January 14, 2003
Council Room – 7:00 P.M.
Public Works Building

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:    M. W. Harbus, Jr. ........................................ Mayor
Anita R. Rodriguez ........................................ Councilmember
Elorine Sitka ........................................ Councilmember
Don E. Bowe ........................................ Councilmember
Margie McMullen ........................................ Councilmember
Charles J. Kvinta, Jr. ........................................ City Attorney
Calvin Cook ........................................ City Manager
Gladys M. Jiral ........................................ City Clerk

ABSENT: None

MAYOR Harbus called the meeting to order followed by Councilmember McMullen with the Invocation. All attending recited the Pledge of Allegiance. COUNCILMEMBER Sitka made the motion to adopt the minutes of December 10, 2002 as presented. The motion was second by Councilmember Rodriguez. Motion carried unanimously.

ORDINANCE No. 1822, granting a change in zoning from Residential (R-3) to Residential (R-4) on property described as Lot 9 in Block 3 of the Sunset Addition at 907 Boyle Street, was adopted on second and final reading on motion by Councilmember Rodriguez with a second by Councilmember Bowe. Motion carried unanimously.

COUNCILMEMBER Bowe made the motion to adopt Ordinance No. 1823 on second and final reading assigning and transferring the current gas franchise from Southern Union Gas Company to ONEOK, Inc. The motion was second by Councilmember McMullen. Motion carried unanimously.

AT this time, Mayor Harbus moved up agenda item No. 7e under New Business for the presentation of the audit report for FY Ending September 30, 2002 since the auditor Steve Van Manen was not feeling well and having difficulty speaking. Mr. Van Manen complimented the Council and staff for having a complete and accurate audit. Councilmember Sitka with a second by Councilmember Rodriguez made the motion to accept and approve the 2002 audit. Motion carried unanimously.
MAYOR Harbus returned to the Old Business items to hear Daryl Fowler's address to the Council regarding the results of the City's review of accidents at Cecilia and Nelson Streets to determine if a stop sign is warranted; conducting traffic counts on Nelson Street, and the use of a portable radar unit in unmarked vehicles to detect speeders. Mr. Fowler thanked the City Police Department personnel for working overtime on their days off in order to compile some of the information. Mr. Fowler reviewed City Manager Cook's letter pertaining to the results of the surveys, traffic counts and speeding on Nelson Street, and the subsequent denial of a stop sign at Nelson and Cecilia. He noted that since a stop sign at the corner of Nelson and Forest was not addressed in the letter that perhaps his initial request for this sign was not made clear. With the volume of vehicles that use Nelson Street as referenced in Mr. Cook's letter and shown by the traffic count, Mr. Fowler requested that the Council revisit his request for a stop sign at Nelson and Forest, speed limit signs, children at play signs, or something along that nature before something happens. On concurrence with the Council, Mayor Harbus directed City Manager Cook and Police Chief Formolo to review the request and information compiled.

THE following recommendations were received from the Planning and Zoning Commission: approval of a zoning change for Robert Ramirez from Residential (R-3) to Residential (R-4) for 909 Boyle Street, and denial of a zoning change for Jerry Wise from Residential (R-2) to Residential (R-4) for 207 Dayly Street. Mayor Harbus opened the public hearing for comments. Mr. Ramirez was present but had no comments. Mr. Wise had submitted an appeal to the Council on the denial of his request, but was not present at this hearing. The Mayor closed the hearing to public comments.

COUNCILMEMBER Sitka made the motion to adopt an ordinance (recorded as No. 1824) on second and final reading granting a zoning change from Residential (R-3) to Residential (R-4) on property described as Lot 8 in Block 3 of the Sunset Addition at 909 Boyle Street. The motion was second by Councilmember Rodriguez. Motion carried unanimously.

A motion was made by Councilmember Rodriguez to accept the denial of the zoning change on property described as part of Lots A and D in Block 1103 of the West End Addition at 207 Dayly Street for Jerry Wise. Councilmember Sitka seconded the motion. Motion carried unanimously.

BIDS for repair of the Laredo Street Elevated Water Tank were received on Wednesday, January 8, 2003 at 2 PM. The following three bids were received:

N. G. Painting, LP, Kerrville, Texas $78,000.00
Gulf States Protective Coating, Inc., La Porte, Texas $73,500.00
Phoenix Fabricators & Erectors, Inc., Avon, Ind. $69,985.00
BASED on the recommendation of Paul Boedeker with Hunter Associates and the concurrence of City Manager Cook, Councilmember Bowe made the motion to award the bid on the Laredo Street Elevated Water Tank Repair Project to Phoenix Fabricators in the amount of $69,985.00. The motion was second by Councilmember Rodriguez. Motion carried unanimously. The engineering costs for this project would not exceed $15,000 placing the entire project cost within the budgeted figure of $96,000.

A joint resolution between the City of Yoakum and Lavaca County Commissioner’s Court for a Joint Emergency Management Plan was discussed. Fire Chief/EMS Director Philip Baker, the City’s designated Emergency Management Coordinator, was present and reviewed the proposal with the Council. The City currently does not have an approved Plan on file with the State and in order to receive funding because of a disaster, an approved plan must be on file. While the entire City of Yoakum would be covered under this Joint Plan, there are still specific annexes that would need to be developed by the City before June 2004 in order to meet new additional requirements. Councilmember Sitka with a second by Councilmember Bowe made the motion to adopt a resolution (recorded as No. 2003-01) to enter into a Joint Emergency Management Plan with Lavaca County as provided for in Ordinance No. 1316, Section 6-4, dated March 9, 1982. Motion carried unanimously.

COUNCILMEMBER Rodriguez made the motion to appoint Larry Brandt to the Yoakum Economic Development Corporation Board of Directors filling a vacancy with an expiration date of September 2004. The motion was second by Councilmember Sitka. Motion carried unanimously.

MAYOR Harbus called for an Executive Session to deliberate the purchase of real property (V.T.C.A., Gov. Code, Sec. 551.072) and to discuss electric utility-related matters (V.T.C.A., Gov. Code, Sec. 551.086). The meeting was later re-opened to the public. Councilmember McMullen made the motion to accept the 6.84 acres remaining in the Industrial Park from the Yoakum Industrial Foundation if so approved by the Foundation Board. The motion was second by Councilmember Bowe. Motion carried unanimously. No action resulted from the electric utility-related matter.

COUNCILMEMBER Sitka made the motion to adopt an ordinance (recorded as No. 1825) amending the Manual of Fees and Service Charges to provide for the unbundling of the City’s current electric rates. The motion was second by Councilmember Rodriguez. Motion carried unanimously. This change in the rate structure is attributed to the onset of electric regulation. The rates have been designed to be revenue neutral so that customers will see minimal change in their total electrical billing.

THE Council considered changing the time of their monthly meetings from 7:00 PM to 6:00 PM for the months of November, December, January, February, March and April. After discussion, Councilmember Rodriguez made the motion to change the time of the Council meetings to 6:00 PM for all regular monthly meetings held on the second Tuesday of each month. The motion was second by Councilmember Bowe. Motion carried unanimously.
UNDER the City Manager’s Report, Mr. Cook reminded the Council of the annual Guadalupe Valley Water Association Meeting being held on January 16th in Yoakum at the Community Center.

THERE being no further business, the meeting closed.

M. W. Harbus, Jr., Mayor
City of Yoakum, Texas

ATTEST:

Gladys M. Jiral
City Clerk
MAYOR Harbus called the meeting to order followed by Councilmember Bowe with the Invocation. All attending recited the Pledge of Allegiance. Councilmember Sitka made the motion to adopt the minutes of January 14, 2003 as presented. The motion was second by Councilmember Rodriguez. Motion carried unanimously.

AS a result of the discussion held at the January 14th City Council meeting and under direction by the Council, City Manager Cook again reviewed Daryl Fowler’s request for traffic control signs on Nelson Street. Since Mr. Cook’s findings remained the same, he requested Patrick Matussek with Maverick Engineering Inc. to review and study this matter and provide the City with the firm’s opinion and recommendation for the need of traffic control devices on Nelson Street. The study was completed with Mr. Matussek’s findings concurring with that of the City Manager and staff. Mr. Cook advised that the Police Department would do additional patrol during peak traffic hours. Mayor Harbus called on Mr. Fowler for his comments if any. Mr. Fowler expressed his disappointment and reiterated his concern for the safety of the children and elderly in the neighborhood. Mr. Fowler asked if there would be a problem with him installing a sign within his deed boundaries advising people to slow down. When questioned as to what type of sign, Mr. Fowler advised that he didn’t know. Mr. Fowler again expressed his disappointment and commented that for the time being we’ll let this die and not take up any more of the Council’s time. Mayor Harbus thanked Mr. Fowler for his concern and stated that Mr. Cook would keep tabs on it.

COUNCILMEMBER Rodriguez made the motion to adopt Ordinance No. 1824 on second and final reading granting a zoning change from Residential (R-3) to Residential (R-4) on property described as Lot 8 in Block 3 of the Sunset Addition at 909 Boyle Street. The motion was second by Councilmember Bowe. Motion carried unanimously.
ORDINANCE No. 1825 providing for the unbundling of the City’s electric rates was adopted on second and final reading on motion by Councilmember Bowe with a second by Councilmember Sitka. Motion carried unanimously.

PATRICK Vela was present in regards to his current agreement with the City for the lease of the Yoakum Municipal Airport. By letter, Mr. Vela asked for a reduction in the rental rate from what was previously set, as well as the purchase of an old ground fuel tank from the City, which the City no longer uses. Mr. Vela had advised City Manager Cook that he had changed business partners, and wanted to change the name of his company to Crosswind Aviation. The newly revised agreement with Crosswind Aviation proposes one-year review, automatically renewable if no modifications; reduction of the rental rate to $150 per month plus 2% of the gross receipts from all activities on which revenue is collected or derived from at the facility; any expansion of the facilities would be negotiated between the lessee and lessor, or between the lessor and another individual or company; if fuel is to be sold, products liability insurance would also have to be provided and all requirements of regulatory agencies met and, the new agreement would become effective January 1, 2003.

MR. Vela is doing a good job and because the agreement best serves the City to have a tenant performing aviation related activities at the airport with the potential for related activity and growth, City staff recommended that the Council authorize the Mayor to enter into the new, revised agreement. It had been determined from Texas Department of Transportation, Aviation Division that since TxDOT had previously reviewed the agreement and the agreement is basically the same, review by TxDOT was not needed. Councilmember McMullen with a second by Councilmember Rodriguez made the motion to authorize the Mayor to execute the agreement with Crosswind Aviation. Motion carried unanimously.

CITY Manager Cook advised the Council that the Yoakum Community Hospital would be utilizing the City’s rodeo arena and grounds for their Annual Health Fair scheduled this year for May 7th. Since the event is non-profit, the City’s Manual of Fees and Service Charges provides for the facility and grounds to be used at no charge. No action resulted from this discussion.

THE City’s Fire/EMS Department in cooperation with the Yoakum Community Hospital and the Yoakum Independent School District plans to hold an auto accident drill on Wimberly Street involving students to show the effects of drinking and driving. Councilmember Sitka made the motion to authorize the closure of Wimberly Street between Migi and Baldwin for approximately two hours. The motion was second by Councilmember McMullen. Motion carried unanimously.
BIDS for the repair/replacement of the Solid Waste Transfer Station Roof were received on Wednesday, February 5, 2003 at 1:30 PM. The following two bids were received:

Rain King, Victoria, Texas $63,000
Orr & Zinke, Yoakum, Texas $57,312

BASED on staff recommendation, Councilmember Rodriguez made the motion to award the bid for the Transfer Station Roof Repair and Replacement Project, as budgeted, to Orr & Zinke General Contractors in the amount of $57,312. The motion was second by Councilmember Bowe. Motion carried unanimously. The project should start on or about Wednesday, February 26th and be finished within thirty days.

THE Lower Colorado River Authority advised that the City would be receiving a credit in the amount of $251,973.59 for over recovery of fuel and power purchased during the period of October 2001 through December 2002. City Manager Cook recommended that this credit be designated to the Capital Improvements Fund specifically for the replacement of the Brushy Creek Water Plant roof. The replacement is to be scheduled in the upcoming 2003-04 Fiscal Year Budget due to the rapid deterioration of the structural integrity of the roof. The engineer’s recommendation is to replace the roof at an estimated cost of $250,000 compared to total replacement of the tank at approximately $492,000. A motion was made by Councilmember Sitka with a second by Councilmember Bowe to designate the over recovery funds from the LCRA to the Capital Improvements Fund covering the replacement of the Brushy Creek Ground Storage Tank roof. Motion carried unanimously.

