January 12, 2010
Conference Room – 4:00 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodriguez ......................................................... Mayor
          Elorine Sitka ................................................................. Mayor Pro-Tem
          Margie McMullen .......................................................... Councilmember
          Tim Faulkner ............................................................... Councilmember
          Timothy L. McCoy ......................................................... Councilmember
          Charles J. Kvinta, Jr. ..................................................... City Attorney
          Calvin Cook ................................................................. City Manager
          Theresa A. Bowe ........................................................... City Clerk

ABSENT:  None

MAYOR Rodriguez called the City Council meeting to order and opened the meeting to the public. Mayor Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 4:00 PM for consultation with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071), to discuss an electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086), and deliberate about real property (V.T.C.A., Gov. Code, Sec. 551.072).

THE Council meeting re-opened to the public at 5:40 PM. No action resulted from Executive Session. There being no further business, the meeting closed at 5:40 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
January 12, 2010
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodriguez .................................................. Mayor
          Elorine Sitka  ....................................................... Mayor Pro-Tem
          Margie McMullen ................................................... Councilmember
          Tim Faulkner .......................................................... Councilmember
          Timothy L. McCoy .................................................... Councilmember
          Charles J. Kvinta, Jr. ............................................... City Attorney
          Calvin Cook ............................................................ City Manager
          Theresa A. Bowe ....................................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and Councilmember McCoy gave the invocation. The Pledge of Allegiance to the Flag led by Boy Scout Travis Beem and recited by all attending.

THE Council reviewed the property located at 105 W. May Street in the designation as the Second Panel of the Building and Standards Commission. The property owners were not present but had contacted City staff by phone and via email to indicate their intentions. Owners indicated that the contractor that had originally agreed to make repairs to the building will be unable to complete the project. In the email to the Code Enforcement Officer, Mr. Rivera informed staff that the decision had been made to proceed with total demolition of the building. Motion was made by Councilmember Faulkner to direct staff to monitor the demolition of the property for the next 30 days and provide an update at the February Council meeting. Second was made by Councilmember McCoy; motion carried unanimously.

COUNCIL convened into the regular Council meeting. Visitors were acknowledged and welcomed. Boy Scout Travis Beem was acknowledged and informed the Council that his attendance will help him meet the requirements for a Citizenship in the Community Badge as part of an Eagle Scout requisite.

MAYOR Pro-Tem Sitka made a motion to adopt the minutes from the meeting of December 8, 2009 as presented. Second was made by Councilmember McMullen; motion carried unanimously.

UNDER Old Business, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1966) on second and final reading amending Zoning Ordinance No. 1500 as it pertains to manufactured homes, recreational vehicles, and recreational vehicle parks with a vote of four to one. Second was made by Councilmember Faulkner; motion carried unanimously.

UNDER New Business, representatives from the San Antonio Water System were present to provide information regarding the SAWS Ocean Desalination Project Outreach Effort. An explanation was given on the potential future project and representatives welcomed Council and citizen input. The proposed project will begin with a feasibility assessment study for developing ocean water along the Texas coast from the Gulf of Mexico and for developing brackish groundwater from the Gulf Coast Aquifer to determine both mid-term (10 to 25 years)
and long-term (greater than 25 years) project development. The study will determine the potential of, timing for, location of ocean water desalination operations, and Gulf Coast Aquifer brackish groundwater desalination operations and possible partnership opportunities as additional sources of water within the portfolio of water supply options currently under consideration. If the findings in the initial feasibility phases of the study indicate a positive result, a more detailed concept will be presented at a later date with public input taken into consideration. Questions presented from the Council and public were addressed by the SAWS representatives. With the completion of the presentation and question and answer session, the representatives thanked the Council and community for their time.

THE following recommendation was received from the Planning and Zoning Commission: for the approval of a Specific Use Permit for the Operation of a Religious Institution at 213 W. May Street. A Public Hearing was opened to receive public comments on the recommendation. Information regarding the request was reviewed and discussed. Mr. and Mrs. Connie Naegle were present to answer questions. Other members of the congregation were present to indicate their support. Mr. Cook informed the Council that a letter had been received by a property owner regarding parking issues, but no objections were received. After review of the permit request and discussion of possible parking issues arising from the permit, the public hearing closed.

MOTION was made by Councilmember Faulkner to adopt an ordinance on first reading granting a Specific Use Permit for the Operation of a Religious Institution for a one-year from the date of first services on property described as Part of Lot 4 of Block 9 (NCB 1009) in the Yoakum Townsite Addition as shown on the official tax roll (for location reference: 213 W. May St.) (Property owned by Jacque Schumacher.). Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt a resolution (recorded as No. 2010-01) authorizing, establishing the procedures, and appointing election officials for the City’s General Election to be held May 8, 2010. Councilmember McCoy seconded the motion. Motion carried unanimously.

MOTION was made by Councilmember McCoy to authorize the City Manager to enter into a Joint Election Agreement between the Yoakum Independent School District and the Yoakum Hospital District. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

DISCUSSION was held regarding an agreement with Local Government Services, LLC of Dahlonega, GA. to assist in negotiating pole attachment agreements and performing a count of City utility poles utilized by AT&T Telephone and Time Warner Cable Company. After review of provided information, Mayor Pro-Tem Sitka made a motion to adopt a resolution authorizing the City Manager to enter into a contract with Local Government Services, LLC for negotiating pole attachment agreements and performing pole counts. Second was made by Councilmember Faulkner. Motion carried unanimously.

