's Report.** Javier Mancha from the EEDC said he did not have a report for the EEDC but there was something's he would like to cover. Mr. Mancha said that they had completed in December the yearly budget that right now all that the EEDC owes is the \$7500.00 to Hecho en Encinal and they owe the City \$7000.00 as well. Mr. Mancha also mentioned that EEDC would also be helping with the Front Street Project. City Manager Davila stated that she had written a letter to Mr. Love to see if they could donate an additional two lots for the City Hall project located on Berry Street, she let them know that the additional property would house all the City equipment, the Police units, and if there was any space remaining that they would like to build a little park area with picnic tables and barbeque pits. Ms. Davila stated that Mr. Love was going to donate the additional two lots to the City. There were some questions about the Building for the City Hall and they were answered by the City Manager, Council Members, and the Mayor. City Manager Davila mentioned that the new Code Enforcement truck that was donated by Chesapeake Energy has had the Logo installed on it. Captain Gaytan will be the Code Enforcement Officer.
4. **Approval of Mayor & Council member seats available for the May 11, 2013 General Election.** City Manager Davila said that all Council members and the Mayor's seat are up for election this year. Manager Davila stated that Council Member Rosa Rivera may sit in on today's meeting because her replacement has not been sworn in. She went on to state that the Council Members do not get paid to serve, the only one that gets paid is the Mayor and he earns a thousand (\$1,000.00) dollars a month. A motion to approve the Mayor & Council Members seats available for the May 11, 2013 General Election was made by Councilman Frank Weikel and he was seconded by Councilwoman Irma Arizola.
5. **1<sup>st</sup> reading of Resolution 2013-0128 for the purpose of A RESOLUTION AUTHORIZING A GENERAL (REGULAR) CITY ELECTION TO BE HELD ON MAY 11, 2013 FOR THE PURPOSE OF ELECTING ONE CITY COUNCIL MEMBER FOR EACH SINGLE MEMBER DISTRICT, CONSISTING OF**

**FIVE (5) TOTAL DISTRICTS AND ONE MAYOR BY THE QUALIFIED VOTERS OF THE CITY OF ENCINAL. SPECIFYING THE NUMBER OF VOTES REQUIRED FOR ELECTION; AUTHORIZING AN ELECTION TO BE HELD ON MAY 11,2013; APPOINTS THE CITY MANAGER/ATTEST CITY SECRETARY VELMA DAVILA AS ELECTION ADMINISTRATOR/JUDGE, AUTHORIZING THE CITY MANAGER/ATTEST CITY SECRETARY TO DESIGNATE ELECTION DISTRICTS; APPOINTING ELECTION OFFICIALS; ESTABLISHING PAY RATES FOR ELECTION WORKERS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF MANUAL BALLOTS; PROVIDING FOR EARLY VOTING; ESTABLISHING REGULAR BUSINESS HOURS OF THE CITY MANAGER/ATTEST CITY SECRETARY'S OFFICE ON THE FINAL TWO DAYS OF EARLY VOTING BY PERSONAL APPEARANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

Council Member Weikel noted that the City Manager had been sent to training to run the election. City Manager Davila stated that Judge Cortez would be the Election Judge for the early voting and for the General Election in May; she also mentioned that the Clerk would be Linda Ramirez; the Deputy Clerk would be our Consultant Ashley Eddington. City Manager Davila went on to say that the only ones you would have to set a pay rate for would be the Election Judge and the Clerk. No motion needed on this item because it's the first reading.

6. **1<sup>st</sup> reading of Public Notice Posting for Election on May 11, 2013.** First reading only no action needed.
7. **1<sup>st</sup> reading of Order of Election for May 11, 2013.** First reading only no action needed.
8. **1<sup>st</sup> reading on Amendment on Ordinance NO: 2012-10-24-A1 The City of Encinal adoption of the 2012 Edition of the International Building Code.** City Manager Davila stated that there had been some problems with an amusement or eight liner business here in town, there was a complaint made against this business. City Attorney Juan Caballero stated that we had to define what an amusement machine is; how to permit the machines, you have to permit it by serial number and each machine will pay a permit fee of one hundred fifty dollars per machine, for a year. Attorney Caballero went on to say that this is the way it's done in other cities, he said that there were questions about banning it at first but that we don't have the authority to do that, that would be up to the County. Caballero went on to say that if the County does not consider them illegal then they would have to meet certain standards to operate in the City, and the first would be the permits and they must abide by them. Caballero also spoke about the patrons bringing alcohol to the facility and drinking till all hours of the morning, thinking they can do this because they are on private property, we have contacted the Texas Alcohol & Beverage Commission and they said they can't do that. Caballero also went on to say that they are not allowed to drink after 12:05 a.m. on weeknights and 1:05 a.m. on weekends. City Manager said that she spoke to the owner about the complaint made against them and he stated that they were not doing any of those things but that the tenant that lived upstairs at the establishment was the one hearing all these things. Caballero said that we are amending the Ordinance to provide for the machines since they are already here and to have them pay their fees and so that they can be within the legal requirements of the City. City Manager Davila spoke about Chick Fil-A being in Encinal from now on every Friday. Manager Davila said that an officer had approached the employees of Chick Fil-A and asked them if they had a Vendor's permit and that they didn't have one so the officer told them that they needed to contact the City Hall. On

Monday a representative from Chick Fil-A came to the City Hall and took care of their Vendor's permit and they were also contacted on behalf of the City Manager to pay sales tax on the items sold here in Encinal. There was some discussion as to the parking situation where the Chick Fil-A business is located and some of the problems that might arise from it.

9. **Discussion and Action on Inter-Local agreement between the City of Encinal and La Salle County regarding funding for Animal Shelter.** City Manager Davila stated that the County would be giving the City twenty five thousand dollars to build the Dog Pound here in Encinal. Manager Davila went on to say that the Animal Shelter would be located at the City Landfill and that the area had to be shaded and with a roof over it, there has to be a minimum of so many cages and the money would be used to provide for the cages and animal feed as well. There would be a monthly round-up of the dogs and we are only obligated to hold them for three days and then they may be euthanized. Manager Davila said there would be an area to hold dogs that have rabies. Davila stated that the dogs that would be picked up would be the ones that are not on a leash and roaming the streets, dogs that are fenced in or on a leash in their yard will not be picked up. A motion to authorize the City Manager to accept the final agreement with the County Judge was made by Councilman Frank Weikel and he was seconded by Councilwoman Rosa Rivera, all were in favor so motion carried.
10. **Discussion and Action on Voluntary Annexation for Norstar Investment Group, Inc.** A motion to table this item was made by Councilman Frank Weikel and he was seconded by Councilwoman Rosa Rivera, all were in favor so motion carried.
11. **Discussion and Action on entering in Agreement with City of El Cenizo to collect their weekly trash pick-up.** City Manager Davila said that she had received a call from County Commissioner Vasquez from the city of El Cenizo asking her if they could help pick up the trash in their City because their sanitation truck wasn't working and she told them that she had to speak to the Mayor first and then she would get back to them. Manager Davila said that the Mayor had said it would be okay and that she had also let the Mayor Pro-Tem Frank Weikel know that they would be helping out El Cenizo for that day. She went on to say that the City of Laredo has helped us in the past in a lot of different ways so she felt it was okay to lend them a hand. Councilman Weikel said that it was good politics on behalf of the City Manager and it was a good deal but we can't help them every week. A motion to deny the agreement was made by Councilman Frank Weikel and he was seconded by Councilwoman Irma Arizola, all were in favor so motion carried.
12. **Addendum: 1<sup>st</sup> Reading on RESOLUTION NO. A01292013 OF THE CITY OF ENCINAL, TEXAS, REQUIRING CERTAIN STANDARDS MUST BE MET FOR QUALIFICATION FOR HOLDING MUNICIPAL OFFICE.** City Attorney Caballero said that we believe that the people on the Council and the Mayor, as leaders of the community be setting the example for the rest of the City as far as the payment of the fees for their trash pickup, their water, to be paid up on state and local taxes. Before anyone holds a City office, what it requires is that they be paid up with all their City fees, before they qualify to run for office. Once they are in office they must be up to date with all the fees, they are also required not to be involved in other boards that would have a conflict with the City said Attorney Caballero. Mayor Sanchez said that he would be resigning from the Encinal Water Supply Corporation board. No action needed at this time this is only the

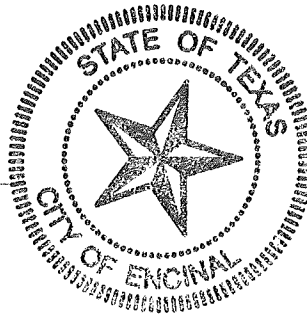
first reading. 1<sup>st</sup> READING ON ORDINANCE NO.20130129 ESTABLISHING A FILING FEE FOR A CANDIDATES APPLICATION FOR PLACEMENT ON THE BALLOT FOR CITY OFFICE; PROVIDING SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. A filing fee is being accessed because of the amount of paper in the packets.

13. **Adjournment.** A motion to adjourn was made by Councilwoman Rosa Rivera and she was seconded by Irma Arizola. The meeting ended at 6:00p.m.

Minutes were approved by Council Member Mrs. Rivera  
and a second Motion was made by Council Member Mr. Weikel  
on this the 4<sup>th</sup> day of February 2013.



Velma Davila, City Manager



## City of Encinal, Texas Special Meeting

**NOTICE** is hereby given of a Special Meeting of the City Council of the City of Encinal, County / La Salle, State of Texas, to be held Tuesday January 29, 2013. At 5:00 PM at 107 N. Tejas, Encinal, Texas, for the purpose of considering the following numbered items. The City Council for the City of Encinal reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §§ 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberation about Security Devices), and 551.086 (Economic Development), and any other provision under Texas law that permits a governmental body to discuss a matter in a closed executive session.

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 citizen shall make every effort to be brief, get to the point, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.

Call to order by Sylvano Sanchez, Mayor and let the record show that a quorum of City Council Members are present, that this meeting has been duly called, and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

1. Pledge of Allegiance.
2. Open Forum:
  - A. Individuals and Committees
  - B. City Manager's Report
3. Approval of Mayor & Council member seats available for the May 11, 2013 General Election.
4. Final Reading of Resolution 2013-0128 for the purpose of A RESOLUTION AUTHORIZING A GENERAL (REGULAR) CITY ELECTION TO BE HELD ON MAY 11, 2013 FOR THE PURPOSE OF ELECTING ONE CITY COUNCIL MEMBER FOR EACH SINGLE MEMBER DISTRICT, CONSISTING OF FIVE (5) TOTAL DISTRICTS AND ONE MAYOR BY THE QUALIFIED VOTERS OF THE CITY OF ENCINAL. SPECIFYING THE NUMBER OF VOTES REQUIRED FOR ELECTION; AUTHORIZING AN ELECTION TO BE HELD ON MAY 11, 2013; APPOINTS THE CITY MANAGER/ATTEST CITY SECRETARY VELMA DAVILA AS ELECTION ADMINISTRATOR/JUDGE, AUTHORIZING THE CITY MANAGER/ATTEST CITY SECRETARY TO DESIGNATE ELECTION DISTRICTS; APPOINTING ELECTION OFFICIALS; ESTABLISHING PAY RATES FOR ELECTION WORKERS;

PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF MANUAL BALLOTS ; PROVIDING FOR EARLY VOTING; ESTABLISHING REGULAR BUSINESS HOURS OF THE CITY MANAGER/ATTEST CITY SECRETARY'S OFFICE ON THE FINAL TWO DAYS OF EARLY VOTING BY PERSONAL APPEARANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

5. Final Reading of Public Notice Posting for Election on May 11, 2013.
6. Final Reading of Order of Election for May 11, 2013.
7. Final Reading on Amendment on Ordinance NO: 2012-10-24-A1 The City of Encinal adoption of the 2012 Edition of the International Building Code.
8. Adjournment

#### CERTIFICATION

I CERTIFY THAT THE ABOVE NOTICE OF THIS SPECIAL MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on , Thursday January 24, 2013, 4:00 p.m.

  
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City Manager



This facility is wheelchair accessible and accessible parking spaces are available. 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, at (956) 948-5226 or FAX (956) 948-5571.



City of Encinal

Special Meeting

January 29, 2013

*Call to order by Sylvano Sanchez, Mayor and let the record show that a quorum of City Council Members are present, that this meeting has been duly called, and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.*

1. **Pledge of Allegiance.**
2. **Open Forum: A. Individuals and Committees. B. City Manager's Report.** Mayor Sanchez did a roll call of Council Members present: they were Antonio Nieto, Irma Arizola and Frank Weikel and Mayor Sanchez stated there was a quorum present. City Manager Davila presented Council with a sketch of the Dog Pound/Shelter that is to be located at the City's landfill area.
3. **Approval of Mayor & Council member seats available for the May 11, 2013 General Election.** A motion to approve the seats as stated was made by Councilman Frank Weikel and he was seconded on the motion by Councilwoman Irma Arizola, all were in favor so motion carried.
4. **Final Reading of Resolution 2013-0128 for the purpose of A RESOLUTION AUTHORIZING A GENERAL (REGULAR) CITY ELECTION TO BE HELD ON MAY 11, 2013 FOR THE PURPOSE OF ELECTING ON CITY COUNCIL MEMBER FOR EACH SINGLE DISTRICT, CONSISTING OF FIVE (5) TOTAL DISTRICTS AND ONE MAYOR BY THE QUALIFIED VOTERS OF THE CITY OF ENCINAL. SPECIFYING THE NUMBER OF VOTES REQUIRED FOR ELECTION; AUTHORIZING AN ELECTION TO BE HELD ON MAY 14, 2013; APPOINTS THE CITY MANAGER/ATTEST CITY SECRETARY VELMA DAVILA AS ELECTION ADMINISTRATOR/JUDGE, AUTHORIZING THE CITY MANAGER/ATTEST CITY SECRETARY TO DESIGNATE ELECTION DISTRICTS; APPOINTING ELECTION OFFICIALS; ESTABLISHING PAY RATES FOR ELECTION WORKERS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF MANUAL BALLOTS; PROVIDING FOR EARLY VOTING; ESTABLISHING REGULAR BUSINESS HOURS OF THE CITY MANAGER/ATTEST CITY SECRETARY'S OFFICE ON THE FINAL TWO DAYS OF EARLY VOTING BY PERSONAL APPEARANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.** The days for early voting would be from April 29 thru May 7, 2013 and that would not include the weekends. On election day on May 11 it would be from 7 a.m. to 7 p.m. A motion was made by Councilman Antonio Nieto and he was seconded by Frank Weikel, all were in favor so motion carried.
5. **Final Reading of Public Notice Posting for Election on May 11, 2013.** A motion to accept the postings was made by Councilman Frank Weikel and he was seconded by Councilwoman Irma Arizola, all were in favor so motion carried.
6. **Final Reading of Order of Election for May 11, 2013.** A motion to approve the final reading was made by Councilman Frank Weikel and he was seconded by Councilwoman Irma Arizola.
7. **Final Reading on Amendment on Ordinance NO: 2012-10-24-A1 The City of Encinal adoption of the 2012 Edition of the International Building Code.** The ordinance was amended to include the 8-Liners or "Maquinitas" and the fee that is required to be paid for each is one hundred fifty

dollars, they have to be registered by serial number and this would be annual fees for them. A motion to approve the amendment was made by Councilman Frank Weikel and he was seconded by Councilwoman Irma Arizola, all were in favor so motion carried.

8. **Final Resolution No. A01292013 of the City of Encinal, Texas requiring certain standards must be met for Qualification for holding Municipal Office.** Councilman Frank Weikel mentioned that Mayor Sanchez would be resigning from the Encinal Water Supply Board. City Attorney Juan Caballero stated that there was a feeling amongst the Council members that at times there was a conflict of interest with the City regarding sitting on other boards, and that sometimes they can't vote because of the conflict. Caballero said that we are adopting this resolution that requires that to not have a conflict of interest anyone running for the City council or the Mayor cannot be on another board, to set the example for the citizens of Encinal that they be paid up on all City services and taxes. Attorney Caballero read item number 3 of the resolution which states: *In order to qualify for placement on the ballot for municipal office and for holding municipal office, an individual cannot be a member of any board or commission which is not part of the City or does not fall within the City's umbrella of departments or services.* Councilman Antonio Nieto asked if he was at the other board did he have to choose and the answer was yes he had to choose between the Water board and the City, he answered he would resign right now from the Council. Councilman Frank Weikel told Mr. Nieto that he needed to turn in a letter of resignation. A motion to pass the resolution was made by Councilman Frank Weikel and he was seconded by Councilwoman Irma Arizola. Mayor Sanchez stated that Mr. Nieto opposed. Final Reading on Ordinance No. 20130129 establishing a Final Fee for a candidates application for placement on the ballot for City Office, providing severability clause, and providing for an effective date. A motion to accept the Filing fee was made by Councilwoman Irma Arizola and she was seconded by Councilman Frank Weikel, all were in favor so motion carried. Mayor Sanchez read his resignation letter for the Encinal Water Supply Corporation which would take effect immediately.
9. **Adjournment.** A motion to adjourn the meeting was made by Councilwoman Irma Arizola and she was seconded by Councilman Frank Weikel, all were in favor so motion carried. The meeting was adjourned at 5:18 p.m.

Minutes were approved by Council Member Mrs. Rivera and a second Motion was made by Council Member Mr Weikel on this the 4th day of January 2013.



Velma Davila, City Manager



## City of Encinal, Texas Regular Meeting

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Encinal, County / La Salle, State of Texas, to be held Monday February 4, 2013. At 5:00 PM at 107 N. Tejas, Encinal, Texas, for the purpose of considering the following numbered items. The City Council for the City of Encinal reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §§ 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberation about Security Devices), and 551.086 (Economic Development), and any other provision under Texas law that permits a governmental body to discuss a matter in a closed executive session.

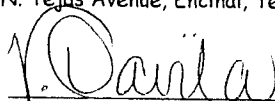
Accordingly, the Encinal City Council has rules of courtesy in place for all persons in attendance at its meetings. The Presiding Public Official shall at all times preserve order and decorum, prevent personal references to Council Members or the impugning of persons' motives. Citizens requesting to 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 citizen shall make every effort to be brief, get to the point, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.

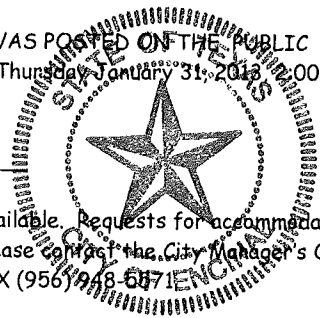
Call to order by Sylvano Sanchez, Mayor and let the record show that a quorum of City Council Members are present, that this meeting has been duly called, and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

1. Pledge of Allegiance.
  2. Approval of minutes for Regular Meeting on January 28, 2013 & Special meeting January 29, 2013
  3. Open Forum:
    - A. Individuals and Committees
    - B. City Manager's Report
  4. Discussion and Action of Recommendation from Mayor Sanchez on appointment of temporary City Council Members for Place 4 & 5 until Election.
  5. Discussion and Action for Publishing Notice of Election in Newspaper (English & Spanish) for Notice of said Election.
  6. Discussion and Action on approval of Presiding Judge, Election Clerk and Deputy Clerk
- .Adjournment

### CERTIFICATION

I CERTIFY THAT THE ABOVE NOTICE OF THIS REGULAR MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on , Thursday January 31, 2013 5:00 p.m.

  
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City Manager



This facility is wheelchair accessible and accessible parking spaces are available. 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, at (956) 948-5226 or FAX (956) 948-5071.