COUNCILMEMBER Sitka made the motion to adopt a resolution (recorded as No. 2003-02) providing for the continuation of Yoakum’s Guidelines and Criteria for granting tax abatements. The motion was second by Councilmember McMullen. Motion carried unanimously.

THE Texas Municipal League is encouraging Texas cities to adopt resolutions urging the Texas Congressional Delegation to support funding for President Bush’s $3.5 billion dollar First Responder Initiative. The recommended resolution (recorded as No. 2003-03) as presented was adopted on motion by Councilmember McMullen with a second by Councilmember Bowe. Motion carried unanimously.

COUNCILMEMBER Bowe made the motion to adopt a resolution (recorded as No. 2003-04) establishing procedures for the May 3, 2003 General Election of City Councilmembers for Places 1, 2 and 3. The motion was second by Councilmember Sitka. Motion carried unanimously.

COUNCILMEMBER Rodriguez made the motion to adopt a resolution (recorded as No. 2003-05) appointing and providing for the City election officials. Councilmember McMullen seconded the motion. Motion carried unanimously.
THE Mayor called for an Executive Session to deliberate the purchase of real property (V.T.C.A., Gov. Code, Section 551.072). No Action resulted.

UNDER the City Manager’s Report, Mr. Cook advised that bids were received for the annual brush grinding/chipping project from R & N Construction Phases, Inc., Austin in the amount of $19,949.10, and Austin Wood Recycling, Austin in the amount of $13,500. The low bidder, Austin Wood, was awarded the contract and would begin work shortly. Mr. Paul Johnson from Fort Worth contacted Mr. Cook requesting that sixteen RV sites be reserved for their group coming through Yoakum on April 5th. Mr. Johnson commented that he had stayed at the Hub City RV Park last year and was very impressed with the park. He encouraged their group to stop in Yoakum this year for at least one night while on their way South. Mr. Johnson would be contacting the City Manager sometimes before April 5th to let him know more about the group’s itinerary.

THERE being no further business, the meeting closed.

[Signature]
M. W. Harbus, Jr., Mayor
City of Yoakum, Texas

ATTEST:
[Signature]
Gladys M. Jiral
City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  M. W. Harbus, Jr. ........................................Mayor
          Anita R. Rodriguez ..........................................Councilmember
          Elorine Sitka ..................................................Councilmember
          Don E. Bowe .....................................................Councilmember
          Charles J. Kvinta, Jr. ........................................City Attorney
          Calvin Cook .....................................................City Manager
          Gladys M. Jiral ..................................................City Clerk

ABSENT:  Margie McMullen ............................................Councilmember

MAYOR Harbus called the meeting to order followed by Councilmember Sitka with the Invocation. All attending recited the Pledge of Allegiance. Visitor Daryl Fowler was recognized by Mayor Harbus. Mr. Fowler wished to re-address the Council on the Nelson Street traffic control devices issue, specifically referencing the letter of recommendation from Patrick Matousek with Maverick Engineering.

COUNCILMEMBER Sitka made the motion to adopt the minutes of February 11, 2003 as presented. The motion was second by Councilmember Rodriguez. Motion carried.

THE Bluebonnet Youth Ranch submitted a request to hold their annual Lawn Mower Races on Front Street with street closures being the same as last year. Councilmember Rodriguez made the motion to approve the closing and holding of the races on Front Street from West Hugo to Nelson Streets, and closing the 100 block of West Grand and half of the 100 block of West May including portions of the alleys, beginning at 12:30 thru 5:00 PM on Saturday, April 5, 2003. The motion was second by Councilmember Bowe. Motion carried.

DISCUSSION on the continued leasing of 25 acres to the Texas A&M Experimental Station was held. The soil conditions are excellent for peanut research and a new lease would provide for a continued presence in the area. The terms of the proposed lease would be for one year with annual review and renewal, and a rental fee of $750. A motion was made by Councilmember Sitka with a second by Councilmember Bowe to authorize the Mayor to enter into this lease agreement. Motion carried.
DEPOSITION as to the selling or leasing of the remaining 12.9 acres of land also previously utilized by the A&M Experimental Station was discussed. City Manager Cook advised that he had not received a determination on the ownership of the buildings located on this property. It is felt that the permanent buildings/improvements would belong to the City. The Council directed City Manager Cook to obtain an appraisal of the property once the City received the determination on the buildings. The Council would consider the course of action to take after the determination and appraisal are received.

SOME renovations and clean up is being done on the recently purchased Crittenden Street property. However, if the agencies utilizing the old library building are to be moved to this building, some specific requirements may be needed such as sinks for the clinics, etc. These agencies will need to be contacted to coordinate the move. Councilmember Rodriguez made the motion to approve the relocation of the agencies utilizing the old library building on West Hugo Street to the City's new building/property on Crittenden Street and that the facility be named the "Mitchel W. Harbus, Jr. Municipal Building" in honor of our Mayor for his years of service, dedication and loyalty to Yoakum. The motion was second by Councilmember Bowe. Motion carried. The old building on West Hugo would be demolished to provide for additional parking in the downtown area.

A motion was made by Councilmember Sitka with a second by Councilmember Rodriguez to proclaim the month of March as National Athletic Training Month in Yoakum. Motion carried.

MAYOR Harbus called for an Executive Session to deliberate the purchase of real property (V.T.C.A., Gov. Code, Sec. 551.072). The meeting was later re-opened to the public with no action resulting from the Executive Session.

UNDER the City Manager's Report, Mr. Cook advised that bids for the Street Construction/Repair Materials for 2003 were received and awarded based on unit prices. Contractor Freddie Zinke started on the Solid Waste Transfer Station roof and was 70% complete. The Brush/Timber Grinding Project has not started since the contractor is behind schedule due to weather conditions. The engineers on the Pershing Square Pedestrian Enhancement Project made visits to all the downtown merchants and property owners with the exception of one that they will reschedule. All feedback to date has been positive. The Topiary Project is proceeding well with a tentative completion date being the first of April. A grand opening is being planned. The contractor for the Laredo Street Water Tower project should start by the end of this week.

A sewer main collapsed in an easement by prescription between Nelson and West May Streets. City crews were able to partially clean and repair the main but the flow is only about 25% of what it should be. A contractor has been contacted to clean, remove all the mud and, TV the main as there may be another area that is collapsed preventing full flow. The Groce Company will do this emergency work at the same price as they did the 2002 Sewer Line Cleaning Project, which they were awarded. There is another sewer main
located behind the First State Bank and Soehnge’s Do-It-Center which had a stoppage about a month ago, but it also is not flowing to capacity. It appears that there may be a collapsed section here as well. The Groce Company will also clean and TV this main and the eight-inch main behind Yoakum Pack to see what shape it is in. These mains are part of the City’s old original sewer system dating back to the 1920’s.

THERE being no further business, the meeting closed.

M. W. Harbus, Jr., Mayor
City of Yoakum, Texas

ATTEST:

Gladys M. Jiral
City Clerk
March 17, 2003  
Council Room – 6:00 P.M.  
Public Works Building

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT:  
M. W. Harbus, Jr. ........................................ Mayor  
Anita R. Rodríguez ........................................ Councilmember  
Elorine Sitka ............................................... Councilmember  
Don E. Bowe ............................................... Councilmember  
Margie McMullen ......................................... Councilmember  
Charles J. Kvinta, Jr. .................................. City Attorney  
Calvin Cook ............................................... City Manager  
Gladys M. Jiral .......................................... City Clerk

ABSENT: None

MAYOR Harbus called the meeting to order to receive appeals from property owners on the decisions made by the Building and Standards Commission, and also to hold an executive session to deliberate the purchase of real property.

AS the duly appointed Second Panel of the Building and Standards Commission, the Mayor opened a public hearing to receive the appeal and re-hear the decisions or order of the Building and Standards Commission on property owned by Cecilia, Johnny, and Cindy Coronado located on Lot 5 in Block 1103 of the West End Addition (222 McGee Street). Paul, Cecilia and Johnny Coronado were present. City Manager Cook reviewed the documentation advising that this process with the Building and Standards Commission began in 2001 with six hearings being conducted and the Coronado’s only attending one of the hearings. Very few improvements were made to this property and the Commission ordered demolition. Discussion ensued. The hearing was closed to public comment.

AFTER Council discussion, Councilmember Rodriguez made the motion concurring with the decision of the Building and Standards Commission to order demolition of all the buildings on the property but giving the Coronado’s 45 days from this date to remove all personal property inside the buildings prior to demolition. The motion was second by Councilmember Bowe. Motion carried unanimously.

AGAIN as the Second Panel of the Building and Standards Commission, the Mayor opened a public hearing to receive the appeal and re-hear the decision of the Building and Standards Commission on property owned by Jerry and Karen Amason located on Lots 9, 10 and part of 8 in Block 1141 of the Yoakum Townsite Addition (608 West Grand Avenue). Mr. Amason was present. City Manager Cook reviewed the documentation noting that the Building and Standards Commission initially started the process with the Yeager’s in 1998 and after the property was sold, the Commission started again with the
Amason's in 2000. Seven public hearings were held with the Amason's missing four of the hearings. Little or no improvements to the property resulted in the Commission ordering that the buildings be demolished. Discussion ensued. The hearing was closed to public comment.

AFTER Council discussion, Councilmember Rodriguez made the motion concurring with the decision of the Building and Standards Commission to order demolition of all the buildings on this property. Councilmember Sitka seconded the motion. Motion carried unanimously.

THE Mayor called for an Executive Session to deliberate the purchase of real property (V.T.C.A., Gov. Code, Section 551.072). The meeting was later re-opened to the public with no action resulting from the Executive Session.

THERE being no further business, the meeting closed.

M. W. Harbus, Jr., Mayor
City of Yoakum, Texas

ATTEST:

Gladys M. Jiral
City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: M. W. Harbus, Jr. ........................................ Mayor
Anita R. Rodriguez ........................................ Councilmember
Elorine Sitka .................................................. Councilmember
Don E. Bowe .................................................. Councilmember
Margie McMullen ........................................ Councilmember
Charles J. Kvinta, Jr. ....................................... City Attorney
Calvin Cook .................................................. City Manager
Gladys M. Jiral ............................................... City Clerk

ABSENT: None

MAYOR Harbus called the meeting to order followed by Councilmember Rodriguez with the Invocation. All attending recited the Pledge of Allegiance. Stephanie Poulter was recognized as a visitor by Mayor Harbus. She presented a proposal for swimming pool improvements, which covered cleanliness of the pool as well as making the pool accommodating for swim meets. Mayor Harbus directed City Manager Cook to review her proposal.

COUNCILMEMBER Sitka made the motion to adopt the minutes of March 11th and 17th, 2003 as presented. The motion was second by Councilmember Bowe. Motion carried unanimously.

THE following recommendation was received from the Planning and Zoning Commission: approval of a Specific Use Permit for Crossroad Cowboy Church, Inc. to operate a church at 207 West Grand Avenue. Mayor Harbus opened the hearing for public comments. No one was present. The Mayor closed the hearing to public comments.

COUNCILMEMBER Rodriguez made the motion to adopt an ordinance (recorded as No. 1826) on first reading granting a Specific Use Permit on property described as the west ½ of Lot 2 and east ½ of Lot 3 in Block 1010 of the Original Townsite Addition for the Crossroad Cowboy Church, Inc. The motion was second by Councilmember Sitka. Motion carried unanimously.

AS previously discussed, the newly acquired Mitchel W. Harbus, Jr. Municipal Building on Crittenden Street, which will house the agencies currently located in the old library building, is in need of repairs to the roof, gutters and sidewalks, as well as painting of the exterior. City forces will complete some of the smaller repairs needed within the building as well as outside. From estimates received, it appears that the total cost of these improvements should not exceed $25,000 to $28,000. The City has an established account for repairs of city facilities/infrastructures, however the funds must be designated for use. After discussion, Councilmember Sitka made the motion to authorize the use of the Infrastructure Reserve Funds for the repairs as outlined not to exceed $28,000. The motion was second by Councilmember Bowe.
Motion carried unanimously.