CITY Manager Cook provided Council with information regarding a contract with GVEC.net for the placement of equipment at the Yoakum Street Elevated Water Storage Tank. The equipment would be utilized to provide internet service to GVEC.net customers in the Yoakum area. Staff will bring a resolution authorizing the contract for Council’s consideration to the February Council meeting.
UNDER City Manager’s Report, a bid tabulation sheet for a new police car was provided for Council’s review. The low bid was submitted by Planet Ford of Spring, Texas and awarded by the City Manager. A bid tabulation sheet was provided for the Surplus Equipment authorized for sale at the December 2009 Council meeting. The equipment was awarded to the high bidder for each item. The City Manager provided Council with a letter from the DeWitt County Appraisal District listing the following individuals as elected to the Board of Directors: William Finney, Pat Koranek, Darryl Mueller, Larry Mueller, and Conyetta Gaus Swaney. Information was provided regarding the renewed rental agreement with Texas A&M Research Center for the use of the 25 acres located on Highway 111. The term of the agreement will be for two-years, with automatic renewals available on an annual basis for an additional five years. Staff is in the process of preparing an application for an energy efficiency and conservation block grant in the amount of $40,000 through the Office of the Texas Comptroller of Public Accounts. The application is due by Friday, January 15th. If the application is accepted, an agreement will be brought before the Council for consideration at the February or March Council meeting. The City Manager authorized TRC Solutions, Inc of Austin, Texas to provide specifications for the replacement of the drainage structure located on Carroll Drive. Requests for bids will be prepared and staff hopes to bring a recommendation for Council’s consideration to the February Council meeting. The Yoakum Golf Association has agreed to fertilize the fairways at the Golf Course twice this year at an estimated cost of $1,600, and to purchase the materials for the installation of an irrigation system on fairways 4 and 5 at an estimated cost of $7,000; the City has budgeted for the installation of the irrigation system for fairway 8. There is one fairway left without irrigation at this time. Mr. Cook expressed the City’s appreciation to the Golf Association for their continued support over the years. A sand filter has been ordered, as budgeted, for replacement of the existing sand filter at the swimming pool in the amount of $18,674. The Fire Department has been offered a grant in the amount of $6,533 from the Fireman’s Fund Insurance for the purchase of a new thermal camera. The paper work has been submitted. On the Sanitary Sewer Improvement Project – Phase I, all of the old manholes and sewer cleanouts have been abandoned. The contractor is working on cleanup, and the paving contractor is behind due to the weather. Staff feels that the project will be completed in February. Staff hopes to begin Phase II at the end of February or first of March. TRC Solutions, Inc. has contacted the Texas Water Development Board for an update on the environmental study for Phase II. The TWDB assured TRC that the review would be complete by the end of January. Contracts have been sent to Mercer Construction of Edna, Texas, the contractor for Phase II, for execution. A pre-construction meeting will be scheduled in anticipation of receiving clearance on the environmental study. The recent cold weather produced very little damage to City facilities; however, crews did cut off water to 27 residents that had ruptured pipes. Under the circumstances, the City Manager authorized waiving the service call fee for those residents. Council was reminded of the Yoakum Area Chamber of Commerce Banquet to be held on January 14th and the Guadalupe Valley Water Association Meeting to be held on January 21st at the Community Center that Council is invited to attend.

THERE being no further business, the meeting closed at 7:15 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
1. (recorded as No. 2010-02)
February 9, 2010
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  
Anita R. Rodriguez  Mayor
Elorine Sitka  Mayor Pro-Tem
Margie McMullen  Councilmember
Tim Faulkner  Councilmember
Timothy L. McCoy  Councilmember
Charles J. Kvinta, Jr  City Attorney
Calvin Cook  City Manager
Theresa A. Bowe  City Clerk

ABSENT:  None

MAYOR Rodriguez called the City Council meeting to order and gave the invocation. The Pledge of Allegiance to the Flag recited by all attending.

THE Council reviewed the property located at 202 Elk Street in their designation as the Second Panel of the Building and Standards Commission. The property owner was not present. Staff provided photos indicating that very little work had been done on the property. Also provided were copies of the letters sent to the property owners indicating the date of the Council meeting. After review and discussion, Councilmember Faulkner made a motion to authorize staff to advertise for bids to secure the house and out building, remove the outside debris, and mow the property. Second was made by Mayor Pro-Tem Sitka. Motion carried unanimously.

COUNCIL also reviewed the property located at 105 W. May Street in their designation as the Second Panel of the Building and Standards Commission. The property owners were not present. Staff provided copies of a letter received from the property owners indicating that preparation for demolition has begun. An asbestos survey is being acquired. Council gave staff direction to re-establish the barricade to the entrance of the alley beside the building and to continue monitoring the situation throughout the demolition process.

COUNCIL convened into the regular Council meeting. Visitors were acknowledged and welcomed.

COUNCILMEMBER McCoy made a motion to adopt the minutes from the meeting of January 12, 2010 as presented. Second was made by Councilmember Faulkner; motion carried unanimously.

UNDER Old Business, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1967) on second and final reading granting a Specific Use Permit for the Operation of a Religious Institution for a one-year time period from the date of 1st meeting on property described as Part of Lot 4 of Block 9 (NCB 1009) in the Yoakum Townsite Addition as shown on the official tax roll (property owned by Jacque Schumacher.). Motion was seconded by Councilmember McCoy and carried unanimously.