**City of Encinal, Texas**

**Regular Meeting Minutes**

**February 4, 2013**

Call to Order by Sylvano Sanchez, Mayor and let the record show that a quorum of City Council Members are present, that this meeting has been duly called, and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551. Mayor Sanchez called the meeting to order after determining that there was in fact a quorum. Present were Councilwoman Rosa Rivera, Councilman Frank Weikel, and Councilwoman Rosa Rivera. Councilwoman Rosa Rivera stated that this would be her last meeting because she would be leaving to Austin and that she would like to thank the Mayor and Council for the pleasure of serving the City of Encinal.

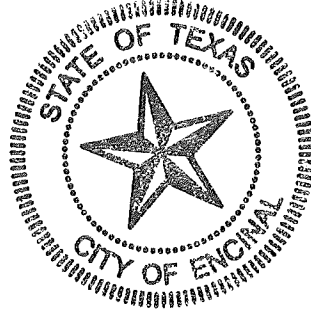
1. **Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and members of Council.
2. **Approval of Minutes for Regular Meeting on January 28, 2013 and Special Meeting on January 29, 2013.** A motion to approve the minutes as stated was made by Councilwoman Rosa Rivera and she was seconded by Councilman Frank Weikel.
3. **Open Forum: A. Individuals and Committees B. City Manager's Report.** A. Individuals and Committees. Citizen Dominga Martinez mentioned that there were piles of sand in front of the Villa De Reposo apartments and Councilman Frank Weikel said that he would call Mr. Jordan and find out when they were going to put the sand inside the arena, Councilman Weikel stated that Mr. Jordan was going to use the sand inside the arena because they were going to have a roping in there soon. City Manager's Report. City Manager Davila wanted to let everyone know that on Friday February 15<sup>th</sup> AEP would be shutting of the power for all the residents and businesses in Encinal for about 4 hours so that they could work on the AEP power plant. Councilman Frank Weikel stated that AEP was doing this in order to upgrade their services. City Manager Davila said that Janet Krueger from Hecho en Encinal had stopped by the City Hall to discuss some concerns that she had regarding some things she had been hearing. Ms. Krueger wanted to know how much EEDC had given her last year and that she wanted to make sure that the money was in fact being given to Hecho and not being used for other things. Councilman Weikel said that Mr. Mancha from EEDC was going to give the money to Hecho but he was just waiting on the next check from the City. Manager Davila told Council that Webb County had lent the city the Election boxes for the City Election. Manager Davila explained to Mr. Mancha from the EEDC about Ms. Krueger's visit regarding the EEDC's donation being made to Hecho and how much had actually been given to them, Mr. Mancha explained that Hecho was still owed \$7500.00 from last year. There was some discussion about how the election would be handled and some of the rules and regulations pertaining to it.

4. **Discussion and Action of Recommendation from Mayor Sanchez on appointment of temporary City Council Members for Place 4 & 5 until election.** Mayor Sanchez said that he would nominate Stuart Howard. A motion to nominate Stuart Howard was made by Councilman Frank Weikel and he was seconded by Councilwoman Irma Arizola. All were in favor so motion carried. Mr. Mancha said that he would be willing to volunteer if they didn't have anybody else. A motion to appoint Javier Mancha was made by Councilman Frank Weikel and he was seconded by Councilwoman Rosa Rivera, all were in favor so motion carried.
5. **Discussion and Action for Publishing Notice of Election in Newspaper (English & Spanish) for Notice of said Election.** A motion to publish the election from February 5<sup>th</sup> thru March 1<sup>st</sup> was made by Councilman Frank Weikel and he was seconded by Councilwoman Irma Arizola, all were in favor so motion carried.
6. **Discussion and Action on approval of Presiding Judge, Election Clerk and Deputy Clerk.** City Manager Davila said that the Election Presiding Judge would be Judge Cortez. A motion to approve the appointment was made by Councilman Frank Weikel and he was seconded by Councilwoman Rosa Rivera.
7. **Adjournment.** A motion to adjourn the meeting was made by Councilwoman Irma Arizola and she was seconded by Councilman Frank Weikel, all were in favor so motion carried. The meeting was adjourned at 5:22 p.m.

Minutes were approved by Council Member Mr. Weikel and a second Motion was made by Council Member Mrs Arizola on this the 11<sup>th</sup> day of March 2013.

V. Davila

Velma Davila, City Manager



## City of Encinal, Texas Regular Meeting


NOTICE is hereby given of Regular Meeting of the City Council of the City of Encinal, County / La Salle, State of Texas, to be held Monday, March 11, 2013 At 9:00 AM at 107 N. Tejas, 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

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 citizen shall make every effort to be brief, get to the point, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.

1. Call to order by Sylvano Sanchez, Mayor and let the record show that a quorum of City Council Members are present, that this meeting has been duly called, and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.
2. Pledge of Allegiance.
3. Open Forum:
  - A. Individuals and Committees
  - B. City Manager's Report
4. Approval of minutes for Regular Meeting on February 4, 2013.
5. Discussion and Action on Certification of Unopposed Status.
6. Discussion and Action on Ordinance No. 03112013 on Declaring Unopposed Candidates for the Mayor and For City Council Positions Nos. 1, 2, 3, 4, & 5.
7. Discussion and Action on Canceling Election for May 11, 2013.
8. Discussion and Action of Volunteer Annexation for Norstar Investment Group, Inc.
9. Adjournment

### CERTIFICATION

I CERTIFY THAT THE ABOVE NOTICE OF THIS Regular MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on Friday, March 8, 2013 at 8:00 a.m..

  
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City Manager



This facility is wheelchair accessible and accessible parking spaces are available. 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, at (956) 948-5226 or FAX (956) 948-5571.

**City of Encinal**

**Regular Meeting Minutes**

**March 11, 2013**

1. **Call to order by Sylvano Sanchez, Mayor and let the record show that a quorum of City Council members are present, that this meeting has been duly called, and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.**  
Mayor Sanchez called the meeting to order at 9:00 a.m. Present were Council members Irma Arizola, Frank Weikel, and Stuart Howard. Mayor Sanchez determined there was a quorum present.
2. **Pledge of Allegiance.** Pledge of Allegiance was led by Mayor Sanchez and members of Council.
3. **Open Forum: A. Individuals and Committees B. City Managers Report.**  
There were no public comments by Citizens or committees. City Manager Davila stated that she did not have a City Manager's Report at this time but that she would have more details on March 26, 2013. City Manager Davila stated that she would have more information on the proposed Side walk project that would be built and donated by Lewis Energy.
4. **Approval of Minutes for Regular Meeting on February 4, 2013.** A motion to approve the minutes as stated was made by Councilman Frank Weikel and he was seconded by Council woman Irma Arizola, all were in favor so motion carried.
5. **Discussion and Action on Certification of Unopposed Status.** A motion to accept the Certification was made by Councilman Frank Weikel and he was seconded by Councilman Stuart Howard, all were in favor so motion carried.
6. **Discussion and Action on Ordinance No. 03112013 on Declaring Unopposed Candidates for the Mayor and for City Council Positions Nos. 1,2,3,4, & 5.** A motion to adopt the ordinance was made by Councilwoman Irma Arizola and she was seconded by Councilman Stuart Howard, all were in favor so motion carried.

7. **Discussion and Action on Cancelling Election for May 11, 2013.** A motion to cancel the election was made by Councilman Frank Weikel and he was seconded by Councilwoman Irma Arizola, all were in favor so motion carried.
8. **Discussion and Action of Volunteer Annexation for Norstar Investment Group, Inc.** City Manager Davila stated that the property is located in front of Love's and it is approximately 3 acres. A motion to accept the annexation was made by Councilman Frank Weikel and he was seconded by Councilman Stuart Howard, all were in favor so motion carried.
9. **Adjournment.** A motion to adjourn the meeting was made by Councilwoman Irma Arizola and she was seconded by Councilman Frank Weikel, all were in favor so motion carried. The meeting was adjourned at 9:10 p.m.

Minutes were approved by Council Member Frank Weikel and a second Motion was made by Council Member Irma Arizola on this the 16<sup>th</sup> day of April 2013.



Velma Davila, City Manager





## City of Encinal, Texas Public Information Meeting

NOTICE is hereby given of a Public Information Meeting of the City Council of the City of Encinal, County / La Salle, State of Texas, to be held Tuesday, April 16, 2013. At 5:00 PM at 107 N. Tejas, Encinal, Texas, for the purpose of considering the following numbered items. The City Council for the City of Encinal reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §§ 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberation about Security Devices), and 551.086 (Economic Development), and any other provision under Texas law that permits a governmental body to discuss a matter in a closed executive session.

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 citizen shall make every effort to be brief, get to the point, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.

1. A. Open Public Information Meeting for comments upon City of Encinal City Hall Project funded by USDA Grant/Loan.
- B. Close Public Information Meeting.

## City of Encinal, Texas Regular Meeting

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Encinal, County / La Salle, State of Texas, to be held Tuesday, April 16, 2013. At 5:30 PM at 107 N. Tejas, Encinal, Texas, for the purpose of considering the following numbered items. The City Council for the City of Encinal reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §§ 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberation about Security Devices), and 551.086 (Economic Development), and any other provision under Texas law that permits a governmental body to discuss a matter in a closed executive session.

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 citizen shall make every effort to be brief, get to the point, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.

Call to order by Sylvano Sanchez, Mayor and let the record show that a quorum of City Council Members are present, that this meeting has been duly called, and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

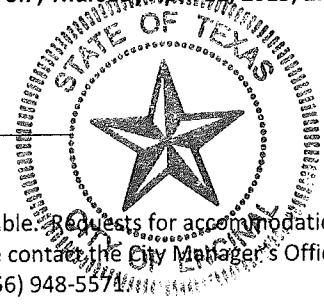
1. Pledge of Allegiance.
2. Approval of minutes for Regular Meeting on March 11, 2013

3. Open Forum:
  - A. Individuals and Committees
  - B. City Manager's Report
  - C. Consultant Report
4. Discussion and Action on Bid Award for CDBG Contract No. 711181.
5. Discussion and Action for Publishing Notice in the Current Newspaper for City Hall Project, funded by USDA Grant/Loan.
6. Discussion on Architectural plans for City Hall project
7. Adjournment

**CERTIFICATION**

**I CERTIFY THAT THE ABOVE NOTICE OF THIS REGULAR MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on , Thursday April 11, 2013, 2:00 p.m.**

  
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City Manager



This facility is wheelchair accessible and accessible parking spaces are available. 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, at (956) 948-5226 or FAX (956) 948-5571.

## City of Encinal, Texas

### Public Information Meeting Minutes

April 16, 2013

1. **A. Open Public Information Meeting for comments upon City of Encinal City Hall Project funded by USDA Grant/Loan.** Mayor Sanchez said that the meeting would be until 5:30 p.m. and that anyone who wanted to comment may do so at this time. City Manager Davila stated that this would be the time for anyone who wanted to comment on the proposed City Hall funded by USDA could do so at this time. Councilman Frank Weikel asked which direction the City Hall would be facing and City Manager Davila stated that it would be facing north. City Manager Davila was explaining to City Council members the lay out of the City Hall. City Manager Davila said that the proposed City Hall would have approximately 6,000 square feet. The proposed City Hall would be built on 3 city lots and there would be two remaining lots that were donated by Tom Love from the Love's Travel Stops, explained City Manager Davila. Councilwoman Arizola mentioned that Mr. Love told her about the additional donation of property to the City. City Manager Davila told Council that MCA the property owners on the corner of IH35 and Highway 44 came by the office to pay the City to clean up their lots, that's why the City Sanitation Crew had been working in that area of town. **B. Close Public Information meeting.** The Public Information Meeting ended at 5:30 p.m., there were no comments from the public attending the meeting.

**City of Encinal**  
**Regular Meeting Minutes**

**April 16, 2013**

**Call to order by Sylvano Sanchez, Mayor and let the record show that a quorum of City Council Members are present, that this meeting has been duly called, and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551. Councilman Frank Weikel, Councilman Stewart Howard and Councilwoman Irma Arizola were present and Mayor Sanchez determined that there was in fact a quorum present. Mayor Sanchez stated that the two new Council Members would be sworn in next month. The meeting started at 5:31 p.m.**

1. **Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and members of Council.
2. **Approval of minutes for Regular Meeting Minutes on March 11, 2013.** A motion to approve the minutes was made by Councilman Frank Weikel and he was seconded on the motion by Councilwoman Irma Arizola. All were in favor so motion carried.
3. **Open Forum: A. Individuals and Committees B. City Manager's Report C. Consultant Report. Open Forum:** Local business woman Yvonne Rodriguez said that she would like to request that the Police Department need to patrol the area by Highway 44 where her restaurant is located, she stated that since they are the only business in that area the employees would feel safer knowing that the police department is patrolling that area. City Manager Davila said that the officers should be patrolling the whole City; the only time there is no coverage is Sunday and Monday nights. **City Manager's Report:** City Manager Davila stated that she was going to turn over some Code Enforcement letters to the City Attorney Juan Caballero that were researched by Mrs. Aldaco. The lots were abandoned lots and lots that needed cleaning and Mrs. Aldaco brought the list to Linda and they were typed up and all we are lacking are City Attorney Caballero's signature stated City Manager Davila. City Manager Davila told local citizen Josie Poncedeleon that the letters included the owners of the property next to her house. Citizen Josie Poncedeleon said that there were a lot of bees in that property and that she had been bitten by the bees. City Manager Davila went on to say that the City had received a check for \$16,570.00 from the Middle Rio Grande for the Code Enforcement grant, that's still in the grant account, we haven't dispersed it to different areas yet, because we still have to buy the software and we have used some of the Code Enforcement Officer's hours, but we will disperse it stated City Manager Davila. Consultant Ashley

Eddington said the grant was awarded by Middle Rio Grande, we had the truck donated by Cheasepeake Energy, and so we have the full grant awarded so now we must start the disbursements. Councilman Frank Weikel asked if they had started the disbursements and Mr. Eddington replied that we have some money that has been encumbered but we haven't put it back into the general fund. City Manager Davila said that the City had received \$20,740.00 for the Front Street Project but we had to pay back EEDC \$16,248.52 that was paid to Engineer Hugo Seca and we also made out a check to Middle Rio Grande for \$4,500.00. City Manager Davila said that the City would be celebrating the first annual Cinco de Mayo Celebration on Sunday May 5 at the County Park, we decided that we would like to do something for the City and I did ask some local people for donations and we are going to be having a bingo, cake walk, waterslide and fajita and bean cook-off.

4. **Discussion and Action on bid Award for CDB Contract No. 711181.** City Attorney Juan B. Caballero told Council that on this item we need to award the bid for the bid held last week, he said he had been on the phone with Middle Rio Grande, reviewed the requests, went over the procedures that were followed and what the bid specifically instructs us to do is that all bids must be turned in by two o'clock on that day, everyone that was here, the City elected to go with the Consultant's time which was on his phone and the last bid was accepted at 1:59, based on that all bids were timely, they were opened, based on the criteria given to us by Middle Rio Grande, based on the Government Code which I'll read to you: "Municipalities are required by State law to award the Contract to the lowest responsible bidder based on certain requirements in the local government code." City Attorney Caballero said that the other option that we have other than awarding it to the lowest bidder is to reject all the awards and put it out for bids again. City Attorney Caballero asked Engineer Hugo Seca if he had reviewed all the paper work so you have confirmed that they were all qualified bidders and did you check their bond requirements? Engineer Seca said that he only had to check the bid bonds that after being awarded a contract the lowest bidder would have to secure the bond; Engineer Seca added that he spoke to the lowest bidder and he would be able to secure the bond if he was awarded the contract. City Manager Davila said that there had been some concerns regarding the Front Street Project and that the City had received a letter from Kevin Smith the Regional Coordinator from Middle Rio Grande addressed to Mayor Sanchez on April 5, 2013 the letter stated: "The Texas Department of Agriculture is currently reviewing the existing TxCDBG contracts awarded approximately 18 months ago to determine compliance with the Project Implementation schedule and the Special Conditions as outlined in your contract. According to TDA records your locality may not have satisfied certain provisions of the above referenced contract. TxCDBG Contract No. 711181 is scheduled to expire in less than six months on September 30, 2013. At this

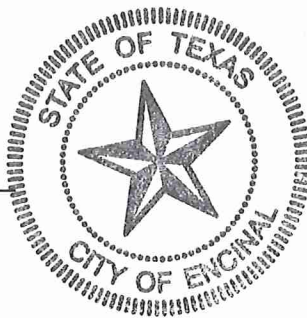
point, eighteen months into the allotted two-year contract period, the Project Implementation Schedule (Exhibit C of the TxCDBG contract) requires 75% completion of the overall project. This message is a courtesy notice that your community has not yet reported compliance with the 75% completion milestone for the referenced TxCDBG project.” City Manager Davila went on to say that if we don’t meet the requirement that we could lose the grant, she explained to those present that this project had been bid four months ago and this project should have been started a long time ago, because you have 90 days to complete the project and then you have to have at least two months to do the closing instructions. Mr. Glenn Boultinghouse from Core Construction told City Council that he had gotten a call from three Contractors that were present at the Pre-Bid meeting stating that the gentleman from ALC construction was late to the meeting. Mr. Boultinghouse stated that he was not against the Contractor just against the system. Mr. Boultinghouse said that he has worked for the government and County on projects and he was questioning the fact that the time was different than those present at the meeting. City Manager Davila said that the time on Engineer’s Seca’s phone did say it was 1:59 p.m. Mr. Boultinghouse went on to say that he wanted the bid to be fair to all those involved. City Attorney Caballero said that we were not trying to be unfair or play by different rules but at that point a decision was made that our designee set it, he and Mayor conferred on the time. City Manager Davila said that the designee that day was architect Hugo Seca. Erica Bustamante from Middle Rio Grande usually leads the bids, but she was not here so he was the one leading the bids, we went according to his (Seca) time. It is the City Manager’s responsibility to open bids and I did that. Mr. Boultinghouse said that he did not agree with that, that he would like to go on record that he’s protesting that decision. City Attorney Caballero stated that the City has elected to accept the lowest bid and the bid will be awarded to ALC Construction, it was a base bid of 234,185.00 Mayor Sanchez stated that he needed a motion for this item. At this time Mr. Boultinghouse asked where Erica was when the bid took place. City Manager said that she opened the bids because Erica wasn’t here and they had Mr. Seca present. Mr. Boultinghouse said that there were two mistakes done that day. Councilman Frank Weikel said he wants to move ahead with the project because it’s been put off too many times. Councilman Stewart Howard said he disagreed because the timing was wrong and he shouldn’t have been let in. Councilman Howard said that he would like a motion to table the item. Councilman Weikel said he motioned to go on or accept the bid. City Attorney Caballero stated that there could not be two motions at the same time. Councilwoman Arizola said that she wanted to second Councilman’s Howards motion. City Attorney Caballero explained to Councilwoman Arizola if she wanted to table the motion and bring it back at another time or do you want to reject all bids, then you would have to rephrase your motion. Councilman Howard made a motion

to reject all bids. Councilman Weikel stated that all the Contractors know his bid and they will try to undercut him, I know about bids too he said. The motion on the table was withdrawn from the table by Councilman Howard. A motion to go into executive session was made by Councilman Frank Weikel and he was seconded by Councilwoman Irma Arizola. The meeting went into executive session at 6:05 p.m. The meeting reconvened at 6:20 p.m. a motion was made by Councilman Weikel to reconvene from Executive Session and he was seconded by Councilwoman Irma Arizola. Councilman Howard made a motion to reject all bids and that the project go out for re-bids and he was seconded on the motion by Councilwoman Arizola. A motion to re-bid the project was made by Councilman Weikel and he was seconded by Councilman Howard, all were in favor so motion carried. Mayor Sanchez told Engineer Seca to re bid the Contract.

