

MINUTES OF THE REGULAR CALLED COUNCIL MEETING
OF THE CITY OF JOURDANTON
1604 SH 97 E, JOURDANTON TEXAS 78026
MAY 20, 2019 AT 6:00 P.M.

1. *Roll Call to Establish Quorum:*

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

Councilmembers: Jack Harrison
Chester Gonzales
Karen Pesek
Johnetta "Johnnie" Goetzel

City Manager: Lamar Schulz
City Secretary: Debbie G Molina
City Attorney: Dan Santee

2. *Call Meeting to Order:*

Mayor Pro Tem Morales called the meeting to order at 6:00 p.m.

3. *Invocation:*

The City Council welcomed Jourdanton home school students. Logan Brown recited the invocation.

4. *Pledge of Allegiance to the Flags of the United States of America and State of Texas.*

Barin Jasik and Levi Anderson recited the Pledge of Allegiance to the U.S. and Texas Flags. Students recognized: Clay McGinnis, Tahlisa McGinnis, Casey McGinnis, Travis McGinnis, Kyle McGinnis, Josh Hill, Jess Hill, Presley Brown, Kennzie Nixon, Kash Nixon, Ben Anderson, Jolene Lewis, Sophia Gutierrez, Abigail Gutierrez, and Cullen Garrison.

5. *Approval of consent agenda items:*

a. *Minutes of previous meeting: 04-2-2019 and 4-15-2019*

b. *Monthly bills.*

Motion was made by Council Member Gonzales "to approve consent items a and b."
Motion was seconded by Council Member Pesek.

6. *Acceptance of the following reports:*

- a. *Department reports:*
- b. *Tax*
- c. *Water Revenue*
- d. *Public Works Department*
- e. *Police/Fire*
- f. *Code Compliance*
- g. *Appraisal District*
- h. *City Manager*

Council Member Gonzales thanked the city employees for cleaning the Jourdanton City Park for the Jourdanton Volunteer Fire Department Cook-Off.

7. *Citizen Comments.*

Sandra Royal, coordinator for Community Council of South-Central Texas, provided information to the Council and of the services provided by Community Council of South-Central Texas located at 1220 Simmons Avenue (old city hall bldg.) Royal informed the Council that the organization has been in Atascosa County for at least twenty years and serves 23 counties.

8. *Mayoral proclamation declaring Community Action Month as recognized across the United States during the month of May, 2019:*

Mayor Pro Tem Morales read a proclamation declaring Community Action Month during the month of May, 2019.

9. *Recognizing Jourdanton Police Department Lt. Santos Gonzales for being certified as a "Master Texas Peace Officer" by the Texas Commission on Law Enforcement.":*

Chief of Police Kaiser recognized Lieutenant Santos Gonzales for becoming a certified "Master Texas Peace Officer by the Texas Commission on Law Enforcement."

10. *Public hearing, discussion, and possible action on an application for a special use permit for property located at 1004 Waltom Ave., Jourdanton, Texas 78026 and legally described as Block 275 Lots 13 & 15, Jourdanton, TX, Atascosa County, Texas. The property is currently zoned SF-1 Single Family Residential Property. The applicant, Janice Bray, is seeking a special use permit to allow a manufactured home on the property:*

Mayor Pro Tem Morales opened the public hearing at 6:20 p.m. Code Enforcement Administrative Assistant Sawicki advised the Council that the Planning and Zoning Commission denied the special use permit because the neighborhood was strictly stick build homes. Council Member Gonzales asked if there was another application in the past for the same property. Sawicki told Gonzales there was. The applicant was not present. Morales closed the public hearing at 6:22 p.m.

Motion was made by Council Member Gonzales "to decline the request." Motion was seconded by Council Member Pesek. Motion passed unanimously.

11. *Public hearing, discussion, and possible action on an application for a special use permit for property located at 804 Pecan St., Jourdanton, Texas 78026 and legally described as Block 195 Lots 2, 4, & 6, Jourdanton, TX, Atascosa County, Texas. The property is currently zoned SF-1 Single Family Residential Property. The applicant, Edward Champagne Jr., is seeking a special use permit to allow a manufactured home on the property:*

Mayor Pro Tem Morales opened the public hearing at 6:24 p.m. Code Enforcement Administrative Assistant Sawicki informed the Council that the Planning and Zoning Commission made a recommendation to grant the special use permit because there were primary manufactured homes within the surrounding area. Applicant Edward Champagne Jr. was present. Council Member Pesek asked Champagne if the home would be skirted. Champagne said it would be done as soon as possible. Council Member Gonzales asked him if the home would be placed on concrete or base. Champagne told Gonzales it would be placed on cement runners, tied into caliche with rock in between, and bolted to the cement. Morales closed the public hearing at 6:28 p.m.