UNDER New Business, discussion was held regarding a request from GVEC.net to place equipment on the Yoakum Street Elevated Storage Tank to improve internet service to their customers in the Yoakum area. After review, Councilmember Faulkner made a motion to adopt a resolution (recorded as No. 2010-03) authorizing the City Manager to execute a contract with GVEC.net for the placement of equipment at the Yoakum Street Elevated Water Storage Tank contingent upon final review and approval of the contract by the City Manager and City Attorney. Councilmember McCoy seconded the motion; motion carried unanimously.
INFORMATION was provided to the Council regarding a grant program through the Texas Department of Agriculture. After discussion, Mayor Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2010-04) authorizing the City Manager to act on behalf of the City on all matters relating to the Texas Department of Agriculture’s GO TEXAN Rural Community Bootstrap Bucks Program. Second was made by Councilmember Faulkner. Motion carried unanimously. The grant application will be submitted on behalf of the Yoakum Area Chamber of Commerce. If the grant is awarded, the funds will be used for advertisement of the Tom-Tom Festival.

REVIEW of the streets recommended for inclusion in the 2010 Street Improvement Project was held. After discussion, motion was made by Councilmember Faulkner to approve the 2010 Street Improvement Project list as presented consisting of 104,582 square yards of city streets, and authorize the City Manager to advertise for seal coat bids. The motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

STAFF provided a bid tabulation and recommendation, along with a cost estimate for the entire project for the Carroll Drive Drainage Structure Replacement Project. The City will purchase the pipe for the project from Hancor’s Yoakum plant at a cost of $12,540.07; City crews will repair the street at a cost of approximately $1,536.00; and engineering services will be at a cost of $7,511.00. After review of the bid tabulation, Mayor Pro-Tem Sitka made a motion to award the bid to the low bidder, Mercer Construction of Edna, Texas in the amount of $57,842, and that funds received from the Texas Municipal League Intergovernmental Risk Pool for equity return be utilized to pay for a portion of the repairs. Second was made by Councilmember McCoy; motion carried unanimously.

COUNCILMEMBER McCoy made a motion authorizing the City Manager to enter into a lease agreement with Lavaca County for use of two (2) electronic voting machines to be utilized during Early Voting and on Election. Mayor Pro-Tem Sitka seconded the motion. Motion carried unanimously.

STAFF provided a revised Technology Plan for the Carl & Mary Welhausen Library to the Council for review and consideration. The Plan was reviewed, revised, and recommended to the Council by the Library Board. After review, Councilmember Faulkner made a motion to approve the revised Technology Plan as recommended by the Library Board. Second was made by Councilmember McCoy and motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to proclaim the week of March 8th thru March 12th as “Texas Public School Week.” Motion was seconded by Councilmember McCoy and carried unanimously.

UNDER City Manager’s Report, the final invoice was received on the Kenedy Ditch Drainage Channel Repair. The total cost was $18,968.40; the original bid was $16,415, but after repairs began, other panels were found that had been damaged and in need of replacement. Staff received a call on January 15th regarding damage to the street at the Mathew Street Drainage Culvert. Damage was assessed by staff: a large hole in the street was present and, upon further inspection, staff found that the soil under the headwall had eroded during the recent flooding, causing the wall on the drainage structure to move, separating the 36” drainage pipes and causing a large cavity under the road. Pictures were provided of the damage. Due to the urgency of the needed repairs, the City Manager contracted with Mercer Construction of Edna, Texas to perform the repairs as soon as possible. With the City crews performing the removing of the headwall and the paving of the street, the price was negotiated down from $33,000 to $24,033. All three of these projects, (Kenedy Ditch Drainage Channel Repair, Carroll Drive Drainage Structure Repair, and the Mathew Street Drainage Culvert Repair), were unbudgeted, emergency projects caused by the recent flooding. Funds were taken from the Infrastructure Reserve Account for the Kenedy Ditch Project and from the Street Improvement Reserve Account for the Mathew Street Drainage Structure. The Carroll Drive Drainage Structure Repair will be funded by an equity return received from our insurance carrier, Texas Municipal League in the amount of $17,860 as well as funds from the Infrastructure Reserve Fund in the amount of $61,569.07. Total funding for all of these projects is $122,430.47. A contract has been signed with Powerline Construction Company of Edna, Texas for the Electric Pole Replacement Project for the replacement of five (5) primary electric poles, the
installation of one air switch, and change-out or replacement of cross-arms on three (3) major primary poles. The total cost of this project was $15,000. All work was completed while the circuits remained energized. The project was budgeted, but only included four (4) pole replacements and the replacement of the air switch. The additional work that had been planned for next budget year was included in this year's project and remained under budget. Three police car cameras have been received and are being installed. The three (3) budgeted vehicles that had been ordered from Wendel Motor Company of Yoakum, Texas have been delivered. One is being utilized in the Street Department, one in the Electric Department, and one for the Animal Control vehicle. The automated bar screen at the Wastewater Treatment Plant went out in January. Staff attempted to repair the equipment, but was unsuccessful. The company that installed the equipment was contacted, and a determination was made that most of the equipment will need to be replaced completely because the manufacturer no longer makes the type of equipment located in our plant. The total cost for the repairs is $15,332. The equipment will be sent to Austin, Texas this week for repair. The City Manager executed the contract for the Pole Attachment Audit and Agreement. Letters have been sent to AT&T and Time Warner informing them of the audit and inviting them to have representatives ride with the consultant during the audit process. City Manager Cook spoke with a consultant from Local Government Services, L.L.C.; they hope to be in Yoakum within the next thirty (30) days to proceed with the count. Due to the weather, the paving contractor is still behind schedule on the repairs to the Sanitary Sewer Project – Phase I. The general contractor had requested a final inspection by City staff. After a preliminary inspection of the manholes, Staff found that work on the final grouting was not up to satisfactory standards at this time. On Phase II of the Sanitary Sewer Project, a preconstruction meeting is scheduled for Thursday, February 11th. Various agencies have been invited to attend including Texas Department of Transportation, AT&T, Texas Gas, and other utility providers. A letter has been sent to the Water Development Board asking for permission to submit a Notice to Proceed to the contractor. The representative from the Water Development Board indicated that he would be hesitant to approve a Notice to Proceed until clearance had been received from the Environmental Assessment. He also indicated that he would try to have clearance from that process by next week so that a Notice to Proceed may be submitted. Staff received notice on January 28th that the application for the SECO Grant had been received. Based upon the latest schedule from the Comptroller’s office, the contract should be forwarded to our office from the legal division by email be early next week. The executed contract will have to be submitted back to their legal division by March 5, 2010. If the contract requires Council authorization, staff may have to request a Special Council meeting to review the contract. Minutes of the January 20, 2010 Building and Standards Commission meeting were provided for Council’s review. The City Manager expressed his appreciation of that Board. They are a dedicated group and work hard for the community. Staff is planning on taking the last Topiary to Houston for repair at the end of February. That schedule may be postponed due to weather and other issues. Well samples from Well #6a at Brushy Creek have been received. The bacterial water samples came back good and the well will be put back in system tomorrow morning.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:55 PM to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec. 551.086). The meeting re-opened to the public at 7:20 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 7:20 PM.  