5. **Discussion and Action on for Publishing Notice in the Current Newspaper for City Hall Project, funded by USDA Grant/Loan.** This item must be published in the newspaper said City Manager Davila.
6. **Discussion and action instructing E.E.D.C. Member to surrender any and all financial information and records pertaining to E.E.D.C. and including but not limited to checkbook, ledgers, receipts, financial statements and any other in sent documents.** City Manager Davila told Council that she needed a motion on this item, she said she spoke to Mr. Mancha and I advised him that we were still waiting for the information and he said It hadn't been approved by Council so that's why I had to bring it before Council to get it approved. Councilman Weikel asked if Mr. Mancha would be provided with an Office and City Manager Davila said no that he would have a locked cabinet only. Mr. Mancha asked if there was a safe and Manager Davila said no it would be a file cabinet with a lock on it. Mr. Mancha said that he didn't appreciate the vocabulary used on the agenda item "surrender". City Manager Davila responded by saying that she doesn't do anything without the approval of Council. Mr. Mancha said that he had already discussed this with City Consultant Eddington and that they were going to talk about it after tax time. City Attorney Caballero said that to him surrender means to turn over the items. Mr. Mancha stated that he had been sick the past couple of weeks. City Manager Davila told Mr. Mancha that the information was needed because of the audits. Consultant Eddington told Mr. Mancha that the audits must be completed by June. A motion to have Mr. Mancha to turn in all pertaining documents was made by Councilman Howard and he was seconded on the motion by Councilman Weikel, all were in favor so motion carried.
7. **Adjournment. A motion to adjourn the meeting was made by Councilwoman Arizola and she was seconded by Councilman Howard. The meeting was adjourned at 6:30 p.m.**

Minutes were approved by Council Member Frank Weikel and a second Motion was made by Council Member Stuart Howard on this the 7<sup>th</sup> day of May 2013.

Velma Davila  
Velma Davila, City Manager





City of Encinal, Texas  
Public Information Meeting

NOTICE is hereby given of a Public Information Meeting of the City Council of the City of Encinal, County / La Salle, State of Texas, to be held Tuesday, April 16, 2013. At 5:00 PM at 107 N. Tejas, Encinal, Texas, for the purpose of considering the following numbered items. The City Council for the City of Encinal reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §§ 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberation about Security Devices), and 551.086 (Economic Development), and any other provision under Texas law that permits a governmental body to discuss a matter in a closed executive session.

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 citizen shall make every effort to be brief, get to the point, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.

1. A. Open Public Information Meeting for comments upon City of Encinal City Hall Project funded by USDA Grant/Loan.
- B. Close Public Information Meeting.

City of Encinal, Texas

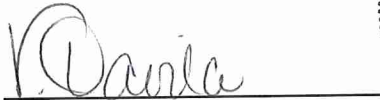
## Minutes of Public Meeting May 3, 2013

A public meeting was held on May 3, 2013 at the City Hall Chambers in order for the citizens of Encinal, Texas & County of LaSalle to comment on the proposed New City Hall project. The Honorable Sylvano Sanchez presided over the public meeting. The architect Guajardo & Associates for the project provided drawings and sketches for the proposed project. Their information showed details of the proposed offices and general description and architect for the City Hall. Citizens voiced positive feedback and there was no objection voiced by the public.

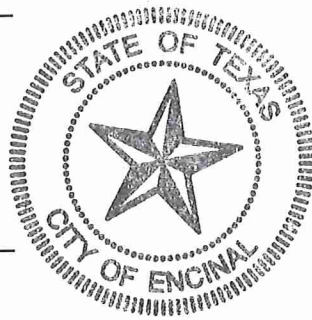
Minutes approved on this 7<sup>th</sup> day of May, 2013 by J. Wikel and second by S. Howard.



Sylvano Sanchez  
Mayor



Velma Davila  
City Manager



# City of Encinal, Texas

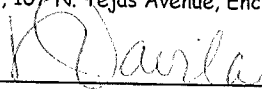
## Regular Meeting

**NOTICE** is hereby given of a Regular Meeting of the City Council of the City of Encinal, County / La Salle, State of Texas, to be held Tuesday, May 7, 2013. At 5:00 PM at 107 N. Tejas, 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.

1. Meeting called to order to determine if a quorum is Present.
2. Pledge of Allegiance.
3. Citizens Comments.
4. Approval of minutes for Regular Meeting on April n16, 2013 & Public Meeting on April 16, 2013 & Public Meeting on May 3, 2013.
5. Discuss and Take Action to award Bid for CDBG Contract #711181.
6. Discussion and Action on approving Curb and Gutter as Additive Alternate for project and the City is requesting action that EEDC provide the additional funding.
9. Adjournments.

### CERTIFICATION

I CERTIFY THAT THE ABOVE NOTICE OF THIS REGULAR MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on Friday, May 3, 2013 at 12:00 PM.

  
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City Manager



**City of Encinal**  
**Regular Meeting Minutes**

**May 7, 2013**

- 1. Meeting called to order to determine if a quorum is present.** Mayor Sanchez informed Council that he was given medical advice not to speak that much because he was under medical care right now, he told Council that the City Manager Velma Davila would be leading the meeting today. After roll call the City Manager determined that there was in fact a quorum. Present were Councilwoman Irma Arizola, Councilmen Frank Weikel and Stuart Howard and Mayor Sylvano Sanchez.
- 2. Pledge of Allegiance.** Pledge of Allegiance was led by City Manager Davila and member of Council.
- 3. Citizens Comments.** No comments at this time.
- 4. Approval of minutes for Regular Meeting on April 16,2013 & Public Meeting on April 16,2013 & Public Meeting on May 3, 2013.** A motion to accept the minutes as stated was made by Councilman Frank Weikel and he was seconded on the motion by Councilman Stuart Howard, all were in favor so motion carried.
- 5. Discuss and Take Action to award Bid for CDBG Contract #711811.** City Manager Davila read a letter from Engineer Hugo Seca: "Honorable Mayor Sanchez regarding City of Encinal Street Improvement Project CDBG Contract#711811. Dear Mayor in accordance with our professional engineering service contract attached please find for your information, record and use the bid tabulation for the above referenced project, we have carefully reviewed the bids and although minor corrections were necessary we found them to be in order. Core Construction was the low bidder, we have discussed the bid with Mr. Glen Boultinghouse, VP of Operations and he is confident that they can complete the project for the corrected base bid amount of \$231,097.15 or the base bid plus Additive

Alternate number one amount of \$270,787.15 and within the stated contract time, ninety (90) calendar days. Although we have never worked with CORE Constructors in our conversation with Mr. Boultinghouse, he mentioned good past experiences with projects of area communities and he assured us good workmanship, prosecution of work, responsiveness, safety, and attention to the project. Therefore, and unless the City is aware of present or previous unsatisfactory performances or defaults, we recommend the award of the construction to CORE Constructors. Should you have any questions please feel free to call Mr. Hugo Seca.

- 6. Discussion and Action on approving Curb and Gutter as Additive Alternate for project and the City is requesting action that EEDC provide the additional funding.** City Manager Davila stated that items 5 and 6 discuss and take action to award the bid and number six would be discussion and action on approving Curb and Gutter as Additive Alternate for the project and the City is requesting action that EEDC provide the additional funding. She went on to say that it's up to the Council if they would like to approve item 6. Councilman Weikel asked how much would be needed and City Manager Davila said it would be \$30,000.00 (Thirty Thousand Dollars), cause we get \$240,000.00 (Two Hundred and Forty Thousand Dollars) for construction and with the Additive Alternate it would be \$270,000.00 (Two Hundred and Seventy Thousand dollars) so that would mean that \$30,000.00 (Thirty Thousand dollars) would come from EEDC, and then we could make arrangements to pay it with the 90 (ninety) day calendar period that they have to finish the project. City Manager Davila said she needed an action to award the Bid to CORE Constructors for number five and I need a motion. A motion to award Bid for CDBG Contract#71181 to CORE Constructors was made by Councilwoman Irma Arizola and she was seconded on the motion by Councilman Stuart Howard, all were in favor so motion carried. City Manager Davila asked if she could have a motion on item number 6 the Curb and Gutter as Additive Alternate for a total amount of \$270,787.15 (Two Hundred Seventy Thousand Seven Hundred Eighty Seven Dollars and Fifteen Cents). A motion to accept the Curb and Gutter as Alternate Additive funded by the EEDC was made by

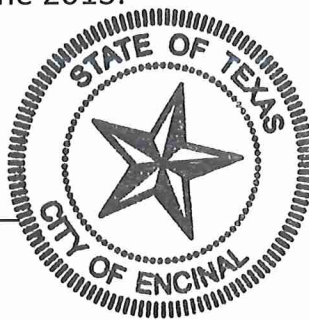
Councilman Frank Weikel and he was seconded on the motion by Councilwoman Irma Arizola, all were in favor so motion carried. Councilman Frank Weikel asked if there would be a bunch of Change Orders and City Manager Davila said no change orders the project must be finished within the 90(ninety) days and no Change Orders will be approved. Davila went on to say that we have the base bid which was \$231,097.15(Two Hundred Thirty One Thousand Ninety Seven Dollars and Fifteen Cents) but Council approved the bid with the Additive Alternate number one for the amount of \$270,787.15(Two Hundred Seventy Thousand Seven Hundred Eighty Seven Dollars and Fifteen Cents), so we will pass this on to Erica Bustamante from Middle Rio Grande and we can start moving with it all he has to do now is get his Bond, he has thirty day but he wanted to know if he could do it within ten days so he could start the project right away.

**9. Adjournment.** A motion to adjourn was made by Councilwoman Irma Arizola and she was seconded on the motion by Councilman Frank Weikel all were in favor so motion carried.

Minutes were approved by Council Member Stuart Howard and a second Motion was made by Council Member Irma Arizola on this the 25<sup>th</sup> day of June 2013.

VDavila

Velma Davila, City Manager  
Attest City Secretary



# City of Encinal, Texas

## Regular Meeting

**NOTICE** is hereby given of a Regular Meeting of the City Council of the City of Encinal, County / La Salle, State of Texas, to be held Thursday May 16, 2013. At 5:30 PM at 107 N. Tejas, 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 citizen shall make every effort to be brief, get to the point, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.

1. Meeting called to order to determine if a quorum is Present.
2. Pledge of Allegiance.
3. Citizens Comments.
4. ADMINISTRATION OF OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF APPOINTMENT TO NEWLY APPOINTED CITY COUNCIL MEMBERS AND MAYOR.
5. Adjournments of Meeting.

### CERTIFICATION

I CERTIFY THAT THE ABOVE NOTICE OF THIS REGULAR MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on Monday, May 13, 2012 at 11 a.m.

  
\_\_\_\_\_  
City Manager



This facility is wheelchair accessible and accessible parking spaces are available. 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, at (956) 948-5226 or FAX (956) 948-5571.

**City of Encinal**

**Regular Meeting Minutes**

**May 16, 2013**

1. **Meeting called to order to determine if a quorum is present.** Mayor Sanchez verified if there was a quorum present. Present were Councilmen Frank Weikel, Stuart Howard and Councilwoman Irma Arizola.
2. **Pledge of Allegiance.** Pledge of Allegiance was led by Mayor Sanchez and members of Council
3. **Citizens Comments.** No Citizens Comments at this time.
4. **ADMINISTRATION OF OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF APPOINTEMNT TO NEWLY APPOINTED CITY COUNCIL MEMBERS AND MAYOR.** City Attorney Juan B. Caballero read the following Oath to Mayor and City Council Members: I do solemnly swear that I will faithfully execute the duties of the office of \_\_\_\_\_ the City of Encinal, State of Texas, and will do the best of my ability to preserve, protect, and defend the Constitution and the laws of the United States and of this state, so help me God. City Attorney Juan B. Caballero begins by reading the Oath of Office to Mayor Sanchez, which he respectfully accepted. City Attorney Caballero read the Oath of Office to William F. Weikel, who respectfully accepted Place 1 on the City Council. City Attorney Caballero read the Oath of Office to Maria Irma Arizola, who respectfully accepted Place 3 on the City Council. City Attorney Caballero read the Oath of Office to Stuart Howard who respectfully accepted Place 2 on the City Council. City Attorney Juan Caballero read the Oath of Office to Martha A. Guerra who respectfully accepted Place 5 on the City Council. City Attorney Juan Caballero read the Oath of Office to Christina A. Maldonado who respectfully accepted Place 4 on the City Council. City Manager Davila congratulated all City Council Members and said that the next meeting would be June 11, 2013 and Mayor Pro Tem would be announced at the following meeting. City Attorney Caballero congratulated all City Council Members for their participation and that he welcomed them and said that he had an open door policy. City Manager Davila stated that the City is currently working on several projects. Mayor Sanchez said that right now we have the Front Street Project which should be started in about two weeks and the New City Hall. City Attorney Caballero advised the new members of Council that the City Manager would be contacting them about an Open Meetings Act Video from the Secretary of State that they have to see.



5. **Adjournment of Meeting.** A motion to adjourn the meeting was made by Councilwoman Irma Arizola and she was seconded by Councilman Frank Weikel, all were in favor so motion carried.

Minutes were approved by Council Member Christina Maldonado and a second Motion was made by Council Member Stuart Howard on this the 25<sup>th</sup> day of June 2013.

Velma Davila

Velma Davila, City Manager  
Attest City Secretary



## City of Encinal, Texas Regular Meeting

**NOTICE** is hereby given of a Regular Meeting of the City Council of the City of Encinal, County / La Salle, State of Texas, to be held Tuesday, June 25, 2013. At 5:30 PM at 107 N. Tejas, 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 citizen shall make every effort to be brief, get to the point, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.

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 to determine if a quorum is Present.
2. Pledge of Allegiance.
3. Approval of Minutes for May 7, 2013 & May 16, 2013.
4. Citizens Comments.
5. I. City Manager's Report
  - a. 1<sup>st</sup> Annual Cinco de Mayo Celebration.
  - b. Update on possible Speed Bumps.
  - c. Update on side-walk project.
  - d. Update on Child Crossing on IH Business 35.
  - e. Information on Possible Beautification Project.
  - f. Encinal Partner's Animal Shelter.
    - Budget Update.
  - g. Update on Solid Waste Grant.
    - Training on June 13 & 14, 2013.
    - Budget Update.
  - h. Report on Monthly Bills.
  - i. Bank Account Balance Report.
  - j. Sanitation Aging Report.
  - k. Update on Front Street Project.
    - Budget Update.

II. Accountant/Consultant Report.

- a. Budget to Actual Report.
- b. Audit update.
  - 2010-2011
  - 2011-2012
- c. Sales Tax Audit Update.

III. Municipal Court Report.

IV. Police Department Report.

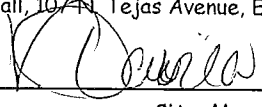
6. Discussion on Mayor, Mayor Pro-Tem and City Council Members.
7. Discussion and Action on Budget Allocations on several items on 2012-2013 City of Encinal Budget. (City Accountant)
8. Discussion and Action needed to approve 2010 & 2011 Fiscal Year Audit. (City Accountant)
9. Discussion and Action to Approve Proclamation for Veteran's Association.
  - Discussion and Action on Veteran's Memorial
10. Discussion and Action on Amendment of City Ordinance No. 11022010 establishing Rules and Regulations for Construction, Installation, Excavation and Maintenance of Utilities with City of Encinal public right-of-way inside the city limits and within its ETJ; requiring permits therefore; and providing for penalties.
11. Discussion and Action on Ordinance No. 06252013 dealing with streets, sidewalks, right-of-way and other public places.
- ✓12. Discussion and Action on Open Meetings Requirement for Mayor and City Council Member. Discussion and Action on Closed Session Requirements.(Possible Closed Session).
13. Discussion and Action on Agreement between EEDC and Hecho En Encinal dated October 25, 2005. (Possible Closed Session)
  - Financial Statement Request for Internal Audit
14. Discussion and Action on the EEDC's Board management of the affairs of the corporation, restructuring and clarification of member(s) and roles of each. (Possible Closed Session)
15. Discussion on update on City Hall Project.

16. Adjournments of Meeting.

Council/Staff Reports Councilmembers, Mayor, City Attorney,  
City Manager/City Consultant/Accountant

**CERTIFICATION**

I CERTIFY THAT THE ABOVE NOTICE OF THIS REGULAR MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on Thursday, ~~10/22/2014~~ at 1 p.m.

  
\_\_\_\_\_  
City Manager



**DISABILITY ACCESS STATEMENT**

This meeting site is wheelchair accessible. The accessible entrance is located at the City Hall front entrance. Accessible visitor parking spaces are located at City Hall, 107 N. Tejas. Requests for accommodations or interpreter services must be made 48 hours prior to this meeting. Please contact the City Manager's Office, for concerns or requests. (956) 948-5226 or FAX (956) 948-5571.

**City of Encinal**

**Regular Meeting Minutes**

**June 25, 2013**

**1. Meeting called to order to determine if a quorum is present.** Mayor Sanchez called the Meeting to Order at 5:35 p.m. Present at the Meeting were Council Members Frank Weikel, Stuart Howard, Christina Maldonado and Irma Arizola. Councilwoman Martha Guerra was absent.

**2. Pledge of Allegiance.** Pledge of Allegiance was led by Mayor Sanchez and members of Council.

**3. Approval of Minutes for May 7, 2013 & May 16, 2013.** A motion to accept the Minutes as stated for the May 7, 2013 meeting was made by Councilman Stuart Howard and he was seconded on the motion by Councilwoman Irma Arizola, all were in favor so motion carried. A motion to approve the minutes of May 16, 2013 was made by Councilwoman Christina Maldonado and she was seconded on the motion by Councilman Stuart Howard, all were in favor so motion carried.

**4. Citizens Comments.** Citizen Janet Kreuger from Hecho en Encinal wanted to address two issues before Council. Mrs. Kreuger stated that Hecho en Encinal was dissolving as an organization, but the Library and the Community Access computers would still remain. The Library is funded by the County and it's supported by the Alexander Memorial Library in Cotulla. Mrs. Kreuger wanted to clarify another issue with the Council about a sign that was going to be funded by the City back in November 8, 2011. Mrs. Kreuger said that she had requested \$1,500.00 (fifteen hundred dollars) for the building of a sign for the Library. Mrs. Kreuger provided Mayor Sanchez and Council with a timeline for the proposed sign. Mrs. Kreuger stated that two checks were issued to the Alexander Memorial Library, one on November 2011 and the other one on February 2012. The sign was contracted to a lady from Cotulla who became ill and couldn't complete it. Mrs. Kreuger went on to say that their organization had lost the support of a local benefactor and it was then decided to disband the organization. Mrs. Kreuger stated that she had met with Dr. Jack Seals, the Superintendent for the Cotulla Independent School District and she had discussed with him the dissolution of the Hecho en Encinal organization and explained that Hecho en Encinal was housing the Library there. Mr. Seals went before the School Board and got the approval from them to replace the building where the Library was being housed and it was approved by them. Mrs. Kreuger said that she has made an agreement with a new artist to design the sign for the Library and it should be ready by October 2013. Mrs. Kreuger said that she would be returning \$6,000.00 (six thousand dollars) back to the EEDC because they can't use it for the New Library; these monies were being kept in the renovation account.