CINGULAR Wireless contacted City Manager Cook about the installation of an antenna perhaps on the Yoakum Street Elevated Storage tank in order that they could provide better service to the citizens of the Yoakum area on their cell phones. The Mitchel W. Harbus, Jr. Municipal Building site on Crittenden Street was proposed as an alternate site. A variance for height restrictions may need to be addressed prior to construction of the antenna. A proposed lease was discussed outlining revenues of $9,000 annually for the first five years with an increase of 15% every five years. Preliminary testing of this site would have to be done to determine its suitability. A Right of Entry and Testing Agreement would have to be entered into initially. Councilmember Rodriguez with a second by Councilmember Sitka made the motion to authorize the Mayor to enter into an agreement(s) with Texas RSA 16 Limited Partnership, dba Cingular Wireless, for location of antenna on city property. Motion carried unanimously.

THE City had been contacted by the Texas Public Utility Commission that the City’s maximum access line rates for telecommunication services had increased due to inflation. The telecommunication service providers no longer pay franchise fees therefore the access line rates are to compensate the City for use of the public right of ways. The City has the option to select the default rates or something less than the consumer price index (CPI) rates. The rates would increase from: residential $1.00 to $1.20; non-residential $3.26 to $3.87, and point-to-point $5.00 to $5.94. The City has not selected the CPI rate increases since the inception of these access line rates in January 2000. City staff’s concern was that by not increasing the line rate by the CPI, which is usually a smaller amount, the adjustments in the future years may be much higher and more difficult for citizens to absorb. The motion was made by Councilmember Sitka to increase the telecommunications right of way access line rates to the 2003 Consumer Price Index rates. The motion was second by Councilmember Rodriguez. Motion carried unanimously.

THE Health Insurance Portability and Accountability Act (HIPAA) and its applicability to the emergency medical services provided by the City was discussed and reviewed with Fire Chief/EMS Director Phillip Baker. The Act requires notification to patients about their privacy rights; how their information can be used; adopting and implementing privacy procedures for this service; training of City employees associated with this service; designating a Privacy Officer, and the securing of patient information. Councilmember Bowie made the motion to confirm the designation of Fire Chief/EMS Director Phillip R. Baker as the City’s Privacy Officer responsible for seeing that the privacy requirements and procedures of HIPAA are satisfied. The motion was second by Councilmember Rodriguez. Motion carried unanimously.

THE list of streets in the proposed 2003 Street Improvement Project was reviewed. A total of 5.1 miles will be in this year’s project. A motion was made by Councilmember Sitka with a second by Councilmember Bowie to approve the 2003 Street Improvement Project list. Motion carried unanimously.

CITY Manager Cook reviewed and updated the Council on the budgeted Street Light Replacement Program that will begin shortly. The program is the replacement of existing mercury vapor lamps and fixtures with a more energy efficient and environmentally friendly high-pressure sodium vapor system. The first phase is the purchase of all of the lamps and fixtures within this budget year with City crews replacing the 400 and 250-watt fixtures and lamps. The numerous 100-watt lamps will be replacement in the next fiscal year by a contractor.
THE appointment of the Yoakum Housing Authority Board of Commissioners was reviewed. The following agreed to serve if appointed and Councilmember Rodriguez made the motion to appoint Paula Houston and Jack Turner for a two-year term to the Board and Zephela Mathis as Resident Commissioner for a one-year term. The motion was second by Councilmember McMullen. Motion carried unanimously.

COUNCILMEMBER Rodriguez made the motion to appoint Councilmembers Sitka and Bowe, and City Manager Cook to the City and School Summer Recreation Board. The motion was second by Councilmember Bowe. Motion carried unanimously.

THE Mayor called for an Executive Session to deliberate the purchase of real property; discuss electric utility related matter, and deliberate the employment of an economic development director (V.T.C.A., Gov. Code, Sections 551.072, 551.086, and 551.074). The meeting was re-opened to the public with no action being taken on the purchase of real property, or the employment of the economic development director.

RELATING to the amendment of the electric power cost component charge the electric rate consultant advised that when they developed the unbundled power cost rates, they used the normalized fuel factor for the test year of the Cost of Service Study. The cost of fuel in the LCRA system was lower than the factor the consultant based the rates on; therefore, an amendment to those factors is necessary for the City to remain revenue neutral. Councilmember Sitka made the motion to adopt an ordinance (recorded as No. 1827) on emergency reading amending the Manual of Fees and Service Charges, Utilities Section VII, Electric Rates and Fees, specifically the power cost component charges. The motion was second by Councilmember Bowe. Motion carried unanimously. A one time credit to all electric accounts in the amount of $.0027 per kwh to cover the cost for the over billing in the month of March will be made.

WITH no City Manager’s Report or further business, the meeting closed.

M. W. Harbus, Jr., Mayor
City of Yoakum, Texas

ATTEST:
Gladys M. Jiral
City Clerk
SPECIAL MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez........................................Mayor Pro-Tem
        Elorine Sitka........................................Councilmember
        Don E. Bowe........................................Councilmember
        Margie McMullen.......................................Councilmember
        Calvin Cook........................................City Manager
        Gladys M. Jiral........................................City Clerk

ABSENT: M. W. Harbus, Jr.........................................Mayor

MAYOR PRO-TEM Rodriguez called the meeting to order for the purpose of canvassing the
May 3, 2003 election returns, issuance of the election certificates and administering of the Oath of
Office to the newly elected Councilmembers.

THE Mayor Pro-Tem asked that Councilmembers McMullen and Sitka canvass the returns.
A resolution (recorded as No. 2003-06) was adopted on motion by Councilmember Sitka declaring
Daryl L. Fowler, Don E. Bowe and Annie Rodriguez elected with the following results: Daryl L.
Fowler – 131; Mitchel W. Harbus, Jr. – 122; Don E. Bowe – 208 and Annie Rodriguez - 211. The
motion was second by Councilmember McMullen. Motion carried.

CERTIFICATES of Election were presented to Councilmembers Fowler, Bowe and
Rodriguez followed by City Clerk Jiral administering the Statement of Elected Officers and Oath of
Offices.

THERE being no further business, the meeting closed.

Anita R. Rodriguez, Mayor Pro-Tem
City of Yoakum, Texas

ATTEST:

Gladys M. Jiral
City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ....................... Mayor
Elorine Sitka .................................. Mayor Pro-Tem
Don E. Bowe .................................. Councilmember
Margie McMullen ................................. Councilmember
Daryl L. Fowler ................................. Councilmember
Charles J. Kvinta, Jr. ......................... City Attorney
Calvin Cook .................................. City Manager
Gladys M. Jiral ................................. City Clerk

ABSENT: None

MAYOR PRO-TEM Rodriguez called the meeting to order followed by Councilmember McMullen with the Invocation. All attending recited the Pledge of Allegiance. Mayor Pro-Tem Rodriguez called for the election of the Mayor and Mayor Pro-Tem by Councilmembers. Councilmember Bowe made the motion to elect Annie Rodriguez as Mayor. The motion was second by Councilmember McMullen. Motion carried unanimously. Councilmember McMullen made the motion to elect Elorine Sitka as Mayor Pro-Tem. The motion was second by Councilmember Bowe. Motion carried unanimously. Mayor Rodriguez expressed her appreciation to her fellow Councilmembers for their show of support in electing her as Mayor.

COUNCILMEMBER Sitka made the motion to adopt the minutes of April 8th and May 6th, 2003 as presented. The motion was second by Councilmember Bowe. Motion carried unanimously.

UNDER old business, Mayor Rodriguez opened a second public hearing to receive citizen comments on the Planning and Zoning Commission’s recommendation for a Specific Use Permit to the Crossroads Cowboy Church, Inc. at 207 West Grand Avenue. (Letters regarding the public hearing had not been mailed out to the respective property owners prior to the April 8th public hearing on this request.) Mr. Al Flessner stated that he attended the Commission’s meeting and did not have an objection to the Church being located downtown. However, he felt that a specific time frame should be set for the Permit requiring the Church to reapply after that designated date. City Manager Cook explained that a Specific Use Permit remained in effect only for the time that this specific Church operated at this location. When the Church moved or closed, the Permit becomes void. Mrs. Lindsey Ruppert, a representative for the Church, advised that they were looking for property but have not located anything at this time. She explained that they meet only on Wednesday’s and Sunday’s and are working with the Downtown Dell, which is located next door, in order to be sure that the Church does not monopolize all of the parking right in front of the buildings. Councilmember Fowler questioned the sale of alcohol possibly in front of the Church during festivals held downtown. City Manager Cook advised that the State does not prohibit the sale of alcoholic beverages near a church nor does the City have an ordinance prohibiting this. Mayor Rodriguez closed the public hearing.
THE Council considered Ordinance No. 1826 for its second and final reading. Councilmember Sitka made the motion with a second by Councilmember Bowe granting the Specific Use Permit on property described as the west 1/2 of Lot 2 and the east 1/2 of Lot 3 of Block 1010 of the Original Townsite Addition for the Crossroads Cowboy Church, Inc. Motion carried unanimously.

UNDER new business, the following recommendations were received from the Planning and Zoning Commission: (1) denial from the Commission, and appeal from Babra Hargrow, for a change in zoning from Residential (R-3) to Commercial (C-2) at 114 Wimberly St., and (2) approval of a Specific Use Permit for St. Joseph Catholic Church to operate a religious institution at 407 Orth St.

MAYOR Rodriguez opened the public hearing for comments. For item number one, Ms. Hargrow commented that she thought her business would be beneficial to the children from high school so they did not have to walk so far for lunch. Mr. Victor Huehlefeld, one of the residents across the street from the proposed change, provided a written objection and stated his concern was that once the C-2 zoning became effective, any type of commercial business could be established in the location which could be a detriment to the residential neighborhood and perhaps the school. City Manager Cook explained that the Commission recommended denial of the request based on the fact that this location did not comply with the Future Land Use Plan for commercial zoning and perhaps it could be considered spot zoning. For item number two, Mr. Blaise Driehner confirmed that the St. Joseph Church had purchased this property for construction of a parking lot. The Mayor closed the hearing to public comments.

COUNCILMEMBER Sitka made the motion to deny the zoning change on property described as Lot 5 in Block 1 of the Brock Addition for Babra Hargrow. The motion was second by Councilmember Bowe. Motion carried unanimously.

COUNCILMEMBER Sitka with a second by Councilmember McMullen made the motion to adopt an ordinance on first reading (recorded as No. 1828) granting a Specific Use Permit to the St. Joseph Catholic Church on property described as part of Lots 9, 10 and 11 in Block 1216 of the Mahon Addition at 407 Orth St. Motion carried unanimously.

THE City Manager and staff along with the Planning and Zoning Commission reviewed the proposed re-subdivision of Lots 10 and 11 in Block 4 (NCB 1216) of the Mahon Addition located at the corner of Orth and Victoria Streets. Minor changes were made to bring the plat into compliance with both the zoning and subdivision ordinances. Mr. Blaise Driehner was present on behalf of the St. Joseph Church for this request. After discussion, Councilmember Sitka made the motion with a second by Councilmember McMullen approving and adopting the preliminary and final plat as presented. Motion carried unanimously.

IN order to aide in the ingress and egress to their new parking lot, the St. Joseph Church requested that they be allowed to pave a portion of the alley adjoining the parking lot property. Councilmember Bowe made the motion to allow the paving and continued surface improvement of that certain portion of the alley with the understanding that any utility repairs and resurfacing due to the repairs would be at the expense of the utility owner. The motion was second by Councilmember Sitka. Motion carried unanimously.

CITY Manager Cook reviewed the proposed agreement with Textel Tower Development, L.L.C. for the construction of an antenna/tower at 307 Crittenden Street. The tower is needed in
order to provide better cell phone reception in Yoakum. Mr. Jim Camp was present in regards to the construction of the tower. He also advised there is interest in providing wireless Internet services by way of this antenna. A temporary mobile tower would be set up soon so better reception could be provided until construction was complete. He understood that the placement of the temporary tower would be at his company’s expense in case the necessary permits/approvals were not received from either FAA or the City of Yoakum’s Zoning Board of Adjustment. The Zoning Board of Adjustment’s public hearing is scheduled for May 28th at 6:00 P.M. Mr. Cook asked the Council to consider designating the lease fees from this tower to the City’s Infrastructure Reserve Fund for future use in the maintenance of any infrastructure. Councilmember McMullen made the motion to authorize the Mayor to enter into the agreement subject to review by Mr. Cook and City Attorney Kvinta, contingent upon receipt of the zoning variance and proof of FAA approval, and that the funds received from this lease be designated to the Infrastructure Reserve Fund. The motion was second by Councilmember Sitka. Motion carried unanimously.