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

ATTEST: 

[Signature]
Theresa A. Bowe, City Clerk
March 9, 2010
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ......................................................... Mayor
Elorine Sitka .............................................................................. Mayor Pro-Tem
Margie McMullen ........................................................................ Councilmember
Tim Faulkner ............................................................................... Councilmember
Timothy L. McCoy ........................................................................ Councilmember
Charles J. Kvinta, Jr. ................................................................. City Attorney
Calvin Cook .................................................................................. City Manager
Theresa A. Bowe ........................................................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and Mayor Pro-Tem Sitka gave the invocation. The Pledge of Allegiance to the Flag recited by all attending.

Visitors were acknowledged and welcomed.

COUNCILMEMBER Faulkner made a motion to adopt the minutes from the meeting of February 9, 2010 as presented. Second was made by Councilmember McCoy; motion carried unanimously.

UNDER New Business, motion was made by Mayor Pro-Tem Sitka to appoint Annie Rodriguez as a trustee to the Yoakum Volunteer Fire Department Pension Board as the Council Representative. Second was made by Councilmember McMullen. Motion carried unanimously.

CITY Manager Cook provided information regarding a request from a commercial customer to accept credit card payments from commercial utility customers. Information was provided on the charges that had been established to cover accepting credit cards for payment of utility bills, fines, and other fees and the amount that is charged to the City by the credit card company. After review and discussion, Councilmember McCoy made a motion to adopt an ordinance (recorded as No. 1968) on first reading amending the Manual of Fees and Service Charges specifically Subsection V. Miscellaneous, Item 8) Credit Card Processing Fees of the General Section. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to proclaim April as Fair Housing Month. Second was made by Councilmember McCoy and motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to proclaim April 1, 2010 as Census Awareness Day. Motion was seconded by Councilmember McCoy; motion carried unanimously.

UNDER City Manager’s Report: Mercer Construction will begin the Carroll Drive Drainage Structure Replacement Project this week. The sub-contractor working with Local Government Services is scheduled to start the pole attachment audit this week. Construction on Phase I of the Sanitary Sewer Project was completed last week. The final inspection has been scheduled for Wednesday March 10th; City staff, the contractor, and the engineer will participate in the inspection. The contracts have been executed and a notice to proceed has
been sent to the contractor for Phase II of the Sanitary Sewer Contract. The environmental assessment is still pending from the Texas Water Development Board. However, Craig Bell with TRC Solutions, the engineer on the project is working with TWDB to expedite the process. A list of the lines to be replaced in the third and final stage has been provided to the engineer and he is developing a cost estimate. The third stage of the Sanitary Sewer Project will be smaller than the first two stages and staff hopes to bring a recommendation to the Council at next month's meeting. During our annual inspection and maintenance cleaning of the Park Ground Storage tank staff notice some small cracks in the roof of the tank. A structural engineer is scheduled to inspect the tank on Thursday March 11th. The engineer will provide a written report and make recommendations for repair. The contract with GVEC.net has been executed and the equipment has been installed on the Yoakum Street elevated storage tank. The SECO grant agreement that was to be executed last week has not been received. The Comptroller's office informed staff that they are behind schedule and are still in the grant application review process. The Mayor received a letter from the Texas Comptroller's office concerning a rebate program to replace older appliances with energy efficient appliances that will be available to the public between April 16th and April 25th. Details are available at the Comptroller's website, the City of Yoakum website, the City Utility Office, and the Carl & Mary Welhausen Library. The TML Region 11 Meeting will be held in Ganado, Texas on March 25th. The Texas Transportation Institute is holding a Focus Group of approximately twelve individuals from the community on March 11th. The Institute is looking for input from local residents regarding transportation issues. The Council was provided information and comments received from the owner of the property at 202 Elk Street regarding the Building and Standards issue on the property. The owner of the 105 W. May Street property contacted the Code Enforcement Officer to inform the City that an asbestos engineer has been contacted and will be submitting a qualifying letter to the State in order to begin the demolition process. Staff will continue to monitor both properties. A thank you letter was received from the family of Ms. Marie Lucke for the 100th Birthday Recognition from the Council. A letter was received from DeWitt County Judge Ben Praise informing the Council of a dedication ceremony on Saturday at the Courthouse.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:30 PM to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec. 551.086); for consultation with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071; and to deliberate regarding economic development negotiations (V.T.C.A., Gov. Code, Sec. 551.087). The meeting re-opened to the public at 7:08 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 7:08 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .................................................. Mayor
          Eloine Sitka .......................................................... Mayor Pro-Tem
          Margie McMullen .................................................... Councilmember
          Tim Faulkner .......................................................... Councilmember
          Timothy L. McCoy .................................................... Councilmember
          Charles J. Kvinta, Jr. ............................................... City Attorney
          Calvin Cook ............................................................ City Manager
          Theresa A. Bowe ...................................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and Councilmember Faulkner gave the invocation. The Pledge of Allegiance to the Flag recited by all attending.