**5. I. City Manager's Report.** Item number III Municipal Court Report under the City Manager's Report was moved up to item A. Judge Cortez reported to Mayor Sanchez and Council the revenue generated for the past three months, the amount of Citations in his court, and the implementation

of the Omni base program into his Court, this program would help the Court collect the outstanding citations by denying the defendants the renewal of their driver's license. Item IV. Police Department Report was moved up as well. The interim Police Chief Veronica Garcia spoke to Council and she said that right now her department consists of a total of three officers: herself, Officer Christina Espinoza who is currently on medical leave and Officer John G. Payle. Interim Chief Garcia stated that she would like to request permission from Council to sell the grey unit because it would cost more to repair it than to go out and purchase a new one according to what the local mechanics have told her. Interim Chief Garcia asked Council if she could acquire some equipment such as ballistic vests and assault rifles, she went on to say that Law enforcement agencies are no longer using shot guns. Interim Chief Garcia said that she felt that the department needed these items because this is a high traffic area for illegal smuggling and drugs. Garcia said she would like to request the purchase of a digital camera to take photos of accidents, a fingerprints kit especially for the recent burglaries. She told Council that she would also like to request a first aid kit and a spotlight for the units. Officer John Payle presented Council with pictures of the items being requested, and he told Council if they had any questions to let him know, he went on to say that the AR15 assault rifle has replaced the shot gun throughout the United States. Officer Payle said that the price for the rifles with carrying case, ammo & mags and the aiming device would be approximately \$4,900.00 (forty nine hundred dollars). City Consultant Ashley Eddington wanted to inform Council that when the 2012-2013 budget was set up there were positions created within the department that have not been filled. City Manager Davila said that she would like for Council to consider the safety of our Officers. Officer Payle explained the ballistic vest to the Council by saying that the vest does not have to be fitted, anybody can wear it, the cost of the vest is \$2,300.00 (twenty three hundred dollars) and you can buy four of the regular vest for the price of one of these. Officer Payle explained to Council that he was approached by two individuals who are the main suspects in a robbery, I was parked two blocks away and one of them asked why I was following them, you two are the only ones walking around at night, and when they got close to me I pulled out my baton and they pulled back. Interim Chief Garcia announced that Officer Payle had been promoted to Captain. Mayor Sanchez said that now we would resume the City Manager's report. **A. 1<sup>st</sup> Annual Cinco de Mayo Celebration.** City Manager Davila said that we had a great turn out for the Cinco de Mayo celebration and we had donations totaling \$2,350.00 (two thousand three hundred fifty dollars) which were donated by: Hector Hall, Wilbur Tenery from Tenery Welding, Tom Benavides from Los Angeles Cattle, Breakwater and Seca Engineering, we also had Southern Distributors donate the tubs for all the drinks. The total portion that the City contributed to the festival was \$661.76 (six hundred sixty one dollars and seventy six cents). **D. Update on Child Crossing on IH Business 35.** City Manager Davila said she had contacted TX. Dot regarding the child crossing concern on Main Street and the response from them was that there were not enough children utilizing that street during school hours. City Manager Davila asked Encinal Elementary Principal Mrs. Debra Weikel to please write a letter to TX. Dot regarding the concerns for the children using Main Street to get to school so we could get some additional support to try and get a Child Crossing sign. City Manager Davila stated that currently our Police Department does the School Patrol on mornings and evenings but now we would like to ask Constable Maldonado if he can begin doing this so that the Police Department can start to focus on Main Street during the school hours. **B. Update on possible Speed Bumps.** City

Manager Davila asked Mr. Glen Boultinghouse about the location of the speed bumps he will be donating to the City. Mr. Boultinghouse said that he would be donating speed bumps on Tejas Street and the other one would be located by the School. **C. Update on side-walk project.** City Manager Davila said that Mr. Craig Rosenstein from Lewis Energy came by the City Hall and said that he had already spoken to Leyendecker Construction on beginning this project but that there had been some minor delays due to all the rain we had been having. The side-walk project would begin at the school and would end on Front Street. **E. Information on Possible Beautification Project.** City Consultant Ashley Eddington spoke about receiving a flyer for a grant award last year and he said that basically if the City would create a beautification program where you would add flowers, foliage, walks and things like that the City would qualify for a grant award. Consultant Eddington said that our beautification would consist of a .06 mile walking trail along North Front Street but in order to utilize that area we would have to get permission from the rail road but if we don't get permission from them we could still use a five foot easement along that path. Consultant Eddington said the path would contain Palm trees and the beautification program would include the Veteran's Memorial which was currently broken. City Manager Davila said that Mr. Craig Rosenstein from Lewis Energy had offered to pay for the repairs of the Veterans Memorial once an estimate had been done. Consultant Eddington said that the foliage that would be planted along the rail road trail would be wildflowers such as bluebonnets and cactus and the trail would run from Front Street all the way to the County Park. **F. Encinal Partner's Animal Shelter- Budget Update.** City Manager Davila announced to Council that we had received the money from the County to begin the animal shelter. Manager Davila said that we could start buying the equipment for the shelter and we are almost done cleaning the Transfer Station because the Public Works guys have done a great job cleaning up the area. Manager Davila said that hopefully in about a month or month in a half we can get the Animal Shelter going. Consultant Eddington stated that the Animal Shelter would take about \$16,725.00(sixteen thousand seven hundred and twenty five dollars) to complete and that would include the kennels, a gutter system, the electrical work needed and any other items needed to complete it. City Manager added that the County is requiring the City to turn in a financial update to the County every quarter. **G. Update on Solid Waste Grant-Training on June 13& 14, 2013-Budget Update.** City Manager Davila said that Captain Payle, Interim Chief Garcia, Pablo Esquivel and Mayor Sanchez had attended a training where they received Certification for illegal dumping and they can also give citations for City Ordinance Violations and for Code Enforcement as well. Consultant Eddington said that we have to adhere to the budget for the Solid Waste Grant. City Manager Davila presented Mayor Sanchez and Council with a folder that included the sanitation aging report but that they would have to leave it behind when they left because there is a lot of private information involved in this report she wouldn't want it to leave the City because it included personal information. **H. Report on Monthly Bills.** City Manager Davila said that the total amount of the bills for the month of June was \$27,310.13(twenty seven thousand three hundred ten dollars and thirteen cents) the amount also includes payment made to the EEDC for the sales tax. **I. Bank Account Balance Report.** City Manager Davila said that as of June 24 our balance on our accounts is \$68,033.95(sixty eight thousand thirty three dollars and ninety five cents). There is a Municipal Court account, General Funds account, Payroll account and two savings accounts. There is a total of \$59,000.00(fifty nine thousand dollars) in our savings account. Consultant Eddington mentioned that

one of the reasons were in such great shape is because when the City Council adopted the budget for '12-'13 we put in a reserve requirement and as we engage in new projects the City will need to have a "sinking" fund to make sure we are able to meet our obligations. **J. Sanitation Aging Report.** City Manager Davila said that the report covers March, April and May and we do bill out but we don't collect everything. City Manager Davila said we collect about seventy five percent on our Sanitation Accounts. **K. Update on Front Street Project-Budget Update.** City Manager Davila said that Mr. Boultinghouse turned in a proposal to the Encinal Water Supply Corporation for laying the water lines along Front Street. City Manager Davila said that we had a meeting with the Water Department and we came to the understanding that Core Construction would turn in a proposal to repair those lines. Mr. Glen Boultinghouse from Core Construction said that there has been very little progress on the Front Street Project because of unforeseen problems. Mr. Boultinghouse said that his goal is to complete the project before the deadline. Mr. Boultinghouse commended the Water Department workers for having to deal with so many obstacles on that Front Street Project. Mr. Boultinghouse explained the proposals he had made to the Encinal Water Supply Corporation involving the replacement of the fifteen hundred feet of water line that needs to be done before completing the Front Street project, the proposal included a 4 or 6 inch line whichever the Encinal Water Supply Corporation thought would be best and he did say that this was not a money making proposition. Mr. Boultinghouse said that he had already run a temporary line since Monday so that we wouldn't have as many setbacks out there on that Street Project. City Manager Davila thanked Mr. Boultinghouse for all he has been doing on the project and she acknowledged that she knew that he has been doing a lot of free work over there. President Elena Rodriguez from the Encinal Water Supply Corporation asked the public to please bear with the Water Supply right now because she knows there are a lot of upset people. **II. Accountant/Consultant Report. A. Budget to Actual Report.** City Manager Davila asked Mayor Sanchez if she could get a motion from Council to move up agenda item 8 to II B. Councilman Frank Weikel made a motion to move up item 8 to II B. and he was seconded on the motion by Councilman Stuart Howard, all were in favor so motion carried. Consultant Eddington discussed the Front Street project draws with Council, he said we have had a total of two draws one for \$20,748.00 (twenty thousand seven hundred forty eight dollars) and one for \$5,500.00 (five thousand five hundred dollars) and we have a pending draw of \$65,652.00 (sixty five thousand six hundred fifty two dollars). Consultant Eddington told Council that when he first came to the City I did a financial needs analysis and we had several things that we needed to upgrade which included our accounting system, our internal controls, put a budget together and have it approved. Consultant Eddington discussed the Budget to Actual Report with Council and he said that what it includes is all the different class categories, how much money we have budgeted and how much we have spent. Consultant Eddington covered page five of the report and he told Council that the actual income received by the City to date was \$563,513.67 (five hundred sixty three thousand five hundred thirteen dollars and sixty seven cents) and the budget amount was \$539,000.00 so right now we have \$24,000.00 (twenty four thousand dollars) more than what the budget accounted for. Eddington went on to say that some of the reasons why this happened is because the Municipal Court had a warrant round up and we also have had a lot of permits; this report is from October 2012 to May 2013. This report is critical to us because we will be doing our budget workshops in July. **B. Audit Update -2010-2011 2011-2012.** Consultant Eddington said there



were no exceptions on the audits and I would recommend that we adopt them. Item 8. Discussion and Action needed to approve 2010 & 2011 Fiscal Year Audit. City Manager Davila stated that we needed a motion on this item. A motion to approve the Audits was made by Councilman Weikel and he was seconded by Councilwoman Maldonado, all were in favor so motion carried. C. Sales Tax Audit Update. Consultant Eddington stated that the City was selected to be audited by the State Comptroller's Office. The audit was conducted at Consultant Eddington office and the City Manager was present for the audit. Mr. Eddington said that the auditors agreed on the way the information was put together and on how we were accessing the tax. Mr. Eddington said that the auditors usually go back seven years but we convinced them to only go back four years. Mr. Eddington stated that we will have a liability but we don't know how much that will be but they will allow us to make payments.

**6. Discussion on Mayor, Mayor Pro-Tem and City Council Members.** City Manager Davila stated that we are going to keep everything as it is right now and this is a discussion only item.

**7. Discussion and Action on Budget Allocations on several items on 2012-2013 City of Encinal Budget. (City Accountant).** City Accountant Eddington said that there were no Budget Allocations at this time.

**9. Discussion and Action to Approve Proclamation for Veteran's Association. Discussion and Action on Veteran's Memorial.** A motion to approve the Proclamation for Veteran's Association was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Howard, all were in favor so motion carried.

**10. Discussion and Action on Amendment of City Ordinance No. 11022010 establishing Rules and Regulations for Construction, Installation, Excavation and Maintenance of Utilities with City of Encinal public right-of-way inside the city limits and within its ETJ; requiring permits therefore; and providing for penalties.** City Manager Davila said that this item did not need a motion.

**11. Discussion and Action on Ordinance No. 06252013 dealing with streets, sidewalks, right-of-way and other public places.** City Attorney Caballero stated that he had researched this subject and he put together an ordinance that he believes is very complete and it covers things that we might not need right now but we will eventually grow into. City Attorney Caballero said that we are always trying to catch up on things so it is his recommendation that the City adopt the ordinance. This is the first reading on this ordinance so there is no motion needed.

**12. Discussion and Action on Open Meetings Requirement for Mayor and City Council Members. Discussion and Action on closed Session Requirements. (Possible Closed Session).** City Manager Davila let Councilwoman Maldonado that she needs to view her Open Meetings video on the Secretary of State's website. City Attorney Caballero stated that they have 60(sixty) days to complete this course.

**15.** A motion to move up item 15 to 13 was made by Councilman Howard and he was seconded on the motion by Councilwoman Arizola, all were in favor so motion carried. **Discussion on update on**

**City Hall project.** City Manager Davila said that we have turned in our paperwork, our drawing are being done by our Architect Mr. Guajardo and he should have those completed by the third week in July. Manager Davila said that we are currently waiting for USDA to send us our Letter of Condition and then we can move forth on that.

**13. Discussion and Action on Agreement between EEDC and Hecho en Encinal dated October 25, 2005. (Possible Closed Session)**

**14. Discussion and Action on the EEDC's Board management of the affairs of the corporation, restructuring and clarification of member(s) and roles of each. (Possible Closed Session)** A motion to go into Closed Session to discuss items 13 & 14 was made by Councilman Weikel and he was seconded on the motion by Councilman Howard, all were in favor so motion carried. Mayor Sanchez, Council, and Staff retired into closed session at 6:45 p.m. A motion to reconvene was made by Councilman Weikel at 7:25 p.m. and he was seconded on the motion by Councilwoman Arizola, all were in favor so motion carried. City Attorney Caballero stated that Hecho en Encinal was dissolving and what are we going to do with the money and also the Library would like to get some type of funding from the City. City Attorney told Ms. Janet Kreuger that since the EEDC can't give money to the Library, according to what you said, then I recommend that you write a letter returning the money in the form of a check made payable to the EEDC. City Attorney Caballero went on to say that as far as the City giving any money to the Library because its not on our agenda we can't do anything with it right now, however if you would like to request funding I would encourage you to contact Velma and have her put it on the agenda.(Attorney Caballero was addressing Ms. Janet Kreuger) City Attorney Caballero asked Council for a motion to table Item number 13, a motion to table was made by Councilman Howard and he was seconded on his motion by Councilwoman Maldonado, all were in favor so motion carried. Councilman Howard made a motion to restructure the EEDC Board, as part of that reconstruction, Mr. Mancha be removed as a Director of the Board and Officer of the EEDC, he was seconded on the motion by Councilwoman Maldonado, both were in favor so motion carried,( Councilman Weikel and Councilwoman Arizola both abstained from voting.)

**16. Adjournment of the Meeting.** A motion to adjourn was made by Councilman Howard and he was seconded by Councilwoman Arizola, all were in favor so motion carried. Meeting ended at 7:30 p.m.

Minutes were approved by Council Member Frank Weikel and a second Motion was made by Council Member Stuart Howard on this the 9<sup>th</sup> day of July 2013.

Velma Davila  
Velma Davila, City Manager  
Attest City Secretary



City of Encinal, Texas  
Regular Meeting

*NOTICE is hereby given of a Regular Meeting of the City Council on Tuesday, July 9, 2013. At 5:00 PM at 107 N. Tejas, 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.*

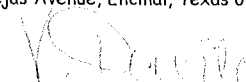
Accordingly, the Encinal City Council has rules of courtesy in place for all persons in attendance at its meetings. The Presiding Public Official shall at all times preserve order and decorum, prevent personal references to Council Members or the impugning of persons' motives. Citizens requesting to 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 to determine if a quorum is Present.
2. Pledge of Allegiance.
3. Approval of Minutes for June 25, 2013.
4. Citizens Comments. . *The citizen shall make every effort to be brief, get to the point, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.*
5. I. City Manager's Report
  - a. Encinal Partner's Animal Shelter
    - a. Budget
    - b. Report on Monthly Bills.
    - c. Update on Front Street Project.
  - II. Accountant/Consultant Report.
6. Discussion and Possible Action on Budget Workshop Days.
7. Discussion on return of grant funds from Hecho En Encinal.
8. Discussion and Action on Final Reading on Ordinance No. 06252013 dealing with streets, sidewalks, right-of-way and other public places.
9. Discussion and Action to approve new members for EEDC as per EEDC Board of Directors recommendation from their meeting held on July 1, 2013.
10. Discussion and Action to approve the sale of Police Car, Sanitation truck & Compactor.
11. Adjournments of Meeting.

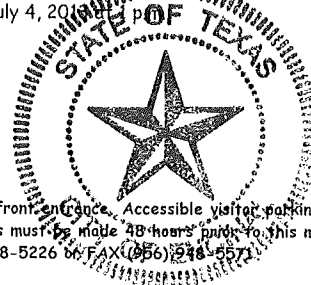
CERTIFICATION

I CERTIFY THAT THE ABOVE NOTICE OF THIS REGULAR MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on Thursday, July 4, 2013.

  
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City Manager

DISABILITY ACCESS STATEMENT

This meeting site is wheelchair accessible. The accessible entrance is located at the City Hall front entrance. Accessible visitor parking spaces are located at City Hall, 107 N. Tejas. 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, at (956) 948-5226 or FAX (956) 948-5571.



**City of Encinal**

**Regular Meeting Minutes**

**July 9, 2013**

**1. Meeting called to order to determine if a quorum is present.** Present were Councilmen Frank Weikel and Stuart Howard and Councilwoman Irma Arizola, absent were Councilwomen Christina Maldonado and Martha Guerra. The meeting started at 5:05 p.m.

**2. Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and members of Council.

**3. Approval of Minutes for June 25, 2013.** A motion to approve the minutes with the correction of the spelling on the word "shotgun" was made by Councilman Frank Weikel and he was seconded on the motion by Councilman Stuart Howard, all were in favor so motion carried.

**4. Citizens Comments.** No Citizens comments at this time.

**5. I. City Manager's Report. A. Encinal Partner's Animal Shelter. A. Budget B. Report on Monthly Bills. C. Update on Front Street Project. II. Accountant/Consultant Report.** City Manager Velma Davila said that we are currently working on the Animal Shelter and we're almost done and Core Construction has been helping us to haul off our trash and he let us use his heavy equipment to clean it up, we should have it all clean by tomorrow. City Manager Davila said she would start working on the monthly bills on Monday when we get our sales tax. We went ahead and gave Mr. Boultinghouse the check \$28,000.00 (twenty eight thousand dollars) and City Attorney Juan Caballero is working on the contract for the water so they can reimburse us by the end of July to the EEDC the amount of \$14,288.98 (fourteen thousand two hundred eighty eight dollars and ninety eight cents). City Consultant Ashley Eddington said that we were in the process of finishing the information and submitting it to the auditors for 2012 audit and we did receive a correspondence today regarding the front street project where we have to submit an ACF that's an audit financial form that is required if your expenditures are going to be more than \$500,000.00 (five hundred thousand dollars) per year and for the audit year 2012 we did not exceed that amount so we aren't required to do the single audit act report so were just submitting that revised document right now so we can make sure our funding is handled properly.

**6. Discussion and Possible Action on Budget Workshop Days.** Consultant Eddington said that last year we had three budget workshops and we have to have them in addition to the monthly Council meetings. City Manager Davila said we can schedule them thirty minutes prior to our meeting or thirty minutes after our regular Council meetings. Consultant Eddington said that the first meeting should be schedule for at least one hour because we need to explore items that we didn't explore last year for example we didn't have a budget for buying new equipment and we have two other considerations we are going to have an Animal Shelter and the new City Hall and another consideration is the Code Compliance so I believe are first meeting should be for an hour so we can get everyone's ideas and it's also open to the public. City Manager Davila suggested that the Budget Workshop be scheduled for July 23 at 5:00 p.m. A motion to schedule the Budget Workshop on July 23 was made by Councilman Frank Weikel and he was seconded on the motion by Councilwoman Irma Arizola, all were in favor so motion carried.