The following bids were received on May 7, 2003 at 1:30 P.M. for the 2003 Street Seal Coat Project:

H & C Construction, Shiner – Asphalt price per gallon $1.26
Precoated Rock per ton $40.81
TOTAL Base Bid - $60,986.24

J. W. Faltisek Paving, El Campo – Asphalt price per gallon $1.12
Precoated Rock per ton $56.00
TOTAL Base Bid - $68,806.08

This bid is awarded on unit prices to provide the flexibility to adjust the rates of application, if necessary, during the project and to allow for differences in square yardage if modification is needed in sealing street widths or lengths. Councilmember Sitka made the motion to award the bid to H & C Construction based on the unit prices as listed above. The motion was second by Councilmember Bowe. Motion carried unanimously.

An ordinance providing for penalties on the rental of the Yoakum Community Center was discussed. The Penalty Section was inadvertently left off of some of the recent rental rate adjustment ordinances and therefore left out of the Manual of Fees and Service Charges. This ordinance, to be adopted on emergency reading to provide for continued uninterrupted rental of the Center, allows for the update of the Penalty Section and inclusion in the Manual. Councilmember Sitka made the motion to adopt the ordinance (recorded as No. 1829) on emergency reading amending the City’s Manual of Fees and Service Charges, specifically the General Section, Item II Community Center Charges and Fees to provide for penalties in the rental of the Center as recommended by the Chamber of Commerce Board of Directors. Councilmember McMullen seconded the motion. Motion carried unanimously.

The Mayor called for an Executive Session to consult with the City Attorney on pending or contemplated litigation; to deliberate the purchase of real property, and deliberate the employment of an economic development director (V.T.C.A., Gov. Code, Sections 551.071, 551.072, and 551.074). The meeting was later re-opened to the public with no action being taken on the purchase of real property, or the employment of the Economic development director. Councilmember Bowe made the motion with a second by Councilmember McMullen to waive the ten-day appeal process required by the Unsafe Building Abatement Code and directed the City staff to start the process for a re-hearing of the 102 Arnold Street Case before the Second Panel of the
Building and Standards Commission. Motion carried unanimously.

UNDER the City Manager’s Report, Mr. Cook advised that the topiaries for the Chisholm Trail Memorial Park would be delivered and placed on May 22nd. On the demolition of the buildings at 222 McGee Street, the contractor was ordered to proceed and had moved in some of his equipment. However, the Coronado family started demolition themselves so the contractor was told to hold off and hopefully, the family will complete the process. Mr. Cook advised that the Laredo Street Elevated Water Tower Project was progressing and the City’s engineer would be in town for project inspection this Friday. Finally, the Texas Municipal League asked cities for letters of support in trying to defeat S.B. 1414. This would be a very costly unfunded mandate since the bill could make the assumption that a first responder (fire/EMS or police officer) may have contracted smallpox, tuberculosis or any other lung disease, or cancer, as a result of his or her job. Mr. Cook offered letters of opposition for each of the Council’s signature if they so desired.

THERE being no further business, the meeting closed.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Gladys M. Jiral
City Clerk
SPECIAL MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ...................... Mayor
         Elorine Sitka .......................... Mayor Pro-Tem
         Don E. Bowe ............................ Councilmember
         Margie McMullen ........................ Councilmember
         Daryl L. Fowler .......................... Councilmember
         Charles J. Kvinta, Jr. ................... City Attorney
         Calvin Cook .............................. City Manager
         Gladys M. Jiral ........................... City Clerk

ABSENT: None

MAYOR Rodriguez called the meeting to order as the duly appointed Second Panel of the Building and Standards Commission to receive a request from Jerry and Karen Amason to re-hear the previously issued demolition order by this Second Panel on the property at 608 West Grand Avenue. And, also to receive a request from Ruben Garcia to re-hear the decision or order of the Building and Standards Commission for demolition of his property at 102 Arnold Street.

THE public hearing was opened by Mayor Rodriguez with the City Manager providing a brief history of the previous actions taken on both locations. Comments were received first from the Amason’s. They advised that their other property had sold and the proceeds would be reinvested in the 608 West Grand property with their first priority being to make the necessary improvements to the outside of the house. Comments were received from Ruben Garcia. Mr. Garcia advised his business previously has taken him away from Yoakum for long periods of time and since that has changed somewhat, he will be available to work on the home on a timelier basis. Some work had already been done on the roof and foundation work is to be scheduled. Mr. Garcia indicated he would reimburse the City for costs incurred to date on this property including mowing of the property, legal fees, and contractor costs prior to halting the demolition. Mayor Rodriguez closed the hearing to comments.

DISCUSSION ensued with Councilmember Sitka making the motion to grant the Amason's 120 days to improve the property; that their progress be monitored by City Inspector Derrick Smith, and the Amason's provide progress reports by the 1st of each month to be given to the Council at each monthly Council meeting. The motion was second by Councilmember Fowler. Motion carried unanimously. The Amason’s indicated they would send a request to the District Court to dismiss their petition filed against the demolition order. The demolition order would however, remain in effect.

FOLLOWING discussion, Councilmember Sitka made the motion to allow Ruben Garcia six (6) months to reconstruct his home so it will qualify and be approved by the City’s Code; that his progress be monitored by the Inspector, and for Mr. Garcia to provide a monthly report by the 1st of
the month to be given to the Council at their meeting. Councilmember Bowe seconded the motion. Motion carried unanimously. The demolition order remains in effect.

THERE being no further business, the meeting closed.

Anita R. Rodríguez
Anita R. Rodríguez, Mayor
City of Yoakum

ATTEST:

Gladys M. Jiral
Gladys M. Jiral, City Clerk
June 10, 2003
Council Room – 6:00 P.M.
Public Works Building

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodriguez .......................... Mayor
          Don E. Bowe ........................................ Councilmember
          Margie McMullen ................................. Councilmember
          Daryl L. Fowler ....................................... Councilmember
          Charles J. Kvinta, Jr. ............................ City Attorney
          Calvin Cook .......................................... City Manager
          Gladys M. Jiral ....................................... City Clerk

ABSENT:  Elorine Sitka ................................. Mayor Pro-Tem

MAYOR Rodriguez called the meeting to order followed by Councilmember Bowe with the invocation. All attending recited the Pledge of Allegiance. Councilmember Bowe made the motion to adopt the minutes of May 13th, 2003 as presented. The motion was second by Councilmember McMullen. Motion carried.

UNDER old business, numerous citizens were present regarding the request from Patrick Hull for the Council to reconsider and rescind their motion to enter into a contract with Textel Tower Development on the construction of a communications tower at 307 Crittenden St. City Manager Cook provided a history of events beginning with the initial contact by Cingular; addressed the requirements of the City's Zoning Ordinance which regulates towers within all zones of the City, and the requirements of the Federal Telecommunications Act of 1996. Based on the Act, any restrictions on towers by the City have to be reasonable in order that the company can provide good cell phone service. The Act also provides that a city cannot deny a request for the construction of a tower based on the environmental effects of radio frequency emissions if the emissions meet the FCC guidelines.

MAYOR Rodriguez called on Patrick Hull for his presentation. Mr. Hull stated he was concerned that the placement of the tower would diminish the value of the properties in this area; that there are health concerns along with the possibility of buzzards roosting on the tower; asked for location of the tower outside of the family neighborhoods and city limits, and perhaps there were other avenues to consider as well as doing more research on this issue by disinterested third parties. Several other residents within the neighborhood of the tower construction site agreed and voiced the concerns as stated by Mr. Hull.

REPRESENTATIVES from Textel Tower Development, Moor House Construction and Cingular were present and outlined their history as to why the need for the tower, specifically the location and how that location was determined. They all expressed that their interest was to provide good quality service to citizens in Yoakum, and this particular area was determined to be the best area to provide that service.
MR. Dan Pelech, a local resident who was instrumental in getting Cingular to investigate Yoakum's quality of cell phone service, and numerous other residents in attendance, spoke in support of the tower and its need. The majority of the citizens attending the meeting were in support of the construction of the tower.

FOLLOWING discussion, Councilmember Bowe made the motion to deny the request to reconsider and rescind the motion for the Mayor to enter into the contract with Textel and press on with construction of the tower. The motion was seconded by Councilmember McMullen. Voting in favor of the motion were Councilmembers Bowe, McMullen and Rodriguez; opposing – Fowler. Motion carried.

COUNCILMEMBER Bowe with a second by Councilmember McMullen adopted an ordinance on second and final reading granting a Specific Use Permit on property described as part of Lots 9, 10 and 11 in Block 1216 of the Mahon Addition at 407 Orth St. for St. Joseph Catholic Church. Motion carried.

AS required by the Federal Emergency Management Agency, the City is required to have a Hazard Mitigation Action Plan in place by September 2004. Chief Baker as the City's Emergency Management Coordinator advised Council that the Guadalupe Blanco River Authority (GBRA) received a federal grant for the purpose of planning for mitigation in the Guadalupe River basin. Since DeWitt County is in their river basin, Yoakum (including the Lavaca County side) is eligible to participate with GBRA in preparing this plan at no cost to the City. Councilmember Fowler made the motion to enter into an interlocal agreement with the GBRA for the development of a joint Hazard Mitigation Plan covering the Guadalupe River Basin, and authorize execution of the agreement by the Mayor. The motion was seconded by Councilmember Bowe. Motion carried.

DISCUSSION ensued on the replacement of sewer mains located in easements from Bovine to Forest between West Hugo and Grand Avenue, and from McCarty towards Front St. between West May and Nelson Streets, and also on considering a study to quantify the total need, cost and phased long term plan to remedy the overall problem of dilapidated sewers within the City’s sewer system. City Manager Cook explained that the frequency and number of stoppages and service calls have increased over the past year or two in both of these locations, which warranted having a contractor clean and TV these two mains in particular. Based on the recommendation by the engineer, the Bovine/Forest (State Bank Sewer Project) line should be our first priority at $78,000, plus $15,620 for engineering for an estimated cost of $93,720. Interest funds from the 1995 bond issue are available for use on this project. Mayor Rodriguez made the motion for the City Manager to contact the engineers to develop the plans and specifications on the State Bank Sewer Project. Councilmember Bowe seconded the motion. Motion carried. The Council also directed Mr. Cook to work with the engineers in developing a plan or study for the work needed on the old sewer system.

CITY Manager Cook updated the Council on the concept of using the solid waste carts in the residential areas, the same as currently used in the commercial areas. This semi-automatic system had been discussed and funds approved during the current fiscal year budget process. Each customer would be allocated one City owned 95-gallon cart based on the current charge ($13.50). If a customer required an additional cart, the charge would be the same as if the customer would receive one additional/optional pickup of waste per week ($5.77 per cart). Staff is ready to proceed with the bid process and implementation of this program. Letters would be mailed to all customers advising them of the new program and outlining the regulations.
A recommendation was received by Council to accept the proposal of Harrison, Waldrop & Uherek for auditing of the City financial records at a cost of $12,750. Councilmember McMullen made the motion with a second by Councilmember Bowe to appoint Harrison, Waldrop & Uherek to perform the City’s audit for fiscal year ending September 30, 2003. Motion carried.

MAYOR Rodriguez made the motion to appoint Councilmember Sitka as representative to the Yoakum Heritage Museum Board for a one-year term. The motion was second by Councilmember McMullen. Motion carried.

COUNCILMEMBER McMullen made the motion to appoint Patricia Parr and Gary Cooper to the Planning and Zoning Commission for three-year terms. Councilmember Bowe seconded the motion. Motion carried.

COUNCILMEMBER Bowe made the motion with a second by Councilmember McMullen to appoint the following to the Zoning Board of Adjustment for three-year terms: Mark Jahn, John Mark Brown, Darlene Renken, Scott Moehlman and Esther Turner. Motion carried.