Visitors were acknowledged and welcomed.

MOTION by Mayor Pro-Tem Sitka to adopt the minutes from the meeting of March 9, 2010 as presented. Second was made by Councilmember Faulkner; motion carried unanimously.

UNDER Old Business, Councilmember Faulkner made a motion to adopt an ordinance (recorded as No. 1968) on second and final reading amending the Manual of Fees and Service Charges specifically Subsection V. Miscellaneous, Item 8) Credit Card Processing Fees of the General Section. Motion was seconded by Councilmember McCoy. Motion carried unanimously.

UNDER New Business, the following recommendations were received from the Planning and Zoning Commission: for the approval of a Change in Zoning from Residential (R-3) to Commercial (C-2) at 404 Dunn St.; and the approval of a Change in Zoning from Residential (R-3) to Residential (R-4) at the corner of Baldwin and Schill Streets. A Public Hearing was opened to receive citizen comments on the recommendations. Information regarding the requests were reviewed and discussed. Mr. Gerardo Gonzales was present to provide information and answer questions for the request at 404 Dunn St. No objections were received regarding the request. The property owner for the request located at Baldwin and Schill Streets was not present. No objections were received regarding the request. Both are in compliance with the Future Land Use Plan. There being no comments received from the public, the Public Hearing was closed.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1969) on first reading granting a Change in Zoning from Residential (R-3) to Commercial (C-2) on property described as Part of Lots 7 and 8 of Block 1063 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 404 Dunn St.) Second was made by Councilmember Faulkner; motion carried unanimously.
MOTION by Councilmember McCoy to adopt an ordinance (recorded as No. 1970) on first reading granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lots 16 and 17 of Block 11 (NCB 1086) in the Plaza Addition as shown on the official tax roll (for location reference only: corner of Baldwin and Schill Streets). Motion was seconded by Councilmember McMullen and carried unanimously.

Discussion was held regarding a renewal of an Evacuation Destination Agreement with the Yoakum Nursing and Rehabilitation Center. Mr. Andrew Joiner with YNRC was present to answer any questions. Mayor Prd-Tem Sitka made a motion to authorize the City Manager to enter into an Evacuation Destination Agreement with the Yoakum Nursing and Rehabilitation Center for use of the Yoakum Community Center in the event of a disaster. Second was made by Councilmember Faulkner. Motion carried unanimously.

INFORMATION was provided by Fire/EMS Director Phillip Baker regarding the 2009 Sub-Recipient Agreement for a Homeland Security grant. Motion was made by Councilmember Faulkner to authorize the Mayor to execute a 2009 Sub-Recipient Agreement for a Homeland Security Grant from the State of Texas Division of Emergency Management to supply interoperable mobile radios for emergency responders, a personnel tracking system for evacuees, and for a local emergency alerting system. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

ECONOMIC/Community Development Coordinator Patrick J. Kennedy was present to provide information and answer questions regarding the Film Friendly Texas Community Guidelines and Application. After discussion, Mayor Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2010-05) adopting Guidelines and Application for Filming as part of becoming a Film Friendly Texas Community. Second was made by Councilmember Faulkner; motion carried unanimously.

DISCUSSION was held and Councilmember Faulkner made a motion to accept the Mayor's Challenge to promote the summer nutrition program as recommended by the Texas Department of Agriculture. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

CITY Manager Cook provided information regarding the Texas Trails Map for the Yoakum area for Council consideration. After review, Mayor Pro-Tem Sitka made a motion to authorize the purchase of a single listing advertisement on the 2010 Texas Trails Map project in the amount of $330.00. Second was made by Councilmember McCoy. Motion carried unanimously.

KENNETH Plant was introduced to the Council as the Yoakum Fire Department's newest officer. He was welcomed by the Council.

COUNCILMEMBER Faulkner made a motion to accept the Certificate of Unopposed Candidates as submitted by the City Clerk and adopt a resolution (recorded as No. 2010-06) cancelling the May 8, 2010 General Election for Council Places 4 and 5. Motion was seconded by Councilmember McCoy and carried unanimously.

INFORMATION was provided regarding the need for emergency back up power at the FM 318 Lift Station. Councilmember McCoy made a motion to authorize the purchase of an 80 KW generator from Holt Power System through the BuyBoard in the amount of $33,018. Second was made by Councilmember McMullen. Motion carried unanimously.
Bid tabulations were presented from the April 7, 2010 bid opening on the 2010 Street Improvement Project. After review and discussion, Mayor Pro-Tem Sitka made a motion to award the bid to the low bidder, F. N. Ploch Construction of New Braunfels, TX based on unit bid prices received in their bid dated April 7, 2010. Second was made by Councilmember McCoy and motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to appoint Mayor Pro-Tem Sitka, Councilmember McCoy, and City Manager Cook to the City/School Summer Recreation Board. Motion was seconded by Councilmember McMullen and carried unanimously.

MOTION was made by Councilmember McMullen to table the appointment of Commissioners to the Yoakum Housing Authority Board of Commissioners until the May 11, 2010 Council meeting. Second was made by Mayor Pro-Tem Sitka. Motion carried unanimously.

