

MINUTES OF THE SPECIAL CALLED MEETING
OF THE CITY COUNCIL OF THE CITY OF JOURDANTON
1604 STATE HIGHWAY 97 EAST, JOURDANTON, TEXAS 78026
MAY 6, 2019 AT COUNCIL CHAMBERS AT 6:00 P.M

1. *Roll Call to Establish a Quorum of the City Council:*

Mayor Williams called the meeting to order at 6:00 p.m.

2. *Call Special Called Meeting to order:*

Mayor: Robert A. Williams
Mayor Pro Tem: Raul "Roy" Morales

Councilmembers: Jack Harrison
Chester Gonzales (present at 6:16 p.m.)
Karen Pesek
Johnetta "Johnnie" Goetzel

City Manager: Lamar Schulz

City Secretary: Debbie G. Molina

City Attorney: Daniel Santee

3. *Discussion and possible action to amend the agreement to provide services upon voluntary annexation to the property commonly known as the Cepillo Subdivision Unit 1, an approximately 16.61 acres tract of land lying in the J. Poitevent Survey No. 1, Abstract No. 1239, Atascosa County, Texas, and authorizing the City Manager to execute said agreement with the property owner on behalf of the City:*

City Manager Schulz advised the Council that this agreement was approved at the last regular called meeting. However, two items were not included. Schulz asked to amend the contract showing that the City would be responsible for the detention pond, drainage right-of way and drainage infrastructure as shown on page 2 and 3 as follows:

SERVICES PROVIDED BY THE EFFECTIVE DATE OF ANNEXATION: (ADD)

6. **Maintenance of Detention Ponds, Drainage Right-of-Way and Drainage Infrastructure.**

Once the detention ponds, drainage right-of way and drainage, infrastructure have been officially accepted by the City, said detention ponds, drainage right-of-way and drainage infrastructure shall be maintained to the same degree and extent that other public detention ponds, drainage right-of-way and drainage infrastructure are maintained in areas of the City with like topography, land use and density as those found within the newly annexed areas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE COMPLETED WITHIN 2 ½ YEARS (ADD)

4. **Detention Ponds, Drainage Right-of-Way and Drainage Infrastructure.**

The City of Jourdanton, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of annexation of the particular annexed areas.

Council Member Goetzel asked when the entrance from Olive Street would be developed Brad Koether, engineer for Rakowitz Engineering, told Goetzel that no plans were going to be developed on Phase I because the construction plans were not approved and is not vacated and re-platted at this time. However, Koether said he foresees this to occur in Phase II or III. He stated that the entrance from Champion Drive would be developed in Phase I. Goetzel told him the only plat filed was only showing Olive Street as an entrance to

the subdivision. Koether agreed with Goetzel and informed her at that time Champion Drive was not developed. He informed her that the re-plat shows Champion Drive as a second entrance and it would be filed upon approval following the next item agenda.

Motion was made by Mayor Pro Tem Morales "to amend the agreement to provide services for Cepillo Ridge Subdivision Unit 1 as read by the City Manager." Motion was seconded by Council Member Harrison. Motion passed unanimously.

5. *Public hearing, discussion and possible action to adopt an Ordinance regarding the voluntary annexation proceedings to enlarge and extend the boundary limits of said city to include the following territory located within the City of Jourdanton extraterritorial jurisdiction:*

a. *A tract of land containing 16.61 acres, being out of a 29.47 acre tract of land, previously surveyed, described in instrument recorded as Clerk's File No. 160028, of the Official Public Records of Atascosa County, Texas, and lying in the J. Poitevent Survey No.1, Abstract No. 1239, Atascosa County, Texas. Maps and full legal descriptions are available at Jourdanton City Hall:*

Mayor Williams opened the public hearing at 6:07 p.m. No comments were made by attendees, Williams closed the public hearing.

Motion was made by Mayor Pro Tem Morales "to approve an Ordinance regarding the voluntary annexation proceedings to enlarge and extend the boundary limits of said city to include the following territory located within the City of Jourdanton extraterritorial jurisdiction." Motion was seconded by Council Member Pesek. Motion passed unanimously.

5. *Mayoral proclamation declaring May 5 through 11, 2019 as "Municipal Clerks Week.":* Mayor Williams read a proclamation declaring May 5 through 11, 2019 as "Municipal Clerks Week." Williams recognized City Secretary Debbie Molina and all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent. Molina informed the Council that she attended her first seminar with the Texas Municipal Clerks Association Certification Program and plans to complete her certification.