**7. Discussion on return of grant funds from Hecho en Encinal.** City Manager Davila said that we had received a check from Hecho en Encinal for \$6,000.00 (six thousand dollars) and a letter from them stating that they would like to thank EEDC for their support and she also included a financial statement from the organization the letter was sent by Mrs. Janet Kreuger. Manager Davila said the check would be deposited tomorrow in the EEDC account.

**8. Discussion and Action on Final Reading on Ordinance No. 06252013 dealing with streets, sidewalks, right-of-way and other public places.** City Attorney Juan Caballero said that we came across certain problems this time while working on the street (Front Street Project) so we came up with an Ordinance pretty much like Laredo's so whenever anyone is going to put something on the street or anything having to do with the street and the process they have to go through and the permits they have to get and how much those permits would cost and that's the reason we came up with this Ordinance and I recommend that you review it. A motion to approve Ordinance No. 06252013 dealing with streets, sidewalks, right-of-way and other public places was made by Councilman Frank Weikel and he was seconded on the motion by Councilwoman Irma Arizola, all were in favor so motion carried.

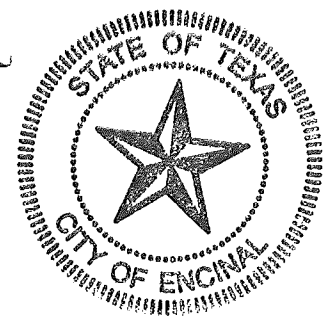
**9. Discussion and Action to approve new members for EEDC as per EEDC Board of Directors recommendation from their meeting held on July 1, 2013.** City Manager Davila stated that during the EEDC meeting there were 3 people nominated to join the EEDC and they were Judge Hector Cortez, Linda Ramirez, and Ms. Paredes. A motion to accept Hector Cortez and Olga Paredes as new EEDC members was made by Councilman Frank Weikel and he was seconded on the motion by Councilman Stuart Howard, all were in favor so motion carried. A motion to accept Linda Ramirez was made by Councilman Frank Weikel and he was seconded on the motion by Stuart Howard. Councilwoman Irma Arizola did not participate on this motion because she is the mother of Linda Ramirez.

**10. Discussion and Action to approve the sale of the Police Car, Sanitation truck & Compactor.** City Manager Davila stated that they would like to sell the F250 diesel truck that the Sanitation guys would use to pick up the trash around town with and we also have the Police Department's grey unit because the engine is not good anymore. Councilman Frank Weikel asked if there was a buyer. And City Manager Davila said no but she would like to find out if we have to auction them or just advertise them, would like advice from City Attorney Caballero. City Manager Davila said that the Compactor had a potential buyer in Lewis Energy, and the Compactor is just sitting there and not being used anymore at the Transfer Station. Councilman Weikel asked if any of the vehicles were running and City Manager Davila said that only the Police Department's grey unit but that it won't get you anywhere out of town. City Manager Davila said that she would like to buy everybody a trash can for all the residents. A motion to sell both vehicle and the Compactor was made by Councilman Frank Weikel and he was seconded on the motion by Councilwoman Irma Arizola, all were in favor so motion carried.

**11. Adjournment of Meeting.** A motion to adjourn the meeting was made by Councilwoman Irma Arizola and she was seconded on the motion by Councilman Frank Weikel, all were in favor so motion carried. The meeting was adjourned at 5:28 p.m.

Minutes were approved by Council Member Frank Weikel and a second Motion was made by Council Member Irma Arizola on this the 8<sup>th</sup> day of August 2013.

Velma Davila  
Velma Davila, City Manager  
Attest City Secretary



City of Encinal, Texas  
Regular Meeting

NOTICE is hereby given of a Regular Meeting of the City Council on Tuesday, August 6, 2013. At 5:30 PM at 107 N. Tejas, 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.

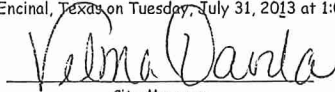
Accordingly, the Encinal City Council has rules of courtesy in place for all persons in attendance at its meetings. The Presiding Public Official shall at all times preserve order and decorum, prevent personal references to Council Members or the impugning of persons' motives. Citizens requesting to 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 to determine if a quorum is Present.
2. Pledge of Allegiance.
3. Approval of Minutes for July 9, 2013.
4. Citizens Comments. *The citizen shall make every effort to be brief, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.*
5. I. City Manager's Report
  - a. Encinal Partner's Animal Shelter.
  - b. Report on Monthly Bills.
  - c. Update on Front Street Project.
  - d. New Equipment Bank AccountII. Accountant/Consultant Report.
  - a. Sales Tax Audit Report
  - b. 2011-2012 Financials for Audit submission
6. Discussion and Action on City's contribution to Immaculate Heart of Mary Catholic Church.
7. Discussion and Action on City's contribution for School Supply drive for Encinal Elementary School.
8. Discussion and Action on advertising for Part-time (30 Hrs.) Public Works/City Clerk position.
9. Discussion and Action on approving City Council member to the Falcon National Bank Signature Card.
10. Discussion and Action on setting date and time for regular monthly meeting.
11. Presentation from Crane Engineering on Assessment for EEDC. (Discussion only)
12. Consideration and Approval of a Resolution by the City Council of The City of Encinal, Texas authorizing and approving Publication of Notice of Intention to Issue one or more series of Certificates of Obligation, and providing for other matters in connection therewith. (Presented by Bond Counsel)
13. Discussion and Action on approval of Loan Resolution for USDA City Hall Project.
14. Adjournments of Meeting.

CERTIFICATION

I CERTIFY THAT THE ABOVE NOTICE OF THIS REGULAR MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on Tuesday, July 31, 2013 at 1:00 p.m.

  
City Manager

DISABILITY ACCESS STATEMENT

This meeting site is wheelchair accessible. The accessible entrance is located at the City Hall front entrance. Accessible visitor parking spaces are located at City Hall, 107 N. Tejas. 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, at (956) 948-5226 or FAX (956) 948-5571.



**City of Encinal**  
**Regular Meeting Minutes**  
**August 6, 2013**

**1. Meeting called to order to determine if a quorum is Present.** The meeting was called to order by Mayor Sanchez at 5:34 p.m. Present were Councilmembers Frank Weikel, Irma Arizola, Stuart Howard, and Martha Guerra, absent was Councilwoman Christina Maldonado.

**2. Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and Council members.

**3. Approval of Minutes for July 9, 2013.** A motion to approve the minutes as stated was made by Councilman Frank Weikel and he was seconded on the motion by Councilwoman Irma Arizola, all were in favor so motion carried.

**4. Citizen's Comments.** No comments at this time.

**5. I. City Manager's Report a. Encinal Partner's Animal Shelter b. Report on Monthly Bills c. Update of Front Street Project d. New Equipment Bank Account II. Accountant/Consultant Report a. Sales Tax Audit Report b. 2011-2012**

**Financials for Audit submission.** Mayor Sanchez requested a motion to move up item numbers 12 and 13 for discussion. A motion to move up items twelve and thirteen was made by Councilwoman Irma Arizola and she was seconded on the motion by Councilwoman Martha Guerra, all were in favor so motion carried.

**Item 12. Consideration and Approval of a Resolution by the City Council of The City of Encinal, Texas authorizing and approving Publication of Notice of Intention to Issue one or more series of Certificates of Obligation, and providing for other matters in connection therewith. (Presented by Bond Counsel) Item 13.**

**Discussion and Action on approval of Loan Resolution for USDA City Hall Project.**

Mr. Juan Aguilera a Bond Counsel Attorney from Escamilla and Poneck, LLP said he would like to start by introducing item number 13 an approval of Loan

Resolution for USDA City Hall Project. Mr. Aguilera asked City Manager Davila if she had explained the loan to Council and she replied that it had been discussed during the Budget workshop and that the interest rate could go up to 3.5 percent or go down as low as 2.7 percent. Mr. Aguilera added that on the Letter of Condition from USDA that the loan amount is not going to exceed 3.5 percent and at the time of closing what the USDA will look at what the interest rate is at that time and if it's lower than 3.5 they are obligated to give you the lower rate. Councilman Frank Weikel asked if that rate was locked in. City Manager Davila responded that yes it was. Mr. Aguilera stated that the resolution says that the Council is wanting to proceed with the Loan Agreement but he wanted to make sure that at this point you are not approving any financing other than agreeing to move forward in that direction. Mr. Aguilera stated that on item number twelve is the process that USDA and State law requires in providing for the authorization of the sale of Certificates of Obligation, this resolution is required by the USDA and what you're basically telling them is that you're going to move forward with the process. A motion to approve the Loan Resolution for USDA City Hall Project was made by Councilman Frank Weikel and he was seconded on the motion by Councilwoman Irma Arizola, all were in favor so motion carried. Mr. Aguilera stated that on the Letter of Condition USDA was requiring that the City issue General Obligation Bonds which are more intensive, time consuming and cost more money after speaking to the Mayor and staff it was suggested to do Certificates of Obligation instead. Mr. Aguilera stated that he has prepared the first step, the law requires that in order to issue Certificates of Obligation that a notice be prepared and that the notice be published in the newspaper of general circulation in this area and that we wait thirty days after the publication and at that the Council can if they wish issue Certificates of Obligation and that's how the USDA would like to be able to have this form of financing to be able to proceed, I have prepared for you a resolution and we sent it over to staff today and what it does it authorizes the City Secretary to proceed and publish a notice of intention that states that the City Council of Encinal will convene on September 9, 2013 at 5:30 p.m. and at that time you will consider the passage of an Ordinance of an amount not to exceed \$1, 513,000.00 (one million five hundred and thirteen thousand dollars) for the purpose of the construction and equipment



of a new City Hall and also at that time the notice states that if you proceed to issue Certificates of Obligation and you will levy as requested by the USDA that taxes will be levied in sufficient amounts every year to make your annual payments on the Certificates of Obligation. Mr. Aguilera stated that in the addition to the Certificates of Obligation utilized the law requires that a revenue pledge be used of some kind to back the tax pledge, we went ahead and pledged a lien if you approve of limited revenues from the City's Waste Management system, that every year when you set your budget the Council will meet and decide how are we going to pay this. Mr. Aguilera told Council that the first step is to authorize the City Secretary to publish a Notice of Intention and it will be published twice for two consecutive weeks and once it has been published we will come back on September 9<sup>th</sup> and at that time you will decide if you want to proceed. Mayor Sanchez requested a motion from Council. Councilman Frank Weikel made a motion to accept the Publication of Notice of Intention to Issue one or more series of Certificates of Obligation and he was seconded on the motion by Councilwoman Irma Arizola, all were in favor so motion carried. Councilman Frank Weikel asked if were getting a million and a half what happens if were under? City Consultant Ashley Eddington replied to Mr. Weikel's question by replying that in the past you could keep the money but now you have to return it back and they apply those funds as payment towards the principal. Councilman Frank Weikel asked if the bids for the project would be based on a point system. City Manager Davila stated that Architect Guajardo would be doing it differently, Joe De Ochoa from USDA will be here and Mr. Guajardo will be doing a system. Mayor Sanchez resumed item number five, **City Manager's Report**. City Manager Davila stated that the Animal Shelter is seventy five percent completed and we should be getting our cages on Thursday and the electrician will be doing all the work on Friday and hopefully we can have the ribbon cutting the second week of September. City Manager Davila stated that she has not worked on the monthly bills yet because this Friday we will get the sales tax. City Manager Davila said that the Front Street Project is fifty four percent complete and it should be done by September 30<sup>th</sup>. City Manager Davila told Council that we sold the Grey Police Unit for \$2,000.00 (two thousand dollars) plus they gave us a tail gate for the Code Enforcement truck and we sold the Sanitation F250 for \$1,00.00( one

thousand dollars) and we opened a new equipment account with the money also Lewis Energy is looking into buying our Compactor. City Manager Davila stated that we were trying to get the Fire Truck repaired because in order for the County to pay for it you would have to fix it first and then bill the County so I called Craig Rosenstein from Lewis Energy and the head mechanic for Lewis Energy said they would take care of the fire engine because it's been broken for three months already. City Manager Davila spoke about the Shell Conferences being held in Carrizo Springs at Middle Rio Grande and she said that grants would be available to those who attend the conferences and she also mentioned that all members of Council were invited to attend. **Sales Tax Audit Report:** Consultant Eddington told members of Council we had a sales tax audit for our taxable services for our trash the auditor wanted to know how much we hadn't reported, why we haven't reported and how we are paying it back. Mr. Eddington went on to say that we hadn't been reporting sales tax because the previous administrations believed we were tax exempt, after finding out we immediately filed and started collecting sales tax. Consultant Eddington recommended to Council that in order to pay the sales tax that we are going to owe we could do a twenty five cents increase on the sanitation accounts or we could also make payment arrangements to pay it off. Consultant Eddington said that they have submitted the 2011-2012 audits to Flores. City Manager invited all Council members to the City Hall ground breaking on August 19, 2013.

**6. Discussion and Action on City's contribution to Immaculate Heart of Mary Catholic Church.** City Manager Davila said that the church was requesting two hundred dollars for their annual Jamaica. A motion to donate the money to Immaculate Heart of Mary Church was made by Councilman Frank Weikel and he was seconded on the motion by Councilwoman Martha Guerra, all were in favor so motion carried.

**7. Discussion and Action on City's contribution for School Supply drive for Encinal Elementary School.** A motion to accept that the City contribute to the School Supply Drive was made by Councilwoman Irma Arizola and she was seconded on the motion by Councilman Stuart Howard, all were in favor so motion carried.

**8. Discussion and Action on advertising for Part-time (30 hours) Public Works/ City Clerk position.** City Manager Davila stated that Cuco had stopped working for the City to care for his Dad who is ill. A motion to approve the hiring of a part time clerk and a part time sanitation worker was made by Councilman Frank Weikel and he was seconded on the motion by Stuart Howard, all were in favor so motion carried.

**9. Discussion and Action on approving City Council members to the Falcon National Bank Signature card.** A motion to add Councilwoman Martha Guerra, Christina Maldonado, Irma Arizola and Councilman Stuart Howard to the signature card and keep Frank Weikel and Sylvano Sanchez on the card was made by Councilman Stuart Howard and he was seconded on the motion by Councilman Frank Weikel, all were in favor so motion carried.

**10. Discussion and Action on setting date and time for regular monthly meeting.** After some discussion Council Members agreed to meet the second Tuesday of every month after the September 9<sup>th</sup> meeting, a motion to approve the item was made by Councilman Frank Weikel and he was seconded on the motion by Councilwoman Martha Guerra, all were in favor so motion carried.

**11. Presentation from Crane Engineering on Assessment for EEDC.** (Discussion only). A representative from Crane Engineering, Victor Linares stated that the assessment was complete but that they did not get enough information from the EWSC regarding waste water management. The Infrastructure Report evaluates water, waste water, storm water and street improvements. Mr. Linares explained to City Council that they recommend that the Encinal Water Supply Corporation have at least fifty four fire hydrants throughout the City and that all the water lines should be at least six inches in diameter, he also mentioned that the East side of the City was evaluated because of the possibility of that area being developed. City Attorney Juan Caballero asked Mr. Linares "how would this assessment benefit the City?" and Mr. Linares replied that to obtain a grant it's easier to apply for one once you have an assessment or evaluation already in

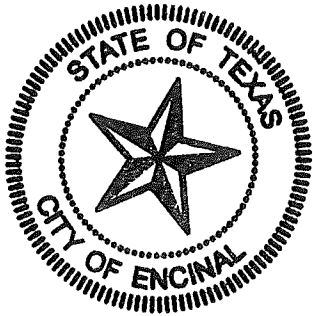
place, he went on to say that the biggest concerns were the two inch diameter pipes that should be a minimum of six inches and also the lack of fire hydrants which should be located every five hundred feet throughout the City.

**14. Adjournment of Meeting.** A motion to adjourn the meeting was made by Councilwoman Irma Arizola and she was seconded on the motion by Councilman Frank Weikel, all were in favor so motion carried. The meeting was adjourned at 6:40 p.m.

Minutes were approved by Council Member Frank Weikel and a second Motion was made by Council Member Stuart Howard on this the 9<sup>th</sup> day of September 2013.

Velma Davila

Velma Davila, City Manager  
Attest City Secretary



City of Encinal, Texas  
Regular Meeting

*NOTICE is hereby given of a Regular Meeting of the City Council on Monday, September 9, 2013. At 5:30 PM at 107 N. Tejas, 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 §1.030. A person who make a false statement under oath is subject to prosecution under Section 37.02, Penal Code

1. Meeting called to order to determine if a quorum is Present.
2. Pledge of Allegiance.
3. Approval of Minutes for August 6, 2013.
4. Citizens Comments. *The citizen shall make every effort to be brief, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.*
5. I. City Manager's Report/Accountant-Consultant Report.
  - a. Encinal Partner's Animal Shelter.
  - b. Update on Front Street Project.
  - c. Donation to Love's.
  - d. Final determination for Sales Tax Audit.
6. Discussion and Action on CONSIDERATION AND APPROVAL OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF ENCINAL, TEXA COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2013;" PROVIDING FOR THE PAYMENT OF THE CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING THE CERTIFICATES BY A LIEN ON AND LIMITED PLEDGE OF THE NET REVENUES OF THE CITY'S WASTE MANAGEMENT SYSTEM NOT TO EXCEED \$1,000; PROVIDING THE TERMS AND CONDITIONS OF THE CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECUTIRY, SALE, AND DELIVERY OF THE CERTIFICATES, AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
7. Discussion and 1<sup>st</sup> Reading on Ordinance #2013-09-09/Providing Regulations to Promote a Health.
8. Discussion and Action on Amending Ordinance No. 1986-6 AEP Franchise Fee's.
9. Adjournments of Meeting.



CERTIFICATION

I CERTIFY THAT THE ABOVE NOTICE OF THIS REGULAR MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on Thursday, September 5, 2013 at 11:00 a.m.

*Velma Dando*  
City Manager

DISABILITY ACCESS STATEMENT This meeting site is wheelchair accessible. The accessible entrance is located at the City Hall front entrance. Accessible visitor parking spaces are located at City Hall, 107 N. Tejas. 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, at (956) 948-5226 or FAX (956) 948-5571.

**City of Encinal**

**Regular Meeting Minutes**

**September 9, 2013**

**1. Meeting called to order to determine if a quorum is Present.** Mayor Sanchez called the meeting to order at 5:30 p.m. Present were Council members Martha Guerra, Frank Weikel, Stuart Howard, Christina Maldonado and Irma Arizola.