Motion was made by Council Member Harrison "to approve the special use permit at 804 Pecan, as read." Motion was seconded by Council Member Gonzales." Motion passed unanimously.

12. *Public hearing, discussion, and possible action on an application for a special use permit for property located at 1813 Terrel Ave., Jourdanton, Texas 78026 and legally described as Block 106 Lots 2, 4, 6, & 8, Jourdanton, TX, Atascosa County, Texas. The property is currently zoned SF-1 Single Family Residential Property. The applicant, Blanca Ornelas, is seeking a special use permit to allow a manufactured home on the property:*

Mayor Pro Tem Morales opened the public hearing at 6:29 p.m. Code Enforcement Administrative Assistant Sawicki advised the Council that Blanca Ornelas was requesting to place a manufactured home on her property that consisted of 4 lots. Sawicki said that the Planning and Zoning Commission made a recommendation to grant a special use permit because there were primarily manufactured homes within the surrounding area.

Ornelas was present. Council Member Harrison asked Ornelas if this would be owner occupied or rental. Ornelas told Harrison it was going to be her homesite. Council Member Pesek asked Ornelas if the home would be skirted. Ornelas stated it would be. Morales closed the public hearing at 6:31 p.m.

Motion was made by Council Member Gonzales "to approve the application, as read." Motion was seconded by Council Member Pesek. Motion passed unanimously.

13. *Discussion and possible action to approve a Resolution pursuant to §34.05(i) of the Texas Property Tax Code, authorizing the sale, to the successful bidder through the seal bid process, a certain property previously struck off pursuant to §34.01(c) of the Texas Property Tax Code for delinquent ad valorem taxes owed to the Atascosa County, City of Jourdanton, Jourdanton Independent School District and/or Evergreen Underground Water Conservation District:*

- a. *14-07-0573-cva Atascosa County, et al vs. Amanda I. Serrata, et al all of Lot 1 Block 96 City of Jourdanton, Texas situated in Atascosa County, Texas according to the deed thereof recorded in volume 84 pages 26-28 deed records Atascosa County, Texas; account no. 23847*

City Secretary Debbie Molina informed the Council that city tax attorney Ronald Rocha was presenting two parcels that were listed as City of Jourdanton trustees. These properties were not sold at a tax sale; therefore, the property became the trustees with all the tax authorities.

Ronald Rocha, Linebarger Goggan Blair & Sampson, LLP, informed the Council that their firm received a bid proposal of \$15,000. Rocha inform the Council that the bid proposal was accepted by Atascosa Commissioners Court. Rocha said the bid proposal would be distributed amongst all the entities.

Motion was made by Council Member Gonzales "to approve as read by Mayor and City Tax Attorney to accept a bid proposal of \$15,000 for 14-07-0573-cva Atascosa County, et al vs. Amanda I. Serrata, et al all of Lot 1 Block 96 City of Jourdanton, Texas situated in Atascosa County, Texas according to the deed thereof recorded in volume 84 pages 26-28 deed records Atascosa County, Texas; account no. 23847." Motion was seconded by Council Member Harrison." Motion passed unanimously.

14. *Discussion and possible action to approve a Resolution pursuant to §34.05(i) of the Texas Property Tax Code, authorizing the sale, to the successful bidder through the seal bid process, a certain property previously struck off pursuant to §34.01(c) of the Texas Property Tax Code for delinquent ad valorem taxes owed to the Atascosa County, City of Jourdanton and Jourdanton Independent School District:*

- a. *11-03-0264-cva the City of Jourdanton, Texas vs. Louisa Del Bosquez, et al south 1/2 of lots 1 and 3, block 287 City of Jourdanton, Atascosa County, Texas being that property more particularly described in volume 24, page 633 of the deeds records of Atascosa County, Texas; account no. 24872*

Ronald Rocha informed the Council that a bid proposal was submitted for \$7,500 for the property with a structure. Rocha said the bid proposal was also approved by Atascosa County Commissioners Court.

Motion was made by Council Member Pesek "to approve item 14 as read by Mayor and City Tax attorney to accept the bid proposal of \$7,500 for 11-03-0264-cva the City of Jourdanton, Texas vs. Louisa Del Bosquez, et al south 1/2 of lots 1 and 3, block 287 City of Jourdanton, Atascosa County, Texas being that property more particularly described in volume 24, page 633 of the deeds records of Atascosa County, Texas; account no. 24872."