6. *Mayoral proclamation declaring May 13 through 18, 2019 as "Police Week."* Mayor Williams read a proclamation declaring May 13 through 18, 2019 as "Police Week." Chief Kaiser informed Council that Washington D.C, as well as other entities, would be honoring "Police Week" on May 13 through 18, 2019.

7. *Discussion and possible action to approve and award a project engineer for the Texas Water Development Board Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) projects for the City of Jourdanton:*

City Manager Schulz informed Council that four engineering firms had submitted proposals for the City of Jourdanton's projects for the Texas Water Development Board Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF). They were M&S Engineering, Utility Engineering Group, 6S Engineering, and KSW. Schulz said that he and Mayor Williams rated the firms. He made a recommendation to award the proposal to M&S Engineering.

Motion was made by Council Member Pesek "to award M&S Engineering as the project engineer for the Texas Water Development Board Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF)." Motion was seconded by Council Member Gonzales. Motion passed unanimously.

8. *Discussion and possible action to approve and award a Financial Advisor for the Texas Water Development Board Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) projects for the City of Jourdanton:*

City Manager Schulz informed Council that there were two financial advisors that had

submitted proposals for the City of Jourdanton's projects for the Texas Water Development Board Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF). Estrada Hinojosa & Company, Inc. and SAMCO Capital Markets submitted proposals. Schulz said the City has worked with SAMCO in the past. He said the companies were scored by the Mayor and himself. He made a recommendation to award the proposal to SAMCO. Council Member Pesek asked Schulz where he obtained information to score the items. Schulz told Pesek that all of the proposals for agenda items 7, 8, 9 and 10 were submitted by binders by the firms. Thereafter, a scoring sheet provided by Langford Community Management Services was used to identify qualifications and experience. Schulz presented the ratings.

Motion was made by Mayor Pro Tem Morales "to award the Texas Water Development Board Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) to SAMCO." Motion was seconded by Council Member Goetzel. Motion passed unanimously.

9. *Discussion and possible action to approve and award a Bond Counselor for the Texas Water Development Board Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) projects for the City of Jourdanton:*

City Manager Schulz informed Council that there were two financial advisors that had submitted proposals for the City of Jourdanton's projects for the Texas Water Development Board Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF). Escamilla & Poneck, LLP and Norton Rose Fulbright submitted proposals. Schulz said the City had worked with Norton Rose Fulbright with the last bond. These were also scored by the Mayor and himself. He made a recommendation to award the proposal to Norton Rose Fulbright.

Motion was made by Council Member Pesek "to award the Texas Water Development Board Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) to Norton Rose Fulbright." Motion was seconded by Mayor Pro Tem Morales. Motion passed unanimously.

10. *Discussion and possible action to approve and award an Administrative Services provider for the Texas Water Development Board Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) projects for the City of Jourdanton:*

City Manager Schulz informed the Council that only one proposal was submitted by Langford Community Management Services for administrative services provider for the Texas Water Development Board Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF)."

Motion was made by Council Member Gonzales "to award the Texas Water Development Board Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) to Langford Community Management Services." Motion was seconded by Council Member Pesek. Motion passed unanimously.

11. *Pursuant to Section 551.071 of the Texas Government Code, the City of Jourdanton will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter", to include the following matters:*

- a. *Discussion and update regarding Cause No. 17-12-1181-CVA; City of Jourdanton Plaintiff, vs. Slay Engineering/Texas Multi-Chem/Huser Construction, LLC; and North American Specialty Insurance Company, Defendants.*

Mayor Williams recessed to executive session at 6:31 p.m. for legal advice from attorney.

12. *Reconvene in open session for possible action on items discussed in Closed Session:*
Mayor Williams reconvened at 6:56 p.m.

Motion was made by Council Member Pesek "to approve a partial settlement for the

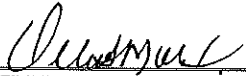
damages to the City's Complex Swimming Pool for the amount of 1,225,000." Motion was seconded by Council Member Goetzel. Motion passed unanimously.

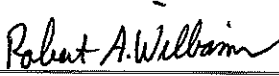
Mayor Pro Tem Morales thanked everyone on the Council for their patience on getting it resolved.

13. *Adjourn:*

Motion was made by Mayor Pro Tem Morales "to adjourn." Motion was seconded by Council Member Pesek."

Mayor Williams adjourned the meeting at 6:59 p.m.


DEBBIE G. MOLINA, CITY SECRETARY


ROBERT A. WILLIAMS, MAYOR