**2. Pledge of Allegiance.** Pledge of Allegiance was led by Mayor Sanchez and Council.

**3. Approval of minutes of August 6, 2013.** Mayor Sanchez requested Council to move up Agenda Item number 8. A motion to move up item number 8 was made by Councilman Howard and he was seconded on the motion by Councilwoman Guerra, all were in favor so item was moved up. **Item 8 Discussion and Action on Amending Ordinance No. 1986-6 AEP Franchise Fee's.** Ms. Olga Maldonado stated that AEP operates with a franchise agreement in all the cities that we operate in and the franchise gives us the opportunity to put our poles and wires in your right of ways in exchange for the payment of a franchise fee. Ms. Maldonado state that she came to Council to ask them to extend the franchise. City Manager Davila stated that if we don't approve it we won't get the franchise which is about twenty nine hundred to thirty one hundred a month, Ms. Maldonado stated that even if it's not approved that AEP would still have to pay the franchise fee. City Attorney Juan Caballero asked Ms. Maldonado if we have enough time I would like to see how this meshes with an Ordinance that we passed on the use of public right of ways to see how they work together. Mayor Sanchez stated that there would be no action on this item as this is the first reading. Mayor Sanchez requested that Council move up item number 6. A motion to move item number six was made by Councilman Howard and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried. **Item 6. Discussion and Action on CONSIDERATION AND APPROVAL OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF ENCINAL, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2013." PROVIDING FOR THE PAYMENT OF THE CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING THE CERTIFICATES BY A LIEN ON AND LIMITED PLEDGE OF THE NET REVENUES OF THE CITY'S WASTE MANAGEMENT SYSTEM NOT TO EXCEED \$1,000; PROVIDING THE TERMS AND CONDITIONS OF THE CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF THE CERTIFICATES, AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.** Attorney Juan Aguilera stated that he was here on behalf of the City of Encinal, last time he was here the Council approved that the City Manager publish a notice of intention which must be published in a newspaper and that it must be published twice and that we wait thirty days after the publication. Mr. Aguilera went on to say that the notice was published on August 8<sup>th</sup> and 15<sup>th</sup> so today we are within what the law requires now the Council may approve this ordinance if they wish. Mr. Aguilera went on to say that it is a loan from the USDA but they want us to issue Certificates of Obligation in order to document the loan. Mr. Aguilera said the interest

rate on the loan was 3.5 percent and another thing that the USDA has requested is that the City work with a local bank to hold on to the bonds, this loan will not be made available to you in a one time because it's a million five hundred thirteen thousand dollars and the way USDA works is in installments. A motion to adopt the Ordinance as presented was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Howard, all were in favor so motion carried. Mayor Sanchez returned to item 3 the approval of minutes. A motion to approve the minutes as stated was made by Councilman Weikel and he was seconded on the motion by Councilman Howard, all were in favor so motion carried.

**4. Citizen's Comments.** No Citizen's comments at this time.

**5. I. City Manager's Report/Accountant-Consultant Report. a. Encinal Partner's Animal Shelter.** City Consultant Eddington stated that the shelter was about eighty five percent complete, the flooring is finished, the entire structure has been painted and now we have to build the cages and put the ceiling fans up and get the site inspected. **b. Update on the Front Street Project.** Consultant Eddington said that they have started on the curbs and gutters right now on both sides of the street and they have laid their base and they are preparing to put their asphalt down and it has to be completed by September 30<sup>th</sup>. **c. Donation to Love's. d. Final determination for Sales Tax Audit.** Consultant Eddington said that we have not discussed how we are going to repay this but we did talk about assessing an amount to the trash bill because its tax that we should have charged but we never did. City Manager Davila said that the Manager from Subway Kevin Richardson came to the city with a letter requesting a donation for the Children's Miracle Network. A motion to donate five hundred dollars to the Children's Miracle Network was made by Councilman Weikel and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried.

6. Item six was discussed above.

**7. Discussion and 1<sup>st</sup> Reading on Ordinance #2013-09-09/ Providing Regulations to Promote and Insure Health.** City Manager Davila stated that we have been sending Code Enforcement to all the abandoned properties so we have been sending letters and fines and now we would like to go in there and clean the properties and then put a lien on them. City Attorney Caballero stated that it addresses weeds, accumulation of debris, junk cars and it provides for a fine and your given a certain amount of time to comply or you have to appear before the municipal court. City Attorney said the fine would be two thousand dollars as provided by State law and after that if you don't do anything the City would come in and clean and at that point the City would assess the cost of the clean up and they would write out a lien form and you would send it to the County seat in Cotulla and there would be a lien placed on the property, after the lien has been placed you could sue them civilly and you would get a judgment and once you have a judgment in order to sell the property you would have to pay the lien. City Manager Davila stated that they only have seven days to contact the Municipal Court and if they contact the Municipal Court they have ten more days after that so if they don't contact the Court we clean the property and then we can file the lien. City Attorney Caballero said that they would get a letter advising them about what was going to happen and what will be done. This is a first reading only so no action is needed.

**Addendum: Discussion and Action to approve the tax rate of the City of Encinal at a rate of 0.777100.** City Manager Davila stated that the tax rate had remained the same and the reason we have to approve it is because we got a call from the school and if we don't submit this before the end of the month then they will charge us extra to send off letters again. A motion to approve the tax rate was made by Councilman Weikel and he was seconded on the motion by Councilwoman Arizola, all were in favor so motion carried.

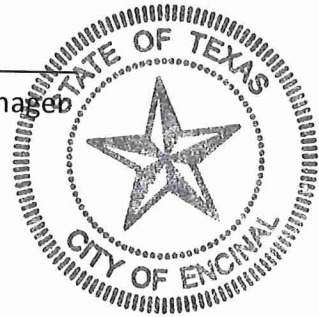
8. Item 8 was discussed above.

**9. Adjournment of Meeting.** A motion to adjourn the meeting was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried. The meeting was adjourned at 6:15 p.m.

Minutes were approved by Council Member C. Maldonado and a second Motion was made by Council Member M. Guerra on this the 30th day of September 2013.

VDavila

Velma Davila, City Manager  
Attest City Secretary





# NOTICE OF 3<sup>rd</sup> BUDGET WORKSHOP

City of Encinal

3<sup>rd</sup> Budget Workshop

Monday, September 30, 2013 @5:00 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 3<sup>rd</sup> Budget Workshop on the above date, time and location on the 2013-2014 proposed budgets.
3. Adjournment.

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



Velma Davila/City Manager – Attest, City Secretary



Posted on: Thursday, September 26, 2013 @1:00 p.m.

City of Encinal, Texas  
Regular Meeting

*NOTICE is hereby given of a Regular Meeting of the City Council on Monday, September 30, 2013. At 5:30 PM at 107 N. Tejas, 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 to determine if a quorum is Present.
2. Pledge of Allegiance.
3. Approval of Minutes for September 9, 2013.
4. Citizens Comments. *The citizen shall make every effort to be brief, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.*
5. I. City Manager's Report/Accountant-Consultant Report.
  - a. Encinal Partner's Animal Shelter.
  - b. Update on Front Street Project.
6. Discussion and Action on Adopting the 2013-2014 City of Encinal Budget. (City Consultant/Accountant)
7. Discussion and Action regarding Issues with City Employee's. *The City Council of the City of Encinal, Texas reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code.*
8. Discussion and Action on Hiring City Clerk for the City of Encinal. *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.*
9. Discussion and Action on Amending and Adopting New Policies for the employees of the City of Encinal.
10. Discussion and Action on FINAL READING -- CONSIDERATION AND APPROVAL OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF ENCINAL, TEXA COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2013;" PROVIDING FOR THE PAYMENT OF THE CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING THE CERTIFICATES BY A LIEN ON AND LIMITED PLEDGE OF THE NET REVENUES OF THE CITY'S WASTE MANAGEMENT SYSTEM NOT TO EXCEED \$1,000; PROVIDING THE TERMS AND CONDITIONS OF THE CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECUTIRY, SALE, AND DELIVERY OF THE CERTIFICATES, AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
11. Discussion and Action Final Reading on Ordinance #2013-09-09A/Providing Regulations to Promote and Insure Health.
12. Discussion and Action on Final Reading on Ordinance No. 2013-09-09 B/An Ordinance granting to AEP Texas Central Company, Its successors and assigns, a Non-Exclusive Franchise to Construct, Maintain and

Operate Lines and Operate Lines and Appurtenances and Appliances for Conducting Electricity In, Over, Under and Through the Streets, Avenues, Alleys and Public Places of the City of Encinal, Texas.

13. Discussion and Action on Modifying and Adopting Ordinance No. 2013-06-25/An Ordinance Providing for the Regulation of Streets, Sidewalks, and Public Places and for the Fees Associated Therewith.
14. Discussion and Action on 1<sup>st</sup> Reading on Ordinance No. 2013-09-30/An Ordinance Governing the Stopping, Standing or Parking of Motor Vehicles; Authorizing The Issuance of Citations For Violations and Setting Fines For Such Violations; Authorizing Parking Meters and Setting Fees For Parking Meters.
15. Discussion and Action on Adopting a Policy requiring all Land & Buildings to be Platted prior to any permits are issued by the City of Encinal.
16. Discussion and Action on Adopting Resolution passed by The Commissioners Court of LaSalle County, Texas, The City Council of the City of Cotulla, The City Council of the City of Encinal, The Cotulla Independent School Board of Trustees.
17. Discussion and Action on Approving Date and Time for City of Encinal City Council Meetings.
18. Adjournments of Meeting.

### CERTIFICATION

I CERTIFY THAT THE ABOVE NOTICE OF THIS REGULAR MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on Friday, September 27, 2013 at 11:00 a.m.

*R. Davila*

City Manager



DISABILITY ACCESS STATEMENT This meeting site is wheelchair accessible. The accessible entrance is located at the City Hall front entrance. Accessible visitor parking spaces are located at City Hall, 107 N. Tejas. 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, at (956) 948-5226 or FAX (956) 948-5571.

*City of Encinal*

*Special Meeting Minutes*

*September 30, 2013*

**1. Meeting called to order to determine if a quorum is Present.** The meeting was called to order by Mayor Sanchez at 5:30 p.m. Present were Council Members Martha Guerra, Frank Weikel, Christina Maldonado, Irma Arizola, and Stuart Howard, all members were present so Mayor Sanchez determined that there is in fact a quorum.

**2. Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and members of Council.

**3. Approval of Minutes for September 9, 2013.** A motion to approve the minutes as stated was made by Councilwoman Christina Maldonado and she was seconded on the motion by Councilwoman Martha Guerra, all were in favor so motion carried.

**4. Citizens Comments.** A motion to move up item #12 was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Stuart Howard, all were in favor so motion carried. Item 12. Discussion and Action on Final Reading on Ordinance No. 2013-09-09B/An Ordinance granting to AEP Texas Central Company, Its successors and assigns, a Non-Exclusive Franchise to Construct, Maintain and Operate Lines and Appurtenances and Appliances for Conducting Electricity In, Over, Under and Through the Streets, Avenues, Alleys and Public Places of the City of Encinal, Texas. A motion to approve Ordinance No. 2013-09-09B was made by Councilman Frank Weikel and he was seconded on the motion by Councilman Howard, all were in favor so motion carried. Mayor Sanchez returned to Item 4, there were no Citizen's Comments at this time.

**5. I. City Manager's Report/Accountant-Consultant Report. a. Encinal Partner's Animal Shelter. b. Update on Front Street Project.** We have three cages that needed assembling at the shelter and we are hoping that the Animal Shelter will be up and running no later than the third week of October, but first we must vaccinate all of the animals and get them tagged stated City Manager Davila. Davila went on to say that the Front Street Project will be completed today. Consultant Eddington said that the balance of the Sales Tax Audit is \$16,531.00 and he said that \$1,508.00 in penalties was waived by the auditors.

**6. Discussion and Action on Adopting the 2013-2014 City of Encinal Budget.** (City Consultant/Accountant). A motion to accept the 2013-2014 City of Encinal Budget was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Howard, all were in favor so motion carried.

**7. Discussion and Action regarding Issues with City Employee's.**

**8. Discussion and Action on Hiring City Clerk for the City of Encinal.** A motion to move items 7 and 8 down to item 17 was made by Councilman Weikel and he was seconded on the motion by Councilwoman Maldonado, all were in favor so motion carried.

**9. Discussion and Action on Amending and Adopting New Policies for the employees of the City of Encinal.** City Manager Davila said that we added new policies for the City Staff and there will be a meeting on Wednesday for all employees and this will be a mandatory meeting and new forms will be filled out by the employees and it will also cover at will employees. A motion to approve the new Employee Manual was made by Councilman Howard and he was seconded on the motion by Councilman Weikel, all were in favor so motion carried.

**10. Discussion and Action on FINAL READING—CONSIDERATION AND APPROVAL OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF ENCINAL, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2013;” PROVIDING FOR THE PAYMENT OF THE CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING THE CERTIFICATES BY A LIEN ON AND LIMITED PLEDGE OF THE NET REVENUES OF THE CITY’S WASTE MANAGEMENT SYSTEM NO TO EXCEED \$1,000; PROVIDING THE TERMS AND CONDITIONS OF THE CERTIFICATES AND RESOLVING DELIVERY OF THE CERTIFICATES, AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.** A motion to approve the item was made by Councilman Weikel and he was seconded on the motion by Councilwoman Arizola, all were in favor so motion carried.

**11. Discussion and Action Final Reading on Ordinance #2013-09-09A/Providing Regulations to Promote and Insure Health.** City Attorney Juan Caballero stated that this ordinance would provide for fines and penalties if your given a notice for high weeds, junked cars and the like it also provides for a procedure where your given a notice and if you don’t comply then your given a citation or you get a hearing or you don’t and then the City can go and perform the cleaning of the property and you will be sent a bill for the amount of the incurred expenses and it would also create a lien on the property. A motion to approve the item was made by Councilman Howard and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried.

**12. Item 12 was discussed above.**

**13. Discussion and Action on Modifying and adopting Ordinance No. 2013-06-25/An Ordinance Providing for the Regulation of Street, Sidewalks, and Public Places and for the Fees Associated Therewith.** A motion to table the item was made by Councilwoman Maldonado and she was seconded on the motion by Councilwoman Guerra all were in favor so motion carried.

**14. Discussion and Action on 1<sup>st</sup> Reading on Ordinance No. 2013-09=30/An Ordinance Governing the Stopping, Standing or Parking of Motor Vehicles; Authorizing the Issuance of Citation For Violations and Setting Fines For Such Violations; Authorizing Parking Meters and Setting Fees for Parking Meters.** No action needed.


**15. Discussion and Action on Adopting a Policy requiring all Land & Buildings to be platted prior to any permits are issued by the City of Encinal.** We grant the City Manager and City Attorney permission to draw up and ordinance to require property owners to plat the land after purchase. A motion to grant permission to the City Manager and City Attorney was made by Councilman Weikel and he was seconded on the motion by Councilwoman Maldonado, all were in favor so motion carried.

**16. Discussion and Action on Adopting Resolution passed by the Commissioner's Court of LaSalle County, Texas, the City Council of the city of Cotulla, The City Council of the City of Encinal, the Cotulla Independent School Board of Trustees.** This item has to do with the dissatisfaction of some of the entities with the La Salle County Appraisal District. City Attorney Caballero stated that there was a statement in the resolution that he didn't agree with, mainly because there was some mention of the hiring of a Consultant and how much money would the City have to pay. A motion to table this item was made by Councilman Weikel and he was seconded on the motion by Councilwoman Guerra all were in favor so motion carried.

**17. Discussion and Action on Approving Date and Time for City of Encinal City Council Meetings.** A motion to approve the holding of the City Council Meetings to be held on every second Monday of the month was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Howard, all were in favor so motion carried. The Council went into Executive session accompanied by City Attorney Caballero at 6:17 p.m. The motion to go into executive session was made by Councilman Weikel and he was seconded on the motion by Councilwoman Maldonado. Items 7 and 8 will be covered in Executive Session. After resuming Council decided to recommend the hiring of Veronica Garcia to be our new City Clerk and a motion was made by Councilwoman Maldonado to accept the recommendation and she was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried.

**18. Adjournment of Meeting.** A motion to adjourn the meeting was made by Councilman Howard and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried. The meeting was adjourned at 6:42p.m.

Minutes were approved by Council Member Frank Weikel and a second Motion was made by Council Member Stuart Howard on this the 21st day of October 2013.

  
Velma Davila, City Manager  
Attest City Secretary



City of Encinal, Texas  
Special Meeting

**NOTICE** is hereby given of a Special Meeting of the City Council on Tuesday, October 15, 2013. At 5:00 PM at 107 N. Tejas, 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.

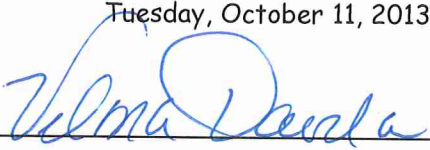
Accordingly, the Encinal City Council has rules of courtesy in place for all persons in attendance at its meetings. The Presiding Public Official shall at all times preserve order and decorum, prevent personal references to Council Members or the impugning of persons' motives. Citizens requesting to 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 to determine if a quorum is Present.
2. Pledge of Allegiance.
3. Citizens Comments. The citizen shall make every effort to be brief, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.
4. Discussion and/or possible action on adopting resolution of the City of Encinal, providing for submission of nominations for the election of Directors of the La Salle County Appraisal District for the Years 2014-2015 pursuant to section 6.03 of the Texas Property Tax Code..
5. Adjournments of Meeting.

**CERTIFICATION**

I CERTIFY THAT THE ABOVE NOTICE OF THIS SPECIAL MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on Tuesday, October 11, 2013 at 1:00 p.m.

  
\_\_\_\_\_  
City Manager



**DISABILITY ACCESS STATEMENT** This meeting site is wheelchair accessible. The accessible entrance is located at the City Hall front entrance. Accessible visitor parking spaces are located at City Hall, 107 N. Tejas. 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, at (956) 948-5226 or FAX (956) 948-5571.

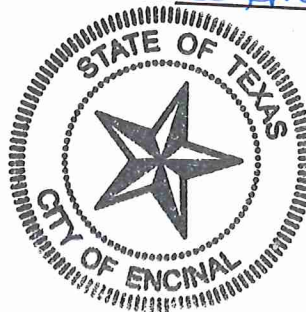
*City of Encinal*

*Special Meeting Minutes*

*October 15, 2013*

- 1. Meeting called to order to determine if a quorum is Present.** The meeting was called to order by Mayor Sanchez at 5:08 p.m. Present were Councilmembers Stuart Howard, Frank Weikel and Irma Arizola, absent were Councilmembers Martha Guerra and Christina Maldonado. Mayor Sanchez determined that there was in fact a quorum present.
- 2. Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez.
- 3. Citizens Comments.** No Citizens Comments at this time.
- 4. Discussion and/or possible action on adopting resolution of the City of Encinal, providing for submission of nominations for the election of Directors of the La Salle County Appraisal District for the Years 2014-2015 pursuant to section 6.03 of the Texas Property Code.** City Manager Davila informed Council that Councilmembers could not be on the board and neither could she but the Mayor is eligible to be on the board. Manager Davila stated that she recommended the nomination of Mayor Sanchez or if there was somebody else they would like to nominate. Councilman Weikel stated that he nominated Joe Garcia. Manager Davila suggested that Joe Garcia and Mayor Sanchez both be nominated and that if Mr. Garcia couldn't be on the Board then Mayor Sanchez would fill the spot. A motion to nominate Joe Garcia, Jr. and Mayor Sanchez was made by Councilman Frank Weikel and he was seconded on the motion by Councilman Stuart Howard, all were in favor so motion carried.
- 5. Addendum. Discussion and Action to Advertise for City of Encinal Police Chief position.** A motion to approve the advertisement of the Position of Police Chief was made by Councilman Weikel and he was seconded on the motion by Councilwoman Irma Arizola, all were in favor so motion carried.
- 6. Adjournment.** A motion to adjourn the meeting was made by Councilman Howard and he was seconded on the motion by Councilwoman Arizola, all were in favor so motion carried. The meeting was adjourned at 5:21p.m.

Minutes were approved by Council Member J. Weikel and a second Motion was made by Council Member S. Howard on this the 21<sup>st</sup> day of October 2013.



Velma Davila  
Velma Davila, City Manager  
Attest City Secretary



## City of Encinal, Texas Regular Meeting

*NOTICE is hereby given of a Regular Meeting of the City Council on Monday, October 21, 2013 at 6:00 PM at 107 N. Tejas, 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

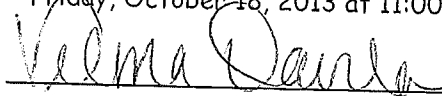
The City of Encinal requires that testimony before the council be given under oath pursuant to Local Government Code 81.030. A person who make a false statement under oath is subject to prosecution under Section 37.02, Penal Code.