A motion was made by Mayor Rodriguez to appoint Jessica Moehlman, William O’Hare, Paula Raney, Alicia Padilla, Bob Putnam, Betty Borchers, and Charles Schneider to the Library Board for two-year terms. The motion was second by Councilmember McMullen. Motion carried.

COUNCILMEMBER Bowe made the motion to appoint Charles Pate and Norman Kaiser to the Construction Board of Adjustment and Appeals for three-year terms. The motion was second by Councilmember McMullen. Motion carried.

THE Mayor called for an Executive Session to consult with the City Attorney on pending or contemplated litigation; to deliberate the purchase of real property, and deliberate the employment of an economic development director (V.T.C.A., Gov. Code, Sections 551.071, 551.072, and 551.074). The meeting was later re-opened to the public with no action resulting from the Executive Session.

THERE being no further business, the meeting closed.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Gladys M. Jiral
City Clerk
June 26, 2003
Council Room – 5:00 P.M.
Public Works Building

SPECIAL JOINT MEETING OF THE CITY COUNCIL AND
YOAKUM ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS

PRESENT: Anita R. Rodriguez ..................... Mayor & E.D.C. Board Member
Elorine Sitka ......................... Mayor Pro-Tem
Don E. Bowe ......................... Councilmember
Margie McMullen ................... Councilmember & E.D.C. President
Daryl L. Fowler .................... Councilmember
Charles J. Kvinta, Jr. ........... City Attorney
Calvin Cook .................... City Manager
Gladys M. Jiral .................. City Clerk

ABSENT: None

PRESENT: Bruce Bayless ..................... Secretary/Treasurer
Arthur Hermann .................... Board Member
Larry Brandt .................... Board Member
Dr. Louis Boening ................ Board Member

ABSENT: Allen Dieringer

MAYOR Rodriguez opened the joint meeting to the public and thanked all for attending. She announced that both the Council and E.D.C. Board would go into Executive Session to deliberate the purchase of real property and the employment of an economic development coordinator (V.T.C.A., Gov. Code, Sec. 551.072 and Sec. 551.074). The meeting was later reopened to the public with no action taken on the deliberation of the purchase of real property. Councilmember Sitka made the motion to proceed with the employment of an economic development coordinator. The motion was second by Councilmember Bowe. Motion carried.

AT this time Mayor Rodriguez turned the meeting over to President McMullen to continue with the E.D.C. meeting. Some of the Councilmembers did not remain for the meeting.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Gladys M. Jiral
City Clerk
July 8, 2003  
Council Room – 6:00 P.M.  
Public Works Building

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  
Anita R. Rodriguez .................................. Mayor  
Elorine Sitka ........................................ Mayor Pro-Tem  
Don E. Bowe .......................................... Councilmember  
Margie McMullen .................................... Councilmember  
Daryl L. Fowler ...................................... Councilmember  
Charles J. Kvinta, Jr. ................................ City Attorney  
Calvin Cook ......................................... City Manager  
Gladys M. Jiral ...................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the meeting to order and gave the invocation. All attending recited the Pledge of Allegiance. Councilmember Sitka made the motion to adopt the minutes of June 5th, 10th and 26th, 2003 as presented. The motion was second by Councilmember Bowe. Motion carried.

As discussed previously by the City Council and approved by the Yoakum Economic Development Corporation Board at their meeting of June 24, 2003, Councilmember Fowler made the motion for the City to enter into an Administrative Services Agreement with the Y.E.D.C. and authorize the Mayor to execute the Agreement. The motion was second by Councilmember Bowe. Motion carried.

BIDS for the purchase of solid waste carts were received on July 2, 2003 at 1:30 P.M. Schaffer Systems International of Charlotte, N.C. submitted a bid for $94,116.00 and Rehrig Pacific Company from Dallas, Texas submitted two bids – one for $84,755.00 and $87,055.00. The difference in the bids from Rehrig was the method used to attach the wheels to the 95-gallon carts. After review of the bids and documentation, City staff recommended that the award go to Rehrig Pacific for the lower bid as it is the same type of assembly as the current carts used in the commercial area and the better of the two methods. Councilmember Sitka made the motion to award Rehrig Pacific Company the bid for purchase of 2,592 carts at $36.85 per cart for a total of $95,515.20. The motion was second by Councilmember Bowe. Motion carried unanimously.

VARIOUS operational policies as recommended by the South Texas Library System for the Carl & Mary Weinhausen Library were presented and discussed. Councilmember Bowe with a second by Councilmember Sitka made the motion to adopt the policies as presented. Motion carried unanimously.

THE City had been contacted by the tax attorneys for Lavaca County regarding the sale of .34 acres in Abstract 29 of the J. May Addition located in the 1000 block of North South Street and owned by Antonio Molina. Councilmember Sitka made the motion to accept the bid of $1,000 for the sale of the .34 acres. The motion was second by Councilmember Bowe. Motion carried unanimously.
COUNCILMEMBER McMullen made the motion to appoint Councilmembers Don Bowe and Daryl Fowler to the Golden Crescent Regional Planning Commission's General Assembly. The motion was second by Councilmember Sitka. Motion carried unanimously.

A motion was made by Councilmember Sitka with a second by Councilmember Bowe to nominate Ed Goodman, City Councilman from Cuero, to serve as a member of the Golden Crescent Regional Planning Commission's Board of Directors for DeWitt County. Councilmember Fowler voted "nay". Motion carried.

THE Mayor called for an Executive Session to deliberate the purchase of real property, discuss electric utility-related matters, and perform the annual evaluation of the City Manager (V.T.C.A., Gov. Code, Sections 551.072, 551.086, and 551.074). The meeting was later re-opened to the public with no action resulting from the deliberation of the purchase of real property. Councilmember Sitka made the motion to adopt a resolution (recorded as No. 2003-07) amending Exhibit A of the Wholesale Power Agreement with LCRA and authorize the Mayor and City Clerk to execute the necessary instruments. The motion was second by Councilmember Bowe. Motion carried unanimously. The Council gave favorable comments on the performance of City Manager Cook, and on motion by Councilmember Sitka with a second by Councilmember Bowe authorized a $500 per month car allowance in addition to a $2,600 annual salary increase. Motion carried unanimously.

UNDER the City Manager's Report, Mr. Cook discussed with Council the tentative schedule of workshops for the budget process. It was decided that the Council would meet on Monday, July 14th at 6:00 P.M. and if necessary, again on Tuesday, July 22nd at 5:30 P.M. Mr. Cook also advised that Yoakum would be hosting the Annual Golden Crescent Regional Planning Commission's General Assembly on Wednesday, August 27th at the Community Center. The change of the May election date to the 3rd Saturday instead of the 1st Saturday in May is being revisited by the Texas Legislature. The Texas Municipal League will keep us abreast of any changes during the Special Legislative Session.

A monthly report had been received from Jerry and Karen Amason on their property at 608 West Grand as requested by the City Council as the 2nd Panel of the Building and Standards Commission. It appears that very little work had been accomplished during the first thirty days. The sale of their other home had not been completed. No progress report was received from Ruben Garcia on his property at 102 Arnold Street.

THERE being no further business, the meeting closed.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Gladys M. Jiral
City Clerk
SPECIAL BUDGET WORKSHOP MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ................. Mayor
Elorine Sitka ...................................... Mayor Pro-Tem
Don E. Bowe .................................... Councilmember
Margie McMullen ................. Councilmember
Daryl L. Fowler .................... Councilmember
Calvin Cook .................. City Manager
Gladys M. Jiral ................. City Clerk

ABSENT: Charles J. Kvinta, Jr., City Attorney

MAYOR Rodriguez called the meeting to order for the purpose of discussing and reviewing the proposed 2003-2004 City Budget. All department heads were present. City Manager Cook expressed appreciation to Finance Director Charlotte Morrow and the department heads for preparing very responsible budgets, which were at or slightly higher than their 2002-2003 department budgets. The budget as presented was a balanced budget amounting to $11,389,400.

AS part of the budget review, City Manager Cook addressed the need for a five-year plan for the replacement and/or repair of the city's aging infrastructure, structural problems in the city hall building, various proposed utilities maintenance projects, and review of the list of properties/buildings owned by the city requiring maintenance. The five-year plan of projects was estimated to cost over $2.9 million dollars, not including the purchase of needed equipment. Part of the review also included proposed rate increases for solid waste, water, wastewater services and property taxes to help cover the expenses. Where and when possible, grants would be researched for assistance in paying for projects.

AFTER individual department budget discussions, the Council thanked the City staff for delivering well-prepared base line budgets. The fact that the budget was balanced, including only the allowed 3% property tax increase, was very much appreciated by the Council. Following discussion on options to provide for the City's future needs, Councilmember Bowe made the motion to increase rates as follows – 5% solid waste, 10% water, and 10% wastewater. The motion was second by Councilmember Sitka. Motion carried unanimously. The additional revenue raised by the increase in rates would be designated for infrastructure needs.
CITY Manager Cook advised the Council that an agreement with the Texas Engineering Extension Service (TEEX) had been received, would be completed and returned by July 31st as required, covering the State Homeland Security Grant Program. The City will receive $58,448 for purchase of very specific equipment geared towards use by First Responders for terrorist incident response. A list of equipment was being compiled by City staff.

THERE being no further business, the meeting closed.

[Signature]
Anita R. Rodriguez, Mayor
City of Yoakum

ATTEST:

[Signature]
Gladys M. Jiral
City Clerk
August 4, 2003
Council Room – 5:30 P.M.
Public Works Building

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .............................. Mayor
         Elorine Sitka ........................................ Mayor Pro-Tem
         Don E. Bowe .......................................... Councilmember
         Margie McMullen ................................. Councilmember
         Daryl L. Fowler ................................... Councilmember
         Calvin Cook ....................................... City Manager
         Gladys M. Jiral .................................... City Clerk

ABSENT: Charles J. Kvinta, Jr., City Attorney

MAYOR Rodriguez called the meeting to order for the purpose of approving the
2003 certified tax roll and to establish the amount of debt service to be supported by the ad

JOHN Halliburton, DeWitt County Chief Appraiser, delivered the tax role to Raquel
Gomez, the City's Certified Tax Assessor/Collector, who certified that the total 2003 total
taxable value was $153,903,000. This is an increase of $5,586,671 over the previous
2002 adjusted taxable value. A motion was made by Councilmember Sitka to approve the
2003 tax roll as certified. The motion was second by Councilmember Bowe. Motion
carried unanimously.

AS proposed and recommended by City staff, Councilmember Sitka made the
motion to establish $0.4661 as the amount of debt service ($71,734) to support the ad
valorem tax levy and $0.04808 as the amount to support payment ($73,997) of the 1995
General Obligation Bond debt issue for a total proposed 2003 tax rate of $0.09469. The
motion was second by Councilmember Bowe. Motion carried unanimously.

CITY Manager Cook updated the Council since his early morning call to each of
them on the detection of the West Nile Virus in some of the tested mosquitoes. Mr. Cook
advised that a press release had been forwarded to the Yoakum Herald Times to meet
their noon deadline. The release was sent to the local medical clinics and hospital along
with the Cuero-DeWitt County Health Department and the Victoria City-County Health
Department. He had just received confirmation that the City of Victoria would be available
to spray in Yoakum and would start tomorrow (Tuesday, August 5th). With this confirmation, a press release would be sent to the Victoria Advocate also. Mr. Cook advised that testing for the virus in mosquitoes would continue in order to try to monitor its advancement, if any.

THERE being no further business, the meeting closed.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Gladys M. Jiral
City Clerk
August 12, 2003  
Council Room – 6:00 P.M.  
Public Works Building  

REGULAR MEETING OF THE CITY COUNCIL  

PRESENT: Anita R. Rodriguez .......... Mayor  
Elorine Sitka .................... Mayor Pro-Tem  
Don E. Bowe ....................... Councilmember  
Margie McMullen .................. Councilmember  
Daryl L. Fowler ................... Councilmember  
Charles J. Kvinta, Jr. ............ City Attorney  
Calvin Cook ....................... City Manager  
Gladys M. Jiral ................... City Clerk  

ABSENT: None  

MAYOR Rodriguez called the meeting to order and the invocation was lead by Councilmember Sitka. All attending recited the Pledge of Allegiance. Councilmember Fowler made the motion to adopt the minutes of July 8th, 14th and August 4, 2003 as presented. The motion was second by Councilmember McMullen. Motion carried.  