Motion was seconded by Council Member Goetzel.” Motion passed unanimously.

15. *Discussion and possible action to award a contract for professional auditing services for the City of Jourdanton:*

City Manager Schulz informed the Council that the City received three audit proposals for auditing services for the City for the next five years. Schulz said he checked for references and made a recommendation to select Armstrong, Vaughan and Associates. He stated the fee submitted was \$21,095 with an increase of \$300 a year.

Motion was made by Council Member Pesek “to award a contract for professional auditing services to Armstrong, Vaughan, and Associates.” Motion was seconded by Council Member Gonzales. Motion passed unanimously.

16. *Discussion and possible action to accept or reject a study from EMC Strategy Group LLC and authorize the second payment of \$3,500.00:*

There were no representatives for EMC Strategy Group LLC present. No action was taken.

17. *Discussion and possible action to adopt a resolution of the City of Jourdanton suspending the June 5, 2019 effective date of AEP Texas Inc. 's requested rate change to permit the city time to study the request and to establish reasonable rates; approving cooperation with the cities served by AEP Texas and authorizing intervention in AEP Texas Inc. 's requested rate change proceedings before the commission; hiring Lloyd Gosselink attorneys and consulting services to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of cities' rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel:*

City Attorney Santee informed the Council that the City was incorporated with other cities served by AEP Texas and authorizing intervention in AEP Texas’s request rated change proceeding before the commission. Lloyd Gosselink attorneys negotiate the rates for the cites. Santee said that there is not a fee for the city because it was carried to the customer cost. These rate increases were caused by infrastructural structure being done. Santee said that attorneys would be reviewing the rate increases if the City chooses to suspend the rate increase to this period of time.

Motion was made by Council Member Gonzales “to approve a resolution for the City of Jourdanton to suspend the June 5, 2019 effective date of AEP Texas Inc’s requested rate change.” Motion was seconded by Council Member Harrison.” Motion passed unanimously.

18. *Discussion and possible action on an Ordinance amending Chapter 1, General Provisions, Article 1.03, Mayor and Council, Division 2, Meetings, Section 1.03.031, Meeting Times, of the City of Jourdanton Code of Ordinances:*

City Attorney Santee informed the Council that he had prepared an Ordinance if the Council desired to change the time of the Council’s meetings. Council Member Goetzel informed the Council that numerous citizens have told her that 6:00 p.m. was too early to attend the meetings. Mayor Pro Tem Morales stated that the Council, in the past, have accommodated the citizens to address agenda items by moving their item agenda upon arrival.

No action was taken.

19. 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. 5:16-CV-1282; Irene Hernandez Ruiz and IJ RV Park, LLC v. City of Jourdanton, Texas: Robert "Doc" Williams, Officially; Jack Harrison, Officially; Raul Morales, Officially; Johnette Goetzel, Officially; Karen Pesek, Officially; Debbie Molina, Officially; and Kendall Schorsch, Officially, In the United States District Court for the Western District of Texas, San Antonio Division.

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.

City Attorney Santee announced there was no discussion to be made at this time.

20. Reconvene in open session for possible action on items discussed in Closed Session: Mayor Pro Tem Morales omitted agenda item 20 because the Council did not recess to closed session.

21. Discussion of social calendar of events for the City of Jourdanton:

Council Member Goetzel announced that the high school graduation will be held Friday, May 24, at the football stadium. Goetzel informed everyone that the project grad would also be held there throughout the night. She also said Memorial Day was Monday, May 27. Council Member Pesek announced the grand opening for "Chicken and the Tulips" on Thursday, May 23, at 10:00 a.m. Council Member Harrison announced that the Atascosa County Historical Commission would be hosting a "Historic Symposium." This event would be held on Thursday, May 23 at 6:30 p.m. at the Jourdanton Community Center.

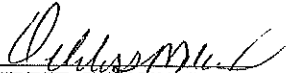
22. City Council requests regarding specific items or staff reports to be scheduled for future agendas:

None.

23. Adjourned:

Motion was made by Council Member Pesek "to adjourn." Motion was seconded by Council Member Harrison.

Mayor Pro Tem Morales adjourned the meeting at 7:00 p.m.


DEBBIE G. MOLINA
CITY SECRETARY


ROBERT A. WILLIAMS
MAYOR