City Manager Cook provided an overview of Phase III, the final phase, of the Sanitary Sewer Replacement Project. The project, as presented would replace sewer mains installed between 1914 and 1928 and would provide for extension of the system in the future. The project, as discussed, includes 28,000 feet of sewer lines and the construction of one lift station. The City’s engineer will begin the topographic survey and design on this phase within the next few weeks with an anticipated bid date of January 2011.

Under City Manager’s Report, pictures were provided of the Carroll Drive Drainage Structure replacement project. Mercer Construction of Edna, Texas completed the project and moved out on April 12th. Council was complimentary of the work performed. The City’s engineer recommended increasing the pipe size and lowering the structure and road section to allow flood waters to go over the road in the event of a large rain event. The old 42” drainage pipe was replaced with a larger pipe. The larger pipe required the City to lower the new pipe to get under existing utilities. The base on the street over the drainage structure has been installed, and the Street Department will seal the street after the base has set up for a few weeks. Information was provided on the Pole Attachment Audit. A Draft Pole Attachment Agreement has been sent to AT&T and Time Warner Cable Company. The final inspection on Phase I of the Sanitary Sewer Replacement Project was performed on March 10th. Three minor issues were brought to the Contractor’s attention and all have been corrected. Phase I is complete and is being closed out. On Phase II of the Sanitary Sewer Project, the Environmental Assessment clearance has been received from the Texas Water Development Board and they have released funds for this phase. Mercer Construction will be moving in materials and equipment this week. A Structural Engineer with Delta Structural Technologies was hired to conduct a structural assessment on Park Ground Storage Tank #2. The engineer provided the City with a report indicating that the cracks are not structural in nature and repair recommendations were provided in the report. The City received notice from Texas Gas Company will be charging the annual Pipeline Safety Fee of $.65 per meter as allowed by Texas Administrative Code Rule 8.201. The PUC allows the Gas Company to recover their cost for their Pipeline Safety Fee. The SECO Grant is still on hold through the Texas Comptroller’s Office. The deadline for signing the contract has been pushed back from March 5th to an undetermined date. A letter was received from Texas Department of Transportation that this year’s pass-through finance program is accepting call for proposals until May 11th. A pass-through program is a financing tool that the Legislature created to stretch the transportation funds for highways by allowing local entities to fund upfront costs for the construction of a State Highway project and then the Department would reimburse a portion of the project cost to the community over time by paying amounts based on the number of vehicles that drive on the
highway. The City Manager had no recommendation for needed projects. The Building and Standards Commission will be losing one member. Ms. Gail East has submitted her resignation letter to become effective after the May 19th Building and Standards Commission Meeting. Council was asked for suggestions for a replacement member or alternate-member to the Board. Discussion was held regarding the additional funds that may be realized from the revised Pole Attachment Agreement. Suggestion was made to place those funds into a reserve account for the electric system infrastructure. Questions were presented regarding cement poles in comparison to the wooden poles. Mr. Cook explained the benefits and draw backs of using the cement poles.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:40 PM to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec, 551.086); and for consultation with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071). The meeting re-opened to the public at 8:30 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 8:30 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
May 11, 2010
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ............................... Mayor
          Elorine Sitka .................................................. Mayor Pro-Tem
          Margie McMullen ........................................... Councilmember
          Tim Faulkner .................................................. Councilmember
          Timothy L. McCoy ........................................... Councilmember
          Charles J. Kvinta, Jr ..................................... City Attorney
          Calvin Cook ................................................... City Manager
          Theresa A. Bowe ............................................. City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and Councilmember McMullen gave the invocation. The Pledge of Allegiance to the Flag was led by Boy Scout Travis Beem and recited by all attending.

MAYOR Rodriguez presented Certificates of Election to Councilmembers Sitka, and McMullen followed by City Clerk Bowe administering the Statement of Elected Officers and the Oaths of Office.

COUNCILMEMBER Faulkner made a motion to elect Anita R. Rodriguez as Mayor and Elorine Sitka as Mayor Pro-Tem. Second was made by Councilmember McMullen and motion carried unanimously.

The Council held a review of the property located at 105 W. May Street in their designation as the Second Panel of the Building and Standards Commission. The property owners were unable to attend. A review of the past actions and discussions was held. The owner, in an email to the City Code Enforcement Officer stated that an asbestos survey is in progress. The owner will submit the asbestos report to the State and the City. After receiving the report, the owners will then apply for a demolition permit from the City. The owners have requested bids from contractors for demolition of the building. The property owners believe they will be able to have demolition completed by the end of June 2010. Mayor Pro-Tem Sitka made a motion to allow the property owners until June 30, 2010 to complete demolition. Second was made by Councilmember Faulkner and motion carried unanimously.

Council entered into regular session and Mayor Rodriguez acknowledged and welcomed visitors. Boy Scout Travis Beem was present to fulfill part of his Eagle Scout requirements.

MOTION was made by Councilmember Faulkner to adopt the minutes from the meeting of April 13, 2010 as presented. Second was made by Councilmember McCoy; motion carried unanimously.

UNDER Old Business, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1969) on second and final reading granting a Change in Zoning from Residential (R-3) to Commercial (C-2) on property described as Part of Lots 7 and 8 of Block 1063 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference
Second was made by Councilmember Faulkner; motion carried unanimously.

MOTION by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 1970) on second and final reading granting a Change in Zoning from Residential (R-3) to Residential (R-4) on property described as Lots 16 and 17 of Block 11 (NCB 1086) in the Plaza Addition as shown on the official tax roll (for location reference only: corner of Baldwin and Schill Streets). Motion was seconded by Councilmember McCoy and carried unanimously.