A request had been received from the Yoakum Area Chamber of Commerce to continue the operation of the Yoakum Community Center. Past President Larry Brandt visited with City Manager Cook asking that the requirement for a certified audit be removed from the agreement. After discussion with the City’s Finance Director and the City’s auditor, Mr. Cook was advised against removing this requirement because of the facility being city owned and maintained by city funds. Councilmember Sitka made the motion to allow the Yoakum Area Chamber of Commerce the continued operation of the Center and authorize the Mayor to enter into an extension of the Management and Concessionaire Agreement for another three-year period. The motion was second by Councilmember Bowe. Motion carried unanimously.  

CITY Manager Cook reviewed the FY 2003-04 Annual Work Plan and Budget for the Yoakum Economic Development Corporation. Councilmember Bowe with a second by Councilmember Sitka made the motion to approve the Corporation’s Annual Work Plan and Budget for FY 2003-04 as presented. Motion carried unanimously.  

THE proposed FY 2003-04 Budget was presented by City Manager Cook including the changes and increases as approved by the Council at the budget workshop of July 14th. The budget totaled to $11,541,200 covering $163,500 for equipment purchases, $298,000 for major capital projects, $157,500 for future equipment purchases and $271,800 for infrastructure reserves. Councilmember Sitka made the motion to adopt an ordinance on first reading (recorded as No. 1830) approving the 2003-2004 City Budget as presented. The motion was second by Councilmember Fowler. Motion carried unanimously.
COUNCILMEMBER Sitka made the motion to adopt an ordinance on first reading (recorded as No. 1831) adopting the City’s 2003 tax rate as $0.09469 per one hundred dollar valuation. Councilmember Bowe seconded the motion. Motion carried unanimously.

INCREASED rates for water (10%), wastewater (10%) and solid waste (5%) as previously approved were presented by ordinance. In September, residential customers will be provided the 95-gallon carts the same as the commercial customers are currently using. Along with the increase on solid waste fees, the format of the solid waste charges was changed to reflect the implementation of the cart program. Also included was a $5.00 minimum for up to 10 cubic yards of brush, which is to be picked up from customers who are outside the city limits but on a regular scheduled solid waste route, or have electric and/or water utility service from the City. These customers can also bring the brush to the Transfer Station free of charge by presenting their current utility bill. Commercial customers, which have no way of hauling brush or yard waste to the Transfer Station, will also be offered the opportunity of the city crews to pick up their yard waste/brush upon receiving a price quote for the chipping and/or hauling and agreement to pay. The revenue generated from the new rates has been included in the budget as infrastructure reserves. Councilmember Sitka made the motion to adopt an ordinance on first reading (recorded as No. 1832) amending the Manual of Fees and Service Charges as it pertains to increasing water, wastewater and solid waste rates. The motion was second by Councilmember Bowe. Motion carried unanimously.

THE following names were submitted to the Council for appointment to the Yoakum Economic Development Corporation Board of Directors – Louis Boening, Bruce Bayless, Annie Rodriguez and Arthur Hermann III. Councilmember Bowe with a second by Councilmember McMullen made the motion to appoint the individuals as presented to serve for two-year terms. Motion carried unanimously.

THE following appointments to the Golden Crescent Regional Planning Commission Advisory Committees were approved on motion by Councilmember McMullen with a second by Councilmember Bowe (motion carried unanimously):

Regional Health & Human Services:               Vivian Wright (Lavaca County)
Regional Emergency Communications:              Phillip Baker (Lavaca County)
                                                  William Formolo (DeWitt County)
                                                  Yvonne Rodriguez (DeWitt County)
Regional Public Protection:                      William Formolo (Dewitt County)
Regional Environmental Resources:                Jack Maloney (DeWitt County)
                                                  Gerard Novosad (DeWitt County)

COUNCILMEMBER Sitka was nominated to serve on the Golden Crescent Regional Planning Commission’s Rural Transit District Board on motion by Councilmember Bowe with a second by Councilmember McMullen. Motion carried unanimously.
THE Mayor called for an Executive Session to discuss electric utility-related matters (V.T.C.A., Gov. Code, Section 551.086). The meeting was later re-opened to the public. Councilmember Sitka made the motion to select Choice Number One (purchase 100% of the City's power from LCRA) and authorized the City Manager to execute and submit the necessary documents for the full requirement option to LCRA. The motion was second by Councilmember Bowe. Motion carried unanimously.

UNDER the City Manager's Report, Mr. Cook advised that only three applications/resumes had been received for the position of Economic/Community Development Coordinator. He also advised that the City of Victoria had sprayed for mosquitoes on Wednesday and Thursday of the previous week. The animal control officer would continue to trap/test/monitor mosquitoes for West Nile Virus. A sustained release larvicide has been ordered and should be available this week for placement in creek beds, storm sewers, drainage ditches, etc. It is nontoxic for humans and animals. Very few residents have called or picked up information on the virus from City Hall. Jerry Amason was present to answer questions about the rehabilitation of his house and property at 608 West Grand. They have now rented a place in Yoakum and would begin working full time on the restoration. He would continue to provide monthly reports. No reports were received from Ruben Garcia and no progress has been made on his property at 102 Arnold Street.

THERE being no further business, the meeting closed.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Gladys M. Jirál
City Clerk
August 18, 2003
Council Room – 6:00 P.M.
Public Works Building

SPECIAL JOINT MEETING OF THE CITY COUNCIL AND
YOAKUM ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS

PRESENT:  Elorine Sitka .......................... Mayor Pro-Tem
          Don E. Bowe .......................... Councilmember
          Margie McMullen ...................... Councilmember & E.D.C. President
          Daryl L. Fowler ....................... Councilmember
          Charles J. Kvinta, Jr. ............... City Attorney
          Calvin Cook .......................... City Manager
          Gladys M. Jiral ...................... City Clerk

ABSENT:  Anita R. Rodriguez

PRESENT:  Bruce Bayless ...................... Secretary/Treasurer
          Arthur Hermann III ................. Board Member
          Larry Brandt .......................... Board Member
          Dr. Louis Boening .................... Board Member

ABSENT:  None

MAYOR PRO-TEM Sitka opened the joint meeting to the public and thanked all for attending. She announced that both the Council and E.D.C. Board would go into Executive Session to deliberate the purchase of real property (V.T.C.A., Gov. Code, Sec. 551.072). The meeting was later re-opened to the public with no action resulting from the Executive Session.

A motion was made by Councilmember McMullen to adjourn the joint meeting. The motion was second by Councilmember Bowe. Motion carried unanimously. President McMullen began the Economic Development Board meeting.

Elorine Sitka
Mayor Pro-Tem
City of Yoakum, Texas

ATTEST:

Gladys M. Jiral
City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ......................... Mayor
Elorine Sitka ........................................ Mayor Pro-Tem
Don E. Bowe ........................................... Councilmember
Margie McMullen ................................. Councilmember
Daryl L. Fowler ...................................... Councilmember
Charles J. Kvinta, Jr. ....................... City Attorney
Calvin Cook ........................................ City Manager
Gladys M. Jiral ..................................... City Clerk

ABSENT: None

MAYOR Rodríguez called the meeting to order and the invocation was lead by Councilmember Fowler. All attending recited the Pledge of Allegiance. The Mayor invited everyone to attend and visit with Agriculture Commissioner Susan Combs at the Town Hall meeting on Wednesday, September 10th at the Welhausen Library. Councilmember Sitka made the motion to adopt the minutes of August 12th and 15th, 2003 as presented. The motion was second by Councilmember Bowe. Motion carried unanimously.

A public hearing was opened to receive citizen comments on the proposed 2003-2004 City Budget. City Manager Cook reviewed the proposed budget, which totaled to $11,541,200 covering $163,500 for equipment purchases, $298,000 for major capital projects, $157,500 for future equipment purchases and $271,800 for infrastructure reserves. With no additional comments or questions, the public hearing was closed. Councilmember Fowler made the motion to adopt Ordinance No. 1830 on second and final reading approving the 2003-2004 City Budget as presented. The motion was second by Councilmember Bowe. Motion carried unanimously.

COUNCILMEMBER Bowe made the motion to adopt Ordinance No. 1831 on second and final reading adopting the City's 2003 tax rate as $0.09469 per one hundred dollar valuation. Councilmember Sitka seconded the motion. Motion carried unanimously.

ORDINANCE No. 1832, which increases rates for water (10%), wastewater (10%) and solid waste (5%), was adopted on second and final reading by motion of Councilmember Sitka with a second by Councilmember Bowe. Motion carried unanimously.

UNDER new business, the following recommendation was received from the Planning and Zoning Commission – approval of a zoning change for Mrs. Adela Harrell
from Residential (R-3) to Business (B-1) at 707 Culpepper Street.

MAYOR Rodriguez opened the public hearing for comments. No one was present and no comments were received. The public hearing was closed. Councilmember Sitka made the motion to adopt an ordinance on first reading (recorded as No. 1833) granting the zoning change from Residential (R-3) to Business (B-1) on property described as Lot 5 of Block 5 (NCB 1098) in the Plaza Addition at 707 Culpepper Street for Mrs. Adela Harrell. The motion was second by Councilmember McMullen. Motion carried unanimously.

THE owner of Paradise Cove, Donald Janssen, was present requesting the Council to consider the late hour (2 AM) sale of alcohol within the city limits of Yoakum. Mr. Janssen stated that he is losing business on Saturday night at 1 AM as his customers leave and go elsewhere. Police Chief Bill Formolo spoke against the request for the following reasons: the high percentage of alcohol related fatal crashes which occur after the 2 AM period; the late hour consumption would increase the amount of family disturbances and assaults which are mostly alcohol related, and concern for the safety of his officers. City Manager Cook concurred with Chief Formolo's opinion in that the late hour alcohol consumption ordinance would not benefit Yoakum and its citizens. Councilmember Bowe with a second by Councilmember Rodriguez voted to deny Mr. Janssen's request for the late hour sale of alcohol. Motion carried unanimously.

THE ambulance and utility bad debt accounts were reviewed by the Council. The ambulance collection rate is 82.2% of allowable charges while the utility collection rate is 99.6%. Councilmember Sitka made the motion to charge off $32,412 in ambulance bad debt and $24,637 in utility bad debts. The motion was second by Councilmember Bowe. Motion carried unanimously.

A request was received from the DeWitt County Appraisal District for nominations to the Board of Directors for 2004-2005. Councilmember Sitka made the motion to adopt a resolution (recorded as No. 2003-08) nominating Elwood Gaus as a candidate to the Board of Directors. The motion was second by Councilmember Bowe. Motion carried unanimously.

THE Mayor called for an Executive Session to deliberate the purchase of real property (V.T.C.A., Gov. Code, Section 551.072). The meeting was later re-opened to the public with no action resulted from the Session.

UNDER the City Manager's Report, Mr. Cook advised that the Street Department had completed their work on this year's street project and H & C would be here on September 22nd to complete the paving. The 2003 Sewer Main Cleaning Project was awarded to The Groce Company in the amount of $13,351.56. The State Bank Sewer Line Project is progressing with bids to be received on October 8th. A status report from the Amason's on their house at 608 West Grand Avenue was received as required. They are making progress and all inspections have been good. A letter from Ruben Garcia regarding his house at 102 Arnold was received, however no progress has been made to
date. Mr. Garcia was previously given six months to bring the house up to standards. Council was reminded of the TML meeting in Hallettsville. Six applications were received for the economic development position. Preliminary interviews with four would be held on September 12th. Mr. Cook advised that the Texas Historical Commission had made their decision on the cell phone tower and the FCC would be reviewing all the information to make the final decision.

THERE being no further business, the meeting closed.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Gladys M. Jiral
City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ......................... Mayor  
          Elorine Sitka  .................. Mayor Pro-Tem  
          Don E. Bowe .................. Councilmember  
          Daryl L. Fowler .................. Councilmember  
          Charles J. Kvinta, Jr. .... City Attorney  
          Calvin Cook  .................. City Manager  
          Gladys M. Jiral .................. City Clerk  

ABSENT: Margie McMullen .................. Councilmember

MAYOR Rodriguez called the meeting to order and the invocation was lead by Councilmember Bowe. All attending recited the Pledge of Allegiance. Government student Hugh Murphree was recognized and welcomed. Councilmember Sitka made the motion to adopt the minutes of September 9, 2003 as presented. The motion was second by Councilmember Fowler. Motion carried unanimously.