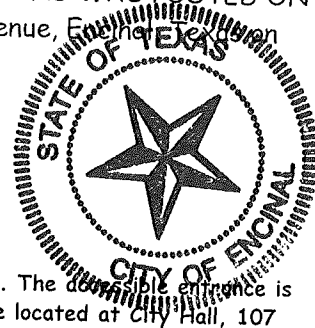
1. Meeting called to order to determine if a quorum is Present.
2. Pledge of Allegiance.
3. Discussion and Action on approving minutes of September 30, 2013 & October 15, 2013
4. Citizens Comments. *The citizen shall make every effort to be brief, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.*
5. I. City Manager's Report
  - A. Weather Disaster Update
  - B. Encinal Partners Animal Shelter
  - C. Update on Front Street Project
  - D. Update on Veterans Memorial
  - E. Update on City Hall Project  
  - II. City Consultant Report
    - A. Financial Report on Bank Accounts.
    - B. Accountant's Report
6. Discussion on 1<sup>ST</sup> Reading of Resolution. No. 10212013 - A RESOLUTION APPROVING AN APPLICATION FOR FUNDING THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE, TEXAS CAPITAL FUND.
7. Discussion and Action on approving an Assessment Fee on Sanitation Bill up to .70 cents for Residential Accounts and \$5.00 for Commercial Accounts.
8. Discussion and Action on approving Utility Criteria Application, Building Permit Application and Moving Permit Application.
9. Discussion on Modifying and Adopting Ordinance No. 2013-06-25/An Ordinance Providing for the Regulation of Streets, Sidewalks, and Public Places and for the Fees Associated Therewith.
10. Discussion and Action on Final Reading on Ordinance No. 2013-09-30/An Ordinance Governing the Stopping, Standing or Parking of Motor Vehicles; Authorizing The Issuance of Citations for Violations and Setting Fines for such violations; Authorizing Parking Meters and Setting Fees for Parking Meters.

11. Discussion and Action on Adopting a Policy requiring all Land & Buildings to be platted prior to any permits being issued by the City of Encinal.
12. Adjournment of Meeting.

### CERTIFICATION

I CERTIFY THAT THE ABOVE NOTICE OF THIS REGULAR MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas, Friday, October 18, 2013 at 11:00 a.m.

  
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City Manager



**DISABILITY ACCESS STATEMENT** This meeting site is wheelchair accessible. The accessible entrance is located at the City Hall front entrance. Accessible visitor parking spaces are located at City Hall, 107 N. Tejas. 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, at (956) 948-5226 or FAX (956) 948-5571.

*City of Encinal*

*Regular Meeting Minutes*

*October 21, 2013*

**1. Meeting called to order to determine if a quorum is Present.** Council Members present were Stuart Howard, Frank Weikel, and Irma Arizola. Absent were Christina Maldonado and Martha Guerra.

**2. Pledge of Allegiance.** The Pledge of Allegiance was led by City Council members.

**3. Discussion and Action on approving minutes of September 30, 2013 and October 15, 2013.** A motion to approve the minutes was made by Councilman Frank Weikel and he was seconded on the motion by Councilman Stuart Howard, all were in favor so motion carried.

**4. Citizens Comments.** No Citizens comments at this time.

**5. I. City Manager's Report. A. Weather Disaster Update. B. Encinal Partner's Animal Shelter. C. Update on Front Street Project. D. Update on Veterans Memorial. E. Update on City Hall Project. II. City Consultant Report. A. Financial Report on Bank Accounts. B. Accountant's Report.** City Manager Davila discussed the Bank Accounts with the members of Council. City Manager Davila told Members of Council that she had already purchased all the candy for the Halloween bags. A. The Red Cross came by to do assessments of the houses that were affected by the heavy rains. Mayor Sanchez picked up food from the Salvation Army to deliver to the victims of heavy rain we had gotten and they were delivered by Woody. City Manager Davila stated that she was still waiting on some quotes for the Veteran's Memorial because Craig Rosenstein from Lewis Energy Group wants us to get the monument from somebody in San Antonio. City Manager Davila said that we are almost done with the Front Street Project we are just waiting on the permit from TxDot. Davila went on to say that the plans for the City Hall have been sent to Temple and we are waiting for the approval, should have more information next month. A. Items were discussed above. B. Consultant Eddington said he would be meeting with the Accountant Flores next week to discuss the 2012 Audit.

**6. Discussion on 1<sup>st</sup> Reading of Resolution No. 10212013-A RESOLUTION APPROVING AN APPLICATION FOR FUNDING THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE, TEXAS CAPITAL FUND.** The Texas Capital Fund can be used to build something structural wise that would be beneficial to the businesses in the area said Consultant Eddington. Consultant Eddington said there is a business person interested in building a lift station on the West Side of town. This is a discussion item only.

**7. Discussion and Action on approving an Assessment Fee on Sanitation Bill up to .70 cents for Residential Accounts and \$5.00 for Commercial Accounts.** The new price for residential would be \$19.10 and County would be \$21.95. A motion to approve the assessment was made by Councilman Weikel and he was seconded on the motion by Councilwoman Arizola, all were in favor so motion carried.

**8. Discussion and Action on approving Utility Criteria Application, Building Permit Application and Moving Permit Application.** A motion to approve the Utility Criteria Application and Moving Permit Application was made by Councilman Stuart Howard and he was seconded on the motion by Councilman Weikel, all were in favor so motion carried.

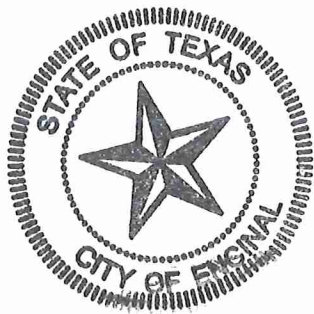
**9. Discussion on Modifying and Adopting Ordinance No. 2013-06-25/An Ordinance Providing for the Regulation of Streets, Sidewalks, and Public Places and for the Fees Associated Therewith.** City Manager Davila said that this item was being discussed with the Ladies from AEP and AT& T so she would need to have the item tabled for now. A motion to table the item was made by Councilman Weikel and he was seconded on the motion by Councilman Howard, all were in favor so motion carried.

**10. Discussion and Action on Final Reading on Ordinance No. 2013-09-30/ An Ordinance Governing the Stopping, Standing, or Parking Motor Vehicles; Authorizing the Issuance of Citations for Violations and Setting Fines for such violation; Authorizing Parking Meters and Setting Fees for Parking Meters.** A motion to accept the Ordinance was made by Councilwoman Arizola and she was seconded on the motion by Councilman Weikel, all were in favor so motion carried.

**11. Discussion and Action on Adopting a Policy requiring all Land & Buildings to be platted prior to any permits being issued by the City of Encinal.** A motion to approve the Policy was made by Councilwoman Arizola and she was seconded on the motion by Councilman Howard, all were in favor so motion carried.

**12. Adjournment of Meeting.** A motion to adjourn the meeting was made by Councilwoman Arizola and she was seconded on the motion by Councilman Howard, all were in favor so motion carried. The meeting was adjourned at 6:30 p.m.

Minutes were approved by Council Member J. Weikel and a second Motion was made by Council Member S. Howard on this the 12<sup>th</sup> day of November 2013.



Velma Davila  
Velma Davila, City Manager  
Attest City Secretary

**City of Encinal, Texas**  
**Regular Meeting**

**NOTICE** is hereby given of a Regular Meeting of the City Council on Tuesday, November 12, 2013 at 5:30 PM at 107 N. Tejas, 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.

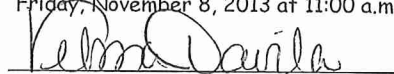
Accordingly, the Encinal City Council has rules of courtesy in place for all persons in attendance at its meetings. The Presiding Public Official shall at all times preserve order and decorum, prevent personal references to Council Members or the impugning of persons' motives. Citizens requesting to 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 §1.030. A person who make a false statement under oath is subject to prosecution under Section 37.02, Penal Code.

1. Meeting called to order to determine if a quorum is Present.
2. Pledge of Allegiance.
3. Discussion and Action on approving minutes of October 21, 2013
4. Citizens Comments. *The citizen shall make every effort to be brief, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.*
5. I. City Manager's/City Consultant Report
  - A. Veteran's Ceremony
  - B. Encinal Partners Animal Shelter
  - C. Update on Front Street Project
  - D. Update on City Hall Project
6. Discussion and Action on concerns from Watkins family regarding Encinal Cemetery. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code).
7. Discussion and Action on USDA assistance for Single-Family Housing/504 Program & from HOME Single Family Program Administrator, Texas Department of Housing and Community Affairs
8. Discussion and Action on final reading of Resolution No. 10212013, A RESOLUTION APPROVING AN APPLICATION FOR FUNDING THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE, TEXAS CAPITAL FUND.
9. Discussion and Action on Ruiz & Associates Surveying, Inc. contract regarding the Land Reform Project. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code) Presented by City Attorney.
10. Discussion and Action on hiring City of Encinal Police Chief to start immediately. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code).
11. Adjournment of Meeting.

**CERTIFICATION**

I CERTIFY THAT THE ABOVE NOTICE OF THIS REGULAR MEETING WAS POSTED ON THE PUBLIC NOTICE BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on Friday, November 8, 2013 at 11:00 a.m.

  
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City Manager



**DISABILITY ACCESS STATEMENT** This meeting site is wheelchair accessible. The accessible entrance is located at the City Hall front entrance. Accessible visitor parking spaces are located at City Hall, 107 N. Tejas. 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, at (956) 948-5226.

*City of Encinal*

*Regular Meeting Minutes*

*November 12, 2013*

**1. Meeting called to order to determine if a quorum is Present.** Present at the meeting were Council Members Christina Maldonado, Irma Arizola, Martha Guerra, Frank Weikel, and Stuart Howard. After roll call Mayor Sanchez determined that there was in fact a quorum. The meeting was called to order at 5:38 p.m.

**2. Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and the Members of Council.

**3. Discussion and Action on approving minutes of October 21, 2013.** A motion to approve the minutes as stated was made by Councilman Frank Weikel and he was seconded on the motion by Councilman Stuart Howard, all were in favor so motion carried.

**4. Citizens Comments.** No Citizens Comments at this time.

**5. I. City Manager's/City Consultant Report.** A. Veteran's Ceremony B. Encinal Partners Animal Shelter C. Update on Front Street Project D. Update on City Hall Project. City Manager Davila said that the Veterans Celebration was a great success and we had a good turnout. Davila said that the only thing we are missing for the Animal Shelter is the cameras and we are getting the ones with the DVR because we couldn't get Wi-Fi at the location. City Manager Davila said that the Front Street Project should be finished by Tuesday. Davila said that on the City Hall Project we should be getting the Closing instructions by next week. City Consultant Ashley Eddington said that he would have a report ready on the financials for the next City Council meeting.

**6. Discussion and Action on concerns from Watkins family regarding Encinal Cemetery.** City Manager Davila told Mr. Watkins that she had spoken to Mrs. Adams and that she (Mrs. Adams) would be attending the meeting. Mr. Watkins stated that he has tried to reach her (Mrs. Adams) several times and he has spoken to her twice. Mr. Trace Watkins stated that his great uncle Watkins was buried here in the Encinal Cemetery and that when he passed away he left a trust fund of about \$100,000 dollars to be used for the maintenance and upkeep of the Encinal Cemetery. Mr. Watkins went on to say that when the Holcomb's (Ruth and Ed) were alive they were the overseers of the trust fund. Mr. Watkins stated that his main concern is the maintenance of the Cemetery. Mr. Watkins said that he feels that it is our responsibility to make sure that the Cemetery is kept clean and maintained at all times. Mr. Watkins said that he has asked this lady (Mrs. Adams) to call him and she keeps giving him different stories. City Attorney Juan Caballeros asked Mr. Watkins if there is a trust set up and is there an instrument? Mr. Watkins told Attorney Caballero that the trust was located at two banks: Stockmens Bank in Cotulla and Hondo Bank. Mr. Watkins stated that Mrs. Adams told him that she was not on the signature cards for the banks but the minutes he has from 2008 state that Mr. and Mrs. Adams were both added to the signature cards. Mr. Watkins said that he does not want access to the money he just wants the

Cemetery to be maintained. Mr. Watkins asked the City Council for their help in taking care of this situation and he would like to have a subpoena to see if the money is there and to check those records. Mr. Watkins would like for the Cemetery Association to start having regular meetings and be held accountable for having those meetings and the minutes. Mr. Watkins would like for the Cemetery to be locked at night. Mr. Watkins said that he went to the Jourdanton Bank and asked if there was still money in the trust fund and they told him he was not authorized on that account but they did tell him that Mr. Adams, Mrs. Adams and Anna Marie Finley were on the signature cards. Mr. Watkins suggested that the City could subpoena those records to find out if there is still money in the accounts. City Manager Davila asked if that type of information could be requested with an open records request and City Attorney Caballero replied that no you cannot request that information via an open records request. City Attorney Caballero suggested that he represent the Watkins family legally and ask Mrs. Adams and Miss Finley to accompany him to the bank and request copies of all the documents if they are willing to do it or we can go the subpoena way, but the reason we brought it before the Council was because it is not part of the City and we need to know if this is something they would like to pursue. City Attorney Caballero suggested that the City Staff be instructed to do whatever is necessary to find out the status of the Cemetery Association. After much discussion there was a motion made by Councilman Frank Weikel to have the City Attorney Juan Caballero look after the Cemetery Association situation and he was seconded on the motion by Councilwoman Martha Guerra, all were in favor so motion carried. Mr. Watkins said that his brother had contacted the Prison system in Cotulla to see if they could help us clean the cemetery and that he had spoken to Major Miller and they would be willing to help us if we could provide them with weed eaters and a trailer.

**7. Discussion and Action on USDA assistance for Single-Family Housing/504 Program & from HOME Single Family Program Administrator, Texas Department of Housing and Community Affairs.** City Manager Davila said there were several programs available through the USDA to help repair your homes. The 504 program is part loan and part grant and they can help you with up to \$20,000.00 to fix your home. City Manager Davila said there is also a program to help you purchase your own home. A motion to authorize the City Manager to inform the public of these USDA programs was made by Councilwoman Christina Maldonado and she was seconded on the motion by Councilwoman Martha Guerra, all were in favor so motion carried.

**8. Discussion and Action on final reading of Resolution No 10212013, A RESOLUTION APPROVING AN APPLICATION FOR FUNDING THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE, TEXAS CAPITAL FUND.** A motion to table the item was made by Councilwoman Christina Maldonado and she was seconded on the motion by Councilwoman Martha Guerra, all were in favor so motion carried.

**9. Discussion and Action on Ruiz & Associates Surveying, Inc. contract regarding the Land Reform Project. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code) Presented by City Attorney.** A motion to go into closed session was made by Councilwoman Maldonado and she was seconded on the motion by Councilman Weikel, all were in favor so motion carried. The Council went into executive session at 6:21 p.m. to discuss items 9 and 10. A motion to return to open session was made by Councilman Weikel and he was seconded on the motion by Councilman Howard, all were in favor so motion carried. The Council resumed open session

at 6:44 p.m. A motion to authorize City Attorney Caballero to handle the situation with Ruiz & Associates was made by Councilman Weikel and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried.

**10. Discussion and Action on hiring City of Encinal Police Chief to start immediately. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code)** A motion to repost the Police Chief Position was made by Councilman Weikel and he was seconded on the motion by Councilwoman Maldonado, all were in favor so motion carried.

**12. Addendum: Discussion and Action on approving La Salle County Appraisal District Resolution, Whereas, The LaSalle County Appraisal Districts proposal to purchase the building adjacent to the District's Current building.** This is a discussion item only.

**11. Adjournment of Meeting.** 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 was adjourned at 6:52 p.m.

Minutes were approved by Council Member Weikel and a second Motion was made by Council Member M. Guerra on this the 25th day of November 2013.

Velma Davila  
Velma Davila, City Manager  
Attest City Secretary





City of Encinal, Texas  
Special Meeting

**NOTICE** is hereby given of a Special Meeting of the City Council on Monday, November 25, 2013 at 5:30 PM at 107 N. Tejas, 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.

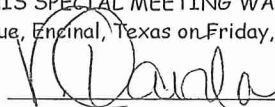
Accordingly, the Encinal City Council has rules of courtesy in place for all persons in attendance at its meetings. The Presiding Public Official shall at all times preserve order and decorum, prevent personal references to Council Members or the impugning of persons' motives. Citizens requesting to 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

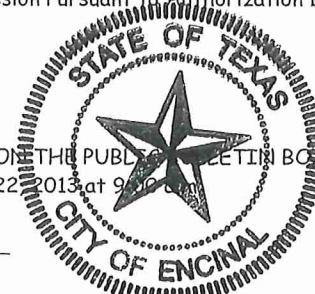
The City of Encinal requires that testimony before the council be given under oath pursuant to Local Government Code §1.030. A person who make a false statement under oath is subject to prosecution under Section 37.02, Penal Code.

1. Meeting called to order to determine if a quorum is Present.
2. Pledge of Allegiance.
3. Discussion and Action on approving minutes of November 12, 2013
4. Citizens Comments. *The citizen shall make every effort to be brief, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.*
5. I. City Manager's/City Consultant Report
  - A. Encinal Partners Animal Shelter
  - B. Update on Front Street Project
  - C. Update on City Hall Project
  - D. Sales Tax Audit Report
6. Discussion and Action on APPROVING RESOLUTION NO. 20131125. TAXING UNIT ORDINANCE-LA SALLE COUNTY APPRAISAL DISTRICT'S PROPOSAL TO PURCHASE THE BUILDING ADJACENT TO THE DISTRICT'S CURRENT BUILDING.
7. Discussion and Action on Approving City of Encinal Holiday's for all Full-time Employee's over 32 hrs.
8. Discussion and Action on Approving City of Encinal Scheduled Payroll for Fiscal Year October 2013- Sept. 2014.
9. Discussion and Action on **1<sup>st</sup> Reading** AMENDING BUILDING CODE ORDINANCE NO. 2013128 (ADDING TO ORDINANCE NO. 20121024A1) AND APPROVING SCHEDULE A (BUILDING AND PLANNING FEE SCHEDULE).
10. Discussion and Action on APPROVING UPDATED APPLICATION & FEE'S FOR BUILDING, LIGHT, INSTALLATION, ELECTRICAL, PLUMBING AND MECHANICAL PERMIT APPLICATION.
11. Discussion and Action on APPROVING UPDATED BUILDING PERMIT, INSTALLATION PERMIT, STREET CUT PERMIT, LIGHT PERMIT, PLUMBING PERMIT, MECHANICAL PERMIT AND ELECTRICAL PERMIT.
12. Discussion and Action on Hiring Police Chief for the Encinal Police Department. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code).
13. Discussion on letter sent to Developer for update on project. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code).
14. Adjournment of Meeting.

**CERTIFICATION**

I CERTIFY THAT THE ABOVE NOTICE OF THIS SPECIAL MEETING WAS POSTED ON THE PUBLIC MEETING BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on Friday, November 22, 2013 at 9:00 AM.

  
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City Manager



**City of Encinal**  
**Special Meeting Minutes**  
**November 25, 2013**

**1. Meeting called to order to determine if a quorum is Present.** Frank Weikel, Martha Guerra, and Irma Arizola were present at the meeting, absent was Christina Maldonado and Stuart Howard.