A ballot was presented to the Council for the appointment of two (2) Commissioners and one (1) Resident Commissioner for the Yoakum Housing Authority Board of Commissioners. Ballots were tabulated by the City Attorney and City Clerk. After tabulation, Mayor Pro-Tem Sitka made a motion to appoint Glen Renken and Conyetta Gaus-Swaney as Commissioners, and Zephela Mathis as Resident Commissioner for two-year terms. Second was made by Councilmember McCoy. Motion carried unanimously.

UNDER New Business, the Yoakum Area Chamber of Commerce submitted a request to close certain streets for the 82nd Annual Tom Tom Festival to be held on June 4 and June 5, 2010. Staff provided details for parking near the park, the closure of Kvinta Dr. for Tom Tom activities, as well as a map indicating the parade routes as requested by the Chamber representative. Councilmember Faulkner made a motion to approve the request from the Yoakum Area Chamber of Commerce for the closure of certain streets for the 82nd Annual Tom Tom Festival as requested. Councilmember McCoy seconded the motion. Motion carried unanimously.

COUNCILMEMBER McCoy made a motion to re-appoint Jeff Card, Holly Fishbeck, and Ken Kvinta to the Parks and Recreation Advisory Board for two-year terms. Second was made by Councilmember McMullen; motion carried unanimously.

DISCUSSION was held regarding a possible Strategic Plan for the City of Yoakum. Staff reported that the Texas Municipal League does not have staff to provide this service to cities; however they provided a list of consultants for the Council’s review. After review and discussion, Mayor Rodriguez appointed Councilmembers Faulkner and McMullen to a committee to review the consultants and bring a recommendation back to the Council.

Under City Manager’s Report, Eddie Varela, an employee in the Water/Wastewater Department has returned to work after serving in Iraq. Council asked Mr. Cook to extend their gratitude to him for the service to his country and welcome him back on their behalf. The Texas Department of Agriculture has notified us that they have approved partial funding of our grant application in the GO TEXAN Rural Community Bootstrap Bucks Program to benefit the 82nd Annual Tom Tom Festival. The initial grant was for $2,500; we will receive $2,000, the Chamber has been made aware of the difference. Council was informed of a letter received from Mr. Joe Picket, Chairman of the Committee on Transportation inviting Council to share their suggestions and comments in order to better understand the priorities and ideas of local officials. Council was also provided a letter received from Representative Hinojosa informing them of his 7th Regional Leaders Issues Conference in Washington, D.C. on June 29-30, 2010. The Economic Development Corporation Board of Directors has approved sending Economic/Community Development Coordinator Patrick J. Kennedy to the conference as the City’s representative. The Councilmembers will be unable to attend this year due to prior obligations. The Council was invited to the VFW’s Annual Memorial Day Service to be held at the Yoakum Fire Station on Monday, May 31, 2010 at 10:00 AM. A Councilmember will attend
to present a wreath on behalf of the City of Yoakum in memory of all Veterans of Foreign Wars. The Council was provided a list of City Boards that will have expiring terms for certain members. Staff asked for Council recommendations for members to those boards. The City Manager informed Council that the new police car has been received and is currently in service. AT&T and Time Warner Cable have received the proposed pole attachment agreement and pole count. After receiving the pole count information, AT&T began replacing certain poles that were marked on the pole count document as City poles. AT&T believes the poles belong to them, and City staff is confident that the poles belong to the City. A letter was sent to AT&T asking them to cease the replacement of the poles until confirmation of pole ownership can be established. Both AT&T and Time Warner were offered the opportunity to accompany the consultant and City staff while the pole count was being performed; however, AT&T stated that they did not have the staff available to send. Negotiations will continue. On Phase II of the Sanitary Sewer Project, Mercer Construction has started at the corner of Kennedy and E. May Streets on April 21st. Five hundred feet of the sewer main has been replaced. Staff has been pleased with the progress on this Phase. Based on the engineer’s estimates, there will be more work than funds for Phase III of the sewer replacement project. Staff may ask the Council to consider applying for a Texas Department of Rural Affairs Community Block Grant to finance additional sewer line replacement. Staff and the City engineer will be meeting with a consultant this week to discuss submitting an application for a grant through this program.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:50 PM to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec. 551.086); and for consultation with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071). The meeting re-opened to the public at 7:35 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 7:35 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  Anita R. Rodriguez .......................................... Mayor
          Margie McMullen ............................................ Councilmember
          Tim Faulkner ................................................... Councilmember
          Charles J. Kvinta, Jr. ....................................... City Attorney
          Calvin Cook ..................................................... City Manager
          Theresa A. Bowe ............................................... City Clerk

ABSENT:  Elorine Sitka ............................................... Mayor Pro-Tem
         Timothy L. McCoy ............................................ Councilmember

MAYOR Rodriguez called the City Council meeting to order and gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Visitors were acknowledged.

MOTION was made by Councilmember Faulkner to adopt the minutes from the meeting of May 11, 2010 as presented. Second was made by Councilmember McMullen; motion carried unanimously.

UNDER Old Business, Councilmember Faulkner provided the committee report regarding a possible Strategic Plan for the City of Yoakum. He and Councilmember McMullen reviewed the potential firms provided by TML and a meeting has been scheduled with one consultant firm that is from this region. Further information will be provided as it develops.

UNDER New Business, Councilmember Faulkner made a motion to authorize the City Manager to act on all matters related to a grant from the Tocker Foundation for Library Furniture and Equipment, if awarded, in the amount of $65,000. Second was made by Councilmember McMullen. Motion carried unanimously.