UNDER Old Business, Councilmember Sitka made the motion to adopt Ordinance No. 1833 on second and final reading granting a zoning change from Residential (R-3) to Business (B-1) on property described as Lot 5 of Block 5 (NCB 1096) in the Plaza Addition at 707 Culpepper Street for Mrs. Adela Harrell. The motion was second by Councilmember Bowe. Motion carried unanimously.

MAYOR Rodriguez announced that a proclamation had been prepared and will be presented to Tandy Brands Accessories, Inc. at their annual shareholders meeting in Yoakum on October 15th. Tandy is one of the largest leather products manufacturers in Yoakum and well known internationally. This is their first shareholder meeting in Yoakum.

HUNTER Associates engineer Craig Bell was present regarding the bids for the State Bank Sewer Project. The following bids were received:

Mercer Construction, Edna, Texas $ 72,055.75  
Ruschhaupt Plumbing, Cuero, Texas 77,033.00  
Davis Contractor, Ltd., Cuero, Texas 77,877.00  
Brazos Valley Utilities, Bryan, Texas 78,159.50  
Hardin Plumbing Co., Junction, Texas 86,235.76  
Supak Construction, Orchard, Texas 98,559.00  
SJC Construction, Inc., Cedar Creek, Texas 139,723.00

BOTH the engineer and City staff has previously worked with the low bidder and they are qualified to perform the project. Councilmember Bowe with a second from Councilmember Sitka made the motion to award the project to Mercer Construction Company from Edna for the bid price of $72,055.75. Motion carried unanimously.
A request was received from Walter Squyres regarding the closing of Henrietta Street, which divides his property, located in the C.E. Power Addition off of Vollentine Street. This section of Henrietta Street is outside the city limits, however, Lavaca County had indicated to Mr. Squyres that a letter from the City was needed prior to their agreeing to close the street stating that the City has no plans now or in the future to open this street. A motion was made by Councilmember Sitka authorizing the City Manager to notify Lavaca County that the Council had approved closure of this portion of Henrietta Street. The motion was second by Councilmember Bowe. Motion carried unanimously.

THE following recommendations were received from the Planning and Zoning Commission – approval of a zoning change for Joe Hagan from Residential (R-2) to Residential R-4) at 110 Bare Street including that the Council consider changing the Future Land Use Plan to allow for R-4 zoning on this property and surrounding area, and approval of a change in zoning for Adan Melendez from Residential (R-2) to Residential (R-4) for 609 and 611 Armstrong Street. This property is in the name of Evelio Diaz.

A public hearing was opened by Mayor Rodriguez to receive citizen comments on the zoning change for Joe Hagan at 110 Bare Street. It was noted that in 1996 when the Residential (R-4) area was designated, the Council at that time did not want this area included in the R-4 designated areas, as it would serve as a buffer to the Oak Ridge Subdivision. Mr. Lellious Giles stated that a few years back someone had inquired for him about placing a manufactured home on his property in this area and was told he couldn’t, so he built his house. It was noted that no objections were received at the Planning and Zoning hearing or for the Council’s public hearing from the Oak Ridge residents. With no further comments, the hearing was closed.

COUNCILMEMBER Sitka made the motion to adopt a resolution (recorded as No. 2003-09) amending the Future Land Use Plan to provide for a Residential (R-4) District in the area bounded by Mathew Street on the east and the unopened but designated Hagan Street on the west, and Yoakum Street on the south with the railroad property on the north. The motion was second by Mayor Rodriguez. Motion carried unanimously.

A motion was made by Councilmember Sitka with a second by Councilmember Bowe to adopt an ordinance (recorded as No. 1834) on first reading granting a zoning change from Residential (R-2) to Residential (R-4) on property described as part of Lots 7 and 8 in Block 1122 of the Guchard Addition at 110 Bare St. Motion carried unanimously.

MAYOR Rodriguez opened another public hearing to received comments on the requested zoning change for 609 and 611 Armstrong Street for Adan Melendez. No one was present and no objections received pertaining to this change. The hearing was closed.

COUNCILMEMBER Bowe made the motion to adopt an ordinance (recorded as No. 1835) on first reading granting a zoning change from Residential (R-2) to Residential (R-4) on property described as Lots 5 and 6 in Block 15 (NCB 1145) of the Leo Tucker Addition at 609 and 611 Armstrong Street. The motion was second by Councilmember Sitka. Motion carried unanimously.

AN ordinance and attachment were presented to amend the 2002-2003 Fiscal Year budget. Bills are still being received and paid so the attachment as presented may change prior to second reading. Councilmember Sitka made the motion to adopt an ordinance (recorded as No. 1836) on first reading amending Ordinance No. 1811. The motion was second by Councilmember Bowe. Motion carried unanimously.
COUNCILMEMBER Bowe made the motion to appoint Elsie Hoffman to the Yoakum Oak Grove Cemetery Association Board of Directors for a three-year term. The motion was second by Councilmember Fowler. Motion carried unanimously.

BOTH Bruce Bayless and Larry Brandt resigned from the Yoakum Economic Development Corporation Board of Directors. Councilmember Fowler made the motion to appoint Tommy Barre to the term expiring in September 2004, and Tim Faulkner to the term expiring in September 2005. Councilmember Sitka seconded the motion. Motion carried unanimously.

COUNCILMEMBER Bowe authorized City Manager Cook to advertise for bids for the sale of surplus City vehicles. The motion was second by Councilmember Fowler. Motion carried unanimously.

THE Mayor called for an Executive Session to deliberate the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Section 551.072) and to discuss an electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086). The meeting was later re-opened to the public with no action resulting from the Session.

UNDER the City Manager’s Report, Mr. Cook advised that an inspection of the Amason house at 608 West Grand Avenue confirms the progress reported to Council. However the 120-day time frame to bring the house up to minimum standards has passed. Another meeting of the Second Panel of the Building and Standards Commission may need to meet to extend the time. Council directed Mr. Cook to set this meeting up in December to coincide with the Council meeting. Since no report or progress has been made on the Garcia property at 102 Arnold Street, this will also be discussed at the meeting of the Second Panel in December. The position of Economic/Community Development Coordinator will be offered with the prospective employee attending the Economic Development Corporation meeting on October 20th. The May 2004 election will be held on the 3rd Saturday instead of the 1st. In 2005, the election date will revert back to the 1st Saturday. The November Council meeting will be held on a City Holiday. Mayor Rodriguez, Councilmember McMullen and City Manager Cook will be attending a Texas Yes! Awards ceremony in Austin on October 15th.

THERE being no further business, the meeting closed.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Gladys M. diral
City Clerk
November 11, 2003
Council Room – 6:00 P.M.
Public Works Building

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ......................... Mayor
Elorine Sitka ................................. Mayor Pro-Tem
Don E. Bowe ................................. Councilmember
Margie McMullen ......................... Councilmember
Daryl L. Fowler ............................... Councilmember
Charles J. Kvinta, Jr. ................. City Attorney
Calvin Cook ............................... City Manager
Gladys M. Jiral ....................... City Clerk

ABSENT: None

MAYOR Rodriguez called the meeting to order and lead the invocation. All attending recited the Pledge of Allegiance. The new Police Department Telecommunications Operator Patricia Nordstrand was recognized and welcomed. Councilmember Sitka made the motion to adopt the minutes of October 14, 2003 as presented. The motion was second by Councilmember McMullen. Motion carried unanimously.

A motion was made by Councilmember Sitka with a second by Councilmember Bowe to adopt Ordinance No. 1834 on second and final reading granting a zoning change from Residential (R-2) to Residential (R-4) on property described as part of Lots 7 and 8 in Block 1122 of the Guchard Addition at 110 Bare St. Motion carried unanimously.

COUNCILMEMBER Bowe made the motion to adopt Ordinance No. 1835 on second and final reading granting a zoning change from Residential (R-2) to Residential (R-4) on property described as Lots 5 and 6 in Block 15 (NCB 1145) of the Leo Tucker Addition at 609 and 611 Armstrong Street. The motion was second by Councilmember Sitka. Motion carried unanimously.

A revised Exhibit A was presented to amend the 2002-2003 Fiscal Year budget. Councilmember Bowe made the motion to adopt Ordinance No. 1836 on second and final reading amending Ordinance No. 1811. The motion was second by Councilmember McMullen. Motion carried unanimously.

THE Mayor called for an Executive Session at 6:05 P.M. to discuss an electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086) and deliberate the purchase, exchange, lease, or value of real property (V.T.C.A., Gov. Code, Section 551.072). The meeting was re-opened to the public at 7:25 P.M. Councilmember Sitka made the motion authorizing the City Manager to execute the LCRA Price Select 2004 documents selecting the least-cost price recommendation (Res/Com) and the Traditional power option. The motion was second by Councilmember Bowe. Motion carried unanimously. Councilmember Bowe made the motion that fuel over-recovery funds from LCRA be designated to the Yoakum Street Elevated Storage Tank Reserve. This motion was second by Councilmember Sitka. Motion carried unanimously. Councilmember Fowler made the motion to adopt an ordinance (recorded as No. 1837) on first reading authorizing the sale of 6.84 acres in
Lavaca County located in the Patrick Ryan League Abstract 44 to the Yoakum Economic Development Corporation for the appraised fair market value of $44,802.00. The motion was second by Councilmember Bowe. Motion carried unanimously.

A request from the Yoakum Area Chamber of Commerce for closing of certain streets for the Winter Wonderland Celebration and Parade was discussed. A motion made by Councilmember Sitka with a second by Councilmember McMullen authorized the closing of West May from its intersection with Lott Street to Front Street for staging purposes, and Lott Street from its intersection with West May Street to the entrance of the Community Center parking lot on West Street from 5:30 P.M. to 9:30 P.M. on Friday, December 5, 2003. Motion carried unanimously.

THE Chamber also requested the closing of certain streets for the Yoakum Land of Leather Festival in February. Councilmember Sitka made the motion to close West Grand beginning at Irvine to Front Street and Lott beginning at West May to West Hugo from 6 PM, Friday, February 27, 2004 through 6 PM, Saturday, February 28th; Front Street from West Hugo to West May from 7 AM through 6 PM on Saturday, February 28th and, West Street from its intersection with Lott and Irvine Streets from Monday, February 23rd through Monday, March 1, 2004 for carnival use. Councilmember Bowe seconded the motion. Motion carried unanimously.

FOUR bids were received for the purchase of a Transfer Station truck/tractor as budgeted. Base bids were from:

- Hoffer Truck Company, Hallettsville, Texas $68,078.43
- Grande Truck, #1, San Antonio, Texas 60,906.00
- Gulf Int'l, Victoria, Texas 60,256.44
- Grande Truck, #2, San Antonio, Texas 56,919.00

Grande Truck #2 did not meet bid specifications. Councilmember Bowe with a second by Councilmember Sitka made the motion to award the bid to Gulf International Truck, Inc. from San Antonio, Texas in the amount of $60,256.44. Motion carried unanimously.

TWO bids were received on the Street Light Replacement Project as budgeted for the Electric Department. Unit based bid prices for labor and equipment only were from – Texas Electric Utility Construction of Sherman, Texas in the amount of $85.00 and Red Simpson, Inc. from Hillsboro, Texas in the amount of $41.35. Councilmember Sitka made the motion to award the bid to Red Simpson, Inc. in the amount of $41.35 per fixture. The motion was second by Councilmember Fowler. Motion carried unanimously.

COUNCILMEMBER Bowe made the motion to adopt a resolution (recorded as No. 2003-10) casting the City's 49 votes for Elwood Gaus for the DeWitt County Appraisal District's Board of Directors. The motion was second by Councilmember Sitka. Motion carried unanimously.

THE Council reconsidered their previous July 2001 requirement of annexation prior to providing sewer service to Jose Moreno at 786 North Hwy. 77A. Mr. Moreno did not pursue his request for sewer service or annexation at that time. After discussion, Councilmember Sitka made the motion to provide sewer service to the Moreno's only if they connect to the City's water service and, provided that the estimated construction cost is paid in full before construction begins. The motion was second by Councilmember Bowe. Motion carried unanimously. Sewer charges are based on the customer's water usage. City Manager Cook to is contact Mr. Moreno and outline the options available for receiving the sewer and water services. Council indicated to Mr. Cook that
policies for providing water and/or sewer services should be reviewed.