**2. Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and City Council Members.

**3. Discussion and Action on approving minutes of November 12, 2013.** A Motion to approve the minutes was made by Councilman Frank Weikel and he was seconded on the motion by Councilwoman Martha Guerra, the minutes were amended to state that the City Council had authorized the City Manager to hire somebody from the first round for the Police Chief Position if there were no qualified candidates.

**4. Citizens Comments.** No Citizens Comments at this time.

**5. I. City Manager's/City Consultant Report A. Encinal Partners Animal Shelter B. Update on Front Street Project C. Update on City Hall Project D. Sales Tax Audit.** The ribbon cutting for the Encinal Partners Animal Shelter will be on Tuesday December 10, 2013 at 5:00 p.m. And afterwards we will have the EEDC meeting and the City Council meeting afterwards. City Manager Davila said that the Front Street Project couldn't be completed because they couldn't pour the cement because it was raining. On the City Hall project we are only waiting on the bond resolution and the main office in Temple is reviewing the bond right now said City Manager Davila. City Consultant Ashley Eddington said we received a letter from the State Comptroller's Office regarding our Sales Tax and in order for us to enter into an agreement to start paying back what we owe we must first let them know how we plan to pay back the Sales Tax, we need to share some financial information with them, they also want a copy of our current sales tax and two

bank loan applications that have been submitted even if they are not approved. We are currently working on the bank loan applications right now said Mr. Eddington. Mr. Eddington said that the assessment on the Sanitation bills has been started already and we will leave it on there until the Sales Tax has been paid for and then we can decide if we want to remove it. Mr. Eddington said that the Comptroller's Office requires a 25% down payment and that would be about \$4,000.00 dollars.

**6. Discussion and Action on APPROVING RESOLUTION NO. 20131125. TAXING UNIT ORDINANCE-LA SALLE COUNTY APPRAISAL DISTRICT'S PROPOSAL TO PURCHASE THE BUILDING ADJACENT TO THE DISTRICT'S CURRENT BUILDING.** A motion to approve the purchase of the building was made by Councilman Weikel and he was seconded on the motion by Councilwoman Martha Guerra, all were in favor so motion carried.

**7. Discussion and Action on Approving City of Encinal Holiday's for all Full-time Employee's over 32 hours.** A motion to approve the City of Encinal Holidays for all Full-time Employee's over 32 hours was made by Councilwoman Irma Arizola and she was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried.

**8. Discussion and Action on Approving City of Encinal Scheduled Payroll for Fiscal year October 2013-Sept. 2014.** A motion to approve the Scheduled Payroll was made by Councilman Weikel and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried.

**9. Discussion and Action on 1<sup>st</sup> reading AMENDING BUILDING CODE ORINANCE NO. 2013128 (ADDING TO ORDINANCE NO. 20121024A1) AND APPROVING SCHEDULE A (BUILDING AND PLANNING FEE SCHEDULE).** This is a non-action item.

**10. Discussion and Action on APPROVING UPDATED APPLICATION & FEE'S FOR BUILDING, LIGHT, INSTALLATION, ELECTRICAL, PLUMBING AND MECHANICAL PERMIT APPLICATION.** A motion to discuss items 10 & 11 together was made by

Councilman Weikel and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried.

**11. Discussion and Action on APPROVING UPDATED BUILDING PERMIT, INSTALLATION PERMIT, STREET CUT PERMIT, LIGHT PERMIT, PLUMBING PERMIT, AND MECHANICAL PERMIT APPLICATION.** A motion to approve the Updated Application for the permits and the Updated Permits was made by Councilman Weikel and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried.

**12. Discussion and Action on Hiring Police Chief for the Encinal Police Department. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code).** A motion to go into Executive session to discuss items 12 and 13 was made by Councilman Weikel and he was seconded by Councilwoman Guerra, all were in favor so motion carried. The Council went into Executive Session at 6:12 p.m. A motion to reconvene from Executive Session was made by Councilman Weikel at 6:21 p.m. and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried. A motion to hire James Anderzak as the new Police Chief with a 90 day probationary period and a two year Contract afterwards was made by Councilman Weikel and he was seconded on the motion by Councilwoman Arizola, all were in favor so motion carried.

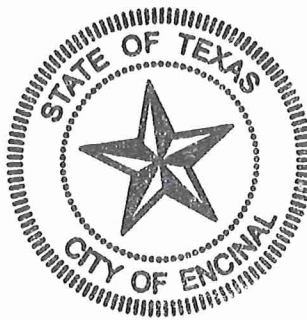
**13. Discussion on letter sent to Developer for update on project. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code).** Discussion only.

**14. Addendum.1. Discussion and Action on approving Resolution #20131125 for nomination of Bill Maltsberger. By form of this resolution to be a candidate for the La Salle County Appraisal District Board of Directors and that this nomination satisfies Section 6.03 (b) of the Texas Property Tax Code, for directors of the La Salle County Appraisal District whose term expire 12/31/2013. 2. Discussion and Action on 1<sup>st</sup> Reading of Resolution No. 2013129,**

**2013. A Resolution passed by The Commissioner's Court of La Salle County, Texas, The City Council of The City of Cotulla, The City Council of the City of Encinal and The Cotulla Independent School Board of Trustees.** A motion to approve Resolution #20131125 to nominate Bill Maltberger for candidate of the La Salle County Appraisal District Board of Directors was made by Councilman Weikel and he was seconded on the motion by Councilwoman Arizola, all were in favor so motion carried. There was no Action on Resolution No. 2013129, 2013 at this time.

**15. Adjournment of Meeting.** A motion to adjourn the meeting was made by Councilwoman Arizola and he was seconded on the motion by Councilman Weikel, all were in favor so motion carried. The meeting ended at 6:32 p.m.

Minutes were approved by Council Member J. Weikel and a second Motion was made by Council Member M. Durra on this the 10<sup>th</sup> day of December 2013.



*Velma Davis*

**City of Encinal, Texas**  
**Regular Meeting**

**NOTICE** is hereby given of a Regular Meeting of the City Council on Tuesday, December 10, 2013 at 6:00 PM at 107 N. Tejas, 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.

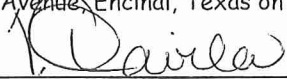
Accordingly, the Encinal City Council has rules of courtesy in place for all persons in attendance at its meetings. The Presiding Public Official shall at all times preserve order and decorum, prevent personal references to Council Members or the impugning of persons' motives. Citizens requesting to 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 §1.030. A person who make a false statement under oath is subject to prosecution under Section 37.02, Penal Code.

1. Meeting called to order to determine if a quorum is Present.
2. Pledge of Allegiance.
3. Discussion and Action on approving minutes of November 25, 2013
4. Citizens Comments. The citizen shall make every effort to be brief, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.
5. I. City Manager's/City Consultant Report
  - A. Encinal Partners Animal Shelter.
  - B. Update on Front Street Project.
  - C. Update on Christmas donations for Elderly & Elementary kids.
  - D. Financial Statements.
6. Discussion and Action on City Hall Project Invitation for Bids and update on closing instructions.
7. Discussion and Action on Final Reading AMENDING BUILDING CODE ORDINANCE NO. 2013128 (ADDING TO ORDINANCE NO. 20121024A1) AND APPROVING SCHEDULE A (BUILDING AND PLANNING FEE SCHEDULE).
8. Discussion for full payment of Sales Tax Audit Balance to the Texas State Comptroller's Office. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code) Presented by City Attorney.
9. Discussion and Action on Approval from City Council to purchase vehicle for City Official. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code) Presented by City Attorney.
10. Discussion and Action on Authorizing City Manager to begin a search and have authorization to change Bank Institution and Bond services. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code) Presented by City Attorney.
11. Discussion on Ruiz & Associates Surveying, Inc. contract regarding the Land Reform Project. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code) Presented by City Attorney.
12. Adjournment of Meeting.

**CERTIFICATION**

I CERTIFY THAT THE ABOVE NOTICE OF THIS REGULAR MEETING WAS POSTED ON THE PUBLIC NOTICE BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on Friday, December 6, 2013 at 11:00 a.m.



City Manager

**DISABILITY ACCESS STATEMENT** This meeting site is wheelchair accessible. The accessible entrance is located at the City Hall front entrance. Accessible visitor parking spaces are located at City Hall, 107 N. Tejas. 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, at (956) 948-5226.



*City of Encinal*

*Regular Meeting Minutes*

*December 10, 2013*

**1. Meeting called to order to determine if a quorum is Present.** Present were Council Members Frank Weikel, Martha Guerra, and Stuart Howard. Absent were Council Members Irma Arizola and Christina Maldonado.

**2. Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and Members of Council.

**3. Discussion and Action on approving minutes of November 25, 2013.** A motion to approve the minutes as stated was made by Councilman Weikel and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried.

**4. Citizens Comments.** No Citizen's Comments at this time.

**5. I. City Manager's/City Consultant Report. A. Encinal Partners Animal Shelter B. Update of Front Street Project C. Update on Christmas donation for Elderly & Elementary kid D. Financial Statements.**

City Manager Davila said that we were supposed to have the grand opening for the Animal Shelter today but it was cancelled because of the weather. We were going to have it next Tuesday but we will have the EWSC meeting dealing with the Front Street Project. City Manager Davila said that Core Construction will come and finish the approach to the Front Street Project when he starts doing the Streets for the County. Ms. Davila said that she had sent him an email letter which stated that the Contractor is obligated to show that he has paid all his contractors and we must have a sworn affidavit from all his contractors to prove that he has paid all of them. City Manager Davila stated that she had already bought the gifts for the Pre-Kinder and Kinder grades and we have received several donations from locals like Wilbur Tenery, Hector Hall, Lewis Energy and others. City Manager Davila stated that she would like to use some of these funds to purchase heaters for the elderly. City Manager Davila said that she had sent a letter to the owner of the Main Street property that was cleaned and it was paid with funds from the EEDC, when the owner pays the money will be placed back in the EEDC Account. City Manager Davila stated that we got a \$12,000.00 grant for Recycling for the upcoming year. Mr. Eddington wants to purchase recycling bins for the Citizens of Encinal and we will work with the Encinal Elementary School children as well. Mr. Eddington said it would be a great project to do with the kids. Mr. Eddington said that other Cities are combining their recyclables in order to have them picked up and that would be something we could look forward to in the future. Mr. Eddington discussed the Financial Statements with the members of Council.

**6. Discussion and Action on City Hall Project Invitation for Bids and update on closing instructions.** City Manager Davila gave members of Council the Invitation for Bids for the New City Hall posted in the San Antonio Business Journal and the Frio-Nueces Current. City Attorney Juan B. Caballero spoke to the members of Council regarding how the bids would be accepted for this project. City Manager Davila told

members of Council that she hopes that the bids come in under budget so that we won't have to rebid the project. City Manager Davila stated that the plans will be available at the City Hall here in Encinal and at the Eddington Group in San Antonio because Mr. Guajardo didn't want to have the plans in his office.

**7. Discussion and Action on Final Reading AMENDING BUILDING CODE ORDINANCE NO. 2013128 (ADDING TO ORDINANCE NO. 20121024A1) AND APPROVING SCHEDULE A (BUILDING AND PLANNING FEE SCHEDULE).**

City Manager Davila told members of Council that we had some issues with a contractor that s building apartments here in town. City Manager Davila told members of council that the ordinance is being amended to amend the fee schedule to match the ordinance. City Attorney Caballero said that the revised ordinance will include all the fees. City Manager Davila read Members of Council the letter that was sent to Mr. David Monnich who is in charge of the Encinal Development apartments. A motion to approve the fee schedule was made by Councilman Howard and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried.

**8. Discussion for full payment of Sales Tax Audit Balance to the Texas State Comptroller's Office (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code) presented by City Attorney.**

City Accountant Eddington addressed Council about the discussion with the Comptroller's Office about entering a payment agreement to pay of the Audit balance but there would be an automatic lien put on the City. For the record City Attorney Caballero stated that this was item number eight and it was a discussion only item. City Manager Davila stated that the amount was \$17,622.59 (seventeen thousand six hundred twenty two dollars and fifty nine cents). City Manager Davila explained to Council that if we would have gotten a Lien put on the City it would have affected the City because we would have bad credit and it could affect our City Hall Project. City Manager Davila told Council that we should be getting about \$13,000 (thirteen thousand dollars) in Property Taxes plus the \$4,000.00(four thousand dollars) in Sales Tax so we could afford to take some money from our Savings Account and then replace it afterwards to avoid the Lien being placed on the City. Mr. Eddington told Council that all the money collected from the assessment would go to the Savings Account.

**9. Discussion and Action on Approval from City Council to purchase vehicle for City Official. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code) Presented by City Attorney.**

City Manager Davila explained to Council that Mayor Sanchez has used his truck for City business for the past five years and his truck is in bad shape. Davila told Council that she would recommend that we get the vehicle for Mayor because we get more discounts and the Mayor would be paying for it by using an allowance set up for him. Mr. Eddington explained that the vehicle will actually belong to the City but that if and when he leaves the City the Mayor could have an option to purchase the vehicle. Manager Davila stated that it is a City owned vehicle. City Manager Davila told Council that the vehicle may only be driven by City employees because it will be insured through TML. A motion to approve the purchase of the vehicle was made by Councilman Howard and he was seconded on the motion by Councilman Weikel, all were in favor so motion carried. City Manager Davila asked Council if they could please return to item 5 (City Manager's/City Consultant Report) to discuss a non-action item with them. A motion to return to Item 5 was made by Councilwoman Guerra and she was seconded on the motion by Councilman Howard all were in favor so motion carried. City Manager



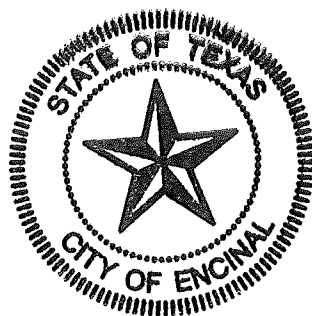
Davila just received a text message from the new Police Chief informing her that because of personal issues he must decline the offer made to him. A motion to resume the meeting and return to item number 10 was made by Councilman Howard and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried.

**10. Discussion and Action on Authorizing from City Manager to begin a search and have authorization to change Bank Institution and Bond services. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code) Presented by City Attorney.** City Manager Davila said that BBVA Compass came to City Hall and spoke with us and First Community never showed up. Manager Davila explained that we are currently having some problems with our current bank. A motion to authorize the City Manager to change Bank Institutions was made by Councilman Weikel and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried.

**11. Discussion on Ruiz & Associates Surveying, Inc. contract regarding Land Reform Project. (Possible Closed Session Pursuant to Authorization by Title 5, Chapter 551, of the Texas Government Code) Presented by City Attorney.** A motion to go into executive session was made by Councilman Weikel and he was seconded on the motion by Councilwoman Guerra all were in favor so motion carried. Council retired to executive session at 6:55 p.m. A motion to reconvene from executive session was made by Councilman Weikel and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried. Council returned to regular session at 7:08 p.m. Councilwoman Arizola joined the Council while they were in executive session.

**12. Adjournment.** A motion to have a Special meeting on Monday December 16<sup>th</sup> at 9:00 a.m. was made by Councilman Weikel and he was seconded on the motion by Councilwoman Guerra, all were in favor so motion carried. A motion to adjourn was made by Councilwoman Arizola and she was seconded on the motion by Councilman Weikel, all were in favor so motion carried.

Minutes were approved by Council Member J. Weikel and a second Motion was made by Council Member M. Guerra on this the 14<sup>th</sup> day of January 2014.



Velma Davila  
Velma Davila, City Manager  
Attest City Secretary

**City of Encinal, Texas**  
**Special Meeting**

**NOTICE** is hereby given of a Special Meeting of the City Council on Monday, December 16, 2013 at 5:00 PM at 107 N. Tejas, 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 to determine if a quorum is Present.
2. Pledge of Allegiance.
3. Citizens Comments. *The citizen shall make every effort to be brief, and to limit speaking time to no more than 3 minutes. Personal Attacks Shall Not Be Allowed By Any Speaker.*
4. Discussion and Action on hiring for Police Chief Position and approving a contract for the position.
5. Discussion and Action on hiring for Assistant Police Chief Position and approving a contract for the position.
6. Adjournment of Meeting.

**CERTIFICATION**

I CERTIFY THAT THE ABOVE NOTICE OF THIS SPECIAL MEETING WAS POSTED ON THE PUBLIC BULLETIN BOARD AT City Hall, 107 N. Tejas Avenue, Encinal, Texas on Friday, December 13, 2013 at 11:00 a.m.

  
\_\_\_\_\_  
City Manager

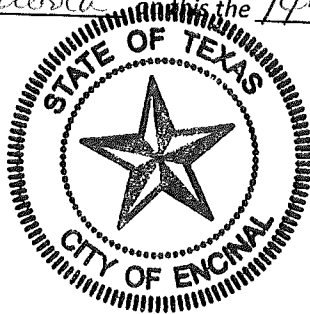


**DISABILITY ACCESS STATEMENT** This meeting site is wheelchair accessible. The accessible entrance is located at the City Hall front entrance. Accessible visitor parking spaces are located at City Hall, 107 N. Tejas. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Manager's Office, for concerns or requests, at (956) 948-5226.

*City of Encinal  
Special Meeting Minutes  
December 16, 2013*

- 1. Meeting called to order to determine if a quorum is Present.** The meeting was called to order by Mayor Sanchez at 5:00 p.m. Councilmembers present were Frank Weikel, Stuart Howard and Irma Arizola. Councilmembers absent were Christina Maldonado and Martha Guerra. After Roll Call, Mayor Sanchez determined that there was in fact a quorum present.
- 2. Pledge of Allegiance.** The Pledge of Allegiance was led by Mayor Sanchez and Members of Council.
- 3. Citizens Comments.** No Comments at this time.
- 4. Discussion and Action on hiring for Police Chief Position and approving a contract for the position.** A motion to promote Interim Chief Veronica Garcia to Police Chief was made by Councilman Frank Weikel and he was seconded on the motion by Councilwoman Irma Arizola, all were in favor so motion carried. Interim Chief Veronica Garcia was present and she informed Council that she would accept her promotion to Police Chief.
- 5. Discussion and Action on hiring for Assistant Police Chief Position and approving a contract for the position.** City Manager Davila stated that for this position the Candidate is Joseph Garcia who was the Chief Deputy for La Salle County when Victor Villarreal was Sheriff. As Chief Deputy, Mr. Garcia was involved in several drug seizures and he has good repo ire with all the County Officials. Chief Veronica Garcia stated that she felt he would be a good candidate and that he (Mr. Garcia) would be a great asset to the Department and the City. Garcia said that she believes that both of them together could restructure the department. City Manager Davila added that Mr. Garcia is a good grant writer and he knows a lot of people in the Criminal Justice System. Councilman Weikel asked what his (Joseph Garcia) salary would be and City Manager Davila replied that it would be what Interim Chief Garcia was making which was \$42,000.00 a year. A motion to hire Joseph Garcia was made by Councilman Weikel and he was seconded on the motion by Councilwoman Arizola, all were in favor so motion carried.
- 6. Adjournment of Meeting.** A motion to adjourn the meeting was made by Councilwoman Arizola and she was seconded on the motion by Councilman Weikel, all were in favor so motion carried. The meeting ended at 5:08 p.m.

Minutes were approved by Council Member J. Weikel and a second Motion was made by Council Member M. Guerra is the 14<sup>th</sup> day of January 2014.



Velma Davila  
Velma Davila, City Manager  
Attest City Secretary