THE Yoakum Postmaster requested the use of the Community Center at no charge for postal examinations. No one utilizes the Center without payment. The Chamber and City had previously sponsored such an event for the Postal Service previously and Chamber of Commerce member Larry Brandt was present to indicate that the Chamber was willing to do this again. Councilmember Bowie made the motion to allow the use of the Center by the Postal Service on December 17th from 1 to 5 PM with the rental of the Banquet Room being paid by the Chamber of Commerce and the City paying the set up, clean up and electric usage. The motion was second by Councilmember Sitka. Motion carried unanimously.

UNDER City Manager’s Report, Mr. Cook advised that Ruben Garcia has been unresponsive to letters sent by the City and that the six-month extension to bring his property up to code will expire in December. The Council may need to meet in December as the Second Panel of the Building and Standards Commission to revisit the issue on the Garcia property at 102 Arnold Street. A pre-construction meeting with Mercer Construction was held on November 10th on the State Bank Sewer Main Replacement Project. Mercer plans to start on December 1st. The Master Parks Plan Committee will meet on November 12th to receive and review the draft plan.

THERE being no further business, the Council meeting closed.

MAYOR Rodriguez convened a hearing/meeting of the City Council in their designation as the Second Panel of the Building and Standards Commission to review the construction schedule and assess compliance with previous directives on property described as Lots 9, 10 and part of 8 in Block 1141 of the Yoakum Townsite Addition (608 West Grand Avenue) for Jerry and Karen Amason. This Commission had previously given the Amason’s 120 days to bring the house into compliance on at least the exterior and to clean up the grounds surrounding the house. They were to provide monthly reports on their progress.

Cleanup of the premises was accomplished. Improvements have been made on the exterior. Monthly progress reports have been made. The Amason’s stated that funding and work schedules continue to be an issue, but they wish to complete the restoration. A motion made by Councilmember Sitka with a second by Councilmember Bowie granted a six-month extension to the Amason’s to continue their efforts to remodel the house and maintain the premises. Monthly reports are to be continued with results being monitored by the City. Motion carried unanimously.

Mayor Rodriguez closed the public hearing and meeting.

Gladys M. Jimenez
City Clerk

ATTEST:

Anita R. Rodriguez, Mayor
City of Yoakum, Texas
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ....................... Mayor
Elorine Sitka .................................. Mayor Pro-Tem
Don E. Bowe .................................. Councilmember
Margie McMullen ................................. Councilmember
Daryl L. Fowler ................................. Councilmember
Charles J. Kvinta, Jr. ......................... City Attorney
Calvin Cook .................................. City Manager
Theresa A. Bowe ................................. Deputy City Clerk

ABSENT: Gladys M. Jiral .......................... City Clerk

MAYOR Rodriguez called the meeting to order and the invocation was lead by Councilmember Elorine Sitka. All attending recited the Pledge of Allegiance. Councilmember Bowe made the motion to accept the minutes of the November 11, 2003 meeting as presented. The motion was second by Councilmember Sitka. Motion carried unanimously.

UNDER Old Business, Councilmember Fowler made the motion to adopt Ordinance No. 1837 on second and final reading authorizing the sale of 6.84 acres in the amount of $44,802 to the Yoakum Economic Development Corporation. The motion was seconded by Councilmember Sitka. Motion carried unanimously.

HUNTER Associates engineers Craig Bell and Bill Bryan were present regarding the bids for the Brushy Creek Ground Storage Reservoir Roof Replacement as budgeted for the Water Department. The following bids were received:

<table>
<thead>
<tr>
<th>Proposal I</th>
<th>Poured-in-place Roof</th>
<th>Coating</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) B-5 Construction</td>
<td>$139,087</td>
<td>$188,964</td>
<td>$328,051</td>
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<tr>
<td>Oakwood, Texas</td>
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<td>2) Keystone Construction, Inc.</td>
<td>$272,000</td>
<td>$198,500</td>
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<td>Austin, Texas</td>
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<td>3) Lambda Construction, Inc.</td>
<td>$323,200</td>
<td>$198,500</td>
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<td>New Braunfels, Texas</td>
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<td>4) Myers Construction, Inc.</td>
<td>$438,646</td>
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<td>$634,046</td>
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<table>
<thead>
<tr>
<th>Proposal II</th>
<th>Pre-Cast Concrete Slab Roof</th>
<th>Coating</th>
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<td>1) B-5 Construction</td>
<td>$193,958</td>
<td>$188,964</td>
<td>$382,922</td>
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<tr>
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<tr>
<td>2) Keystone Construction, Inc.</td>
<td>$272,000</td>
<td>$184,000</td>
<td>$456,000</td>
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<tr>
<td>Austin, Texas</td>
<td></td>
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<td>3) Lambda Construction I, Ltd.</td>
<td>$332,000</td>
<td>$198,500</td>
<td>$530,500</td>
</tr>
<tr>
<td>New Braunfels, Texas</td>
<td></td>
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<tr>
<td>4) Myers Construction, Inc.</td>
<td>$419,239</td>
<td>$195,400</td>
<td>$614,639</td>
</tr>
<tr>
<td>Wimberley, Texas</td>
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</table>
THE bids for the roof replacement portion of the contract fell in line with the engineering estimate. However, the Ground Storage Reservoir and Chlorine Tank lining portion of the contract came in very high, resulting in the bids being over budget. Hunter Associates contacted the low bidder, B-5 Construction of Oakwood, Texas and asked them to consider separating the pre-cast concrete slab roof from the coating in their Proposal II. Since the pre-cast roof will not increase the load on the existing reservoir foundation, there is no need to line the reservoir. The contractor agreed. The motion was made by Councilmember Bowie to award the bid for the pre-cast concrete slab roof to the low bidder, B5 Construction of Oakwood, Texas in the amount of $193,958. Motion was second by Councilmember Sitka. Motion carried unanimously. Hunter Associates will continue to research more affordable options on the coating portion of the project.

A request was received from Mrs. Curtis Jamison regarding the use of the building at the Mack Jamison Park for youth activities and organizational meetings. Councilmember Bowie expressed his admiration to Mrs. Jamison for taking on such a project and made the motion to allow the use of the building at the Mack Jamison Park for youth activities and organizational meetings to Mrs. Jamison. The motion was second by Councilmember Sitka. Motion carried unanimously.

THE following recommendations were received from the Planning and Zoning Commission – (1) Approval of a change in zoning for Harvey Pekar from Residential (R-3) to Residential (R-4) for 117 Crisswell St.; (2) Approval of the re-subdivision of 21.239 acres in Abstract 29 of the John May League (400 Block of Hwy. 77A North); (3) Approval of a change in zoning for Jason Ward from Commercial (C-2) to Residential (R-4) for 409 Hwy. 77A North, this property is in the name of Charles V. Dullye, and (4) Approval of a Specific Use Permit to the Austin Street Baptist Church for an Institution of a Religious Nature at 1308 and 1316 East Gonzales Street. Property is in the name of the Christian Science Church and W. C. Yaws.

A public hearing was opened by Mayor Rodriguez to receive citizen comments on the Planning and Zoning Commission’s recommendations. No objections were received on any of the proposed recommendations. Mr. Pekar would like to place one manufactured home on the property at 117 Crisswell St. It was noted by the City Manager that this property is not in the Future Land Use Plan as an area designated for Residential (R-4) development. Dan Pelech was present representing the owners of the 21.239 acres in the 400 Block of Hwy 77A North being considered for re-subdivision, and also Mr. Jason Ward’s request for a zoning change on the property located at 409 Hwy 77A North. Mr. Ward would like to place two manufactured homes for himself and his parents on this property. It was noted by the City Manager that this property is not in the Future Land Use Plan as an area designated as a Residential (R-4) area. Mr. Fredrick Clooney was present to voice concern over the parking arrangements for the Austin Street Baptist Church Specific Use Permit. Mr. John Booth was present representing the Austin Street Baptist Church and assured Mr. Clooney and Council that as their congregation grows, consideration will be given to creating a parking area to accommodate their size. Off-street parking will try to be avoided. With no further comments, the hearing was closed.

COUNCILMEMBER Sitka made a motion to adopt an ordinance (recorded as No. 1838) on first reading granting a zoning change from Residential (R-3) to Residential (R-4) on property described as Lots 14, 15 and 16 in Block 1216 of the Mahon Addition at 117 Crisswell Street. The motion was second by Councilmember Bowie. Motion carried unanimously.
COUNCILMEMBER Sitka made a motion with a second by Councilmember McMullen to approve the re-subdivision of 21.239 acres of Abstract 29 in the John May League Addition (400 Block of Hwy. 77A North). Motion carried unanimously.

MOTION was made by Councilmember Bowe with a second by Councilmember Sitka to adopt an ordinance (recorded as No. 1839) on first reading granting a zoning change from Commercial (C-2) to Residential (R-4) on property described as part of 1.580 acres of Abstract 584 in the G. T. Hagan Addition and part of 17.500 acres of Abstract 29 in the John May Addition at 409 Hwy. 77A North. Motion carried with Councilmember Fowler voting against the zoning change.

MOTION was made by Councilmember Sitka to adopt an ordinance (recorded as No. 1840) granting a Specific Use Permit for an institution of a religious nature to the Austin Street Baptist Church on property described as Lot 3 of Block 6 in the Sandel Addition and .689 acres of Abstract 29 in the John May League at 1308 and 1316 East Gonzales Street. The motion was second by Councilmember Bowe. Motion carried unanimously.

A proclamation was presented with a motion made by Councilmember Sitka proclaiming the month of January as School Board Recognition Month in Yoakum. The motion was second by Councilmember McMullen. Motion carried unanimously.

THE Mayor called for an Executive Session at 6:35 P.M. to deliberate the purchase, exchange, lease, or value of real property (V.T.C.A. Gov. Code, Sec. 551.072), to deliberate regarding economic development negotiations (V.T.C.A. Gov. Code, Sec. 551.087) and to consult with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071). The meeting was re-opened to the public at 7:50 P.M.

MOTION was made by Councilmember Sitka to direct the City Manager to order an appraisal of the real property as discussed. The motion was second by Councilmember Bowe. Motion carried unanimously.

COUNCILMEMBER Sitka made a motion to grant funds back to the Economic Development Corporation in the amount of $44,802 from the purchase of real property and direct the City Attorney to prepare a contract between the City of Yoakum and the Economic Development Corporation for allocation of the funds. The motion was second by Councilmember McMullen and carried unanimously.

UNDER City Manager’s Report, Mr. Cook advised that surplus equipment bids were received and opened. The pickup truck was sold for $650.00 with the high bidder being AK Enterprises of Yoakum, Texas and the Ford Tempo was sold for $450.00 to Mr. Robert Zissa. Although the bids came in lower than the probable value of the vehicles the City Manager approved the sale in an effort to reduce the number of high maintenance vehicles in the City’s inventory and to alleviate insurance liabilities. Mercer Construction of Edna, Texas has been in contact with Mr. Cook regarding the Sewer Line Replacement Project. The project should be underway shortly after January 1, 2004. The Street Light Project Contractor is planning on being in Yoakum the second week of January 2004 and complete the project in about three weeks. An update was received from Jerry and Karen Amason on the progress of repairs on the property located at 608 W. Grand Avenue.
THERE being no further business, the Council meeting closed.

MAYOR Rodriguez convened a hearing/meeting of the City Council in their designation as the Second Panel of the Building and Standards Commission to review the construction schedule and assess compliance with previous directives to abate violations of the City's Unsafe Building Abatement Ordinance on Lots 5 and Part of 4 in Block 7 (NCB 1119) of the Park Heights Addition (102 Arnold) for Ruben Garcia.

DUE to an injury, Mr. Garcia has been unable to bring the building up to the standards set out in the City's Unsafe Building Abatement Ordinance within the time previously stipulated. Mr. Garcia requested an additional 30 days to complete the roof repair, bring the plumbing up to code and repair the electrical. The motion was made by Councilmember McMullen to allow an additional 30 days to complete the roof, plumbing and electrical repairs on the building at 102 Arnold Street with monitoring to be continued by Derrick Smith, City Inspector and also require Mr. Garcia to report to the Council at the next scheduled City Council meeting of the progress made. The motion was second by Councilmember Bowe. Motion carried unanimously.

MAYOR Rodriguez closed the public hearing and meeting.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe
Deputy City Clerk