DISCUSSION was held regarding needed repairs to certain water system equipment. Water Department Staff noticed the refrigeration unit at the CO2 tank running continuously. After inspection from two outside sources, it was found that the problem is with the insulation rather than the refrigeration unit. Staff has recommended that a budgeted item in the Sewer Department be postponed until next fiscal year and the funds be allocated toward the needed repairs of the CO2 Tank. After review of the information, Councilmember Faulkner made a motion to authorize the City Manager to execute an agreement for the repairs to the water system equipment in the amount not to exceed $29,516.25. Second was made by Councilmember McMullen and motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to appoint the following members to City appointed Boards: Elorine Sitka to the Yoakum Heritage Museum Board as Council Representative; Howard Templin, Burt Kenna, Fay Coldeway, Wilberrn Hairell, and Harvey Pekar to the Building and Standards Commission as members, and Suzi Brewer and Rick Bishop as Alternate Members; Bill Haas, Reggie Simek, Beth Campbell, Roberta Bittick, Lynn Brewer, and Virgi Ferrell to the Library Board; Rodney Jahn and Sandra Bernegy to the Construction Board of Adjustments and Appeals; and Tommy Barre and Bettye Powell to the
Planning and Zoning Commission. Second was made by Councilmember McMullen; motion carried unanimously.

COUNCIL was provided information regarding a request from the Guadalupe-Blanco River Authority to support the filing of an amicus brief with the court supporting the State of Texas and GBRA in a Motion to Dismiss the lawsuit filed by "The Aransas Project" under the federal Endangered Species Act against officials of the Texas Commission on Environmental Quality. After review, Councilmember Faulkner made a motion to support the Motion to Dismiss as part of a consolidated group filing. Motion was seconded by Councilmember McMullen and carried unanimously.

UNDER City Manager's Report: on Phase II of the Sanitary Sewer Project, progress has slowed from the last report due to poor soil conditions. The Contractor has brought in additional shoring equipment to assist the process. AT&T has verbally agreed to the pole count conducted by our consultant and staff, however, representatives are now indicating the desire to negotiate the terms of the pole attachment agreement. Staff will be sending a letter to AT&T as recommended by our consultant, asking for specific terms in writing by June 30, 2010. Questions regarding the SECO Grant application were received from the Texas State Comptroller's Office. Staff has responded and a confirmation email was received that all of the information had been obtained and our application is under review. A timeline has not been given indicating when a final decision will be made. All of the documents have been submitted to the Texas Film Commission for Yoakum's Film Friendly Community application. Staff is waiting on confirmation of acceptance. The City has been approached by a gentleman representing Stagecoach Outdoor Movie Theatre wanting to bring an outdoor movie theatre to the City park for one or two nights. Staff will be working with him on the location and applicable permits, insurance, and other guidelines. The minutes from the last Building and Standards Commission meeting were presented to the Council for their review. Council was also informed about the Special Budget Workshop/Meeting scheduled for Tuesday, July 20, 2010.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:20 PM to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec. 551.086); and for consultation with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071). The meeting re-opened to the public at 6:50 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 6:50 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
SPECIAL MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .................................................. Mayor
          Elorine Sitka ......................................................... Mayor Pro-Tem
          Margie McMullen .................................................... Councilmember
          Tim Faulkner .......................................................... Councilmember
          Timothy L. McCoy .................................................... Councilmember
          Charles J. Kvinta, Jr. ............................................... City Attorney
          Calvin Cook ............................................................ City Manager
          Theresa A. Bowe ....................................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and opened the meeting to the public. Mayor Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 5:30 PM for consultation with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071).

THE Council meeting re-opened to the public at 6:14 PM. The following action resulted from Executive Session: Motion by Mayor Pro-Tem Sitka to authorize the City Manager to release funds from reserves to close out Phase I of the Sanitary Sewer Project pending approval by the Texas Water Development Board and approval of documents by the City Attorney. Motion was seconded by Councilmember Faulkner and carried unanimously.

THERE being no further business, the meeting closed at 6:15 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
July 13, 2010
Conference Room – 6:00 PM
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ........................................ Mayor
Elorine Sitka ......................................................... Mayor Pro-Tem
Margie McMullen .................................................... Councilmember
Tim Faulkner .......................................................... Councilmember
Timothy L. McCoy .................................................... Councilmember
Charles J. Kvinta, Jr ................................................. City Attorney
Calvin Cook ............................................................ City Manager
Theresa A. Bowe ....................................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and Mayor Pro-Tem Sitka gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Visitors were acknowledged and welcomed.

MOTION was made by Mayor Pro-Tem Sitka to adopt the minutes from the meetings of June 8 and June 16, 2010 as presented. Second was made by Councilmember Faulkner; motion carried unanimously.

UNDER New Business, Carol Piere, Deputy Director of the Film Friendly Texas Program was present to present the Council with the Film Friendly Texas Community Certificate from the Texas Film Commission. Director Piere expressed her appreciation and compliments to City staff for their hard work and congratulated Yoakum on receiving certification.

MR. Henry Solis with Community Health Centers of South Texas was present along with colleagues to provide information to the Council regarding the services that they are hoping to bring to the Yoakum community. The services will be provided by a federally funded grant for eligible qualified health centers. The providers will be available to residents of Yoakum and the surrounding areas to provide primary medical, dental and behavioral health services. Low cost pharmacy services will also be available to families that qualify.

INFORMATION was provided to Council regarding a request from Seitel Data, to perform a seismographic survey on City property located on Bootlegger Lane. The company has offered the City $15.00 per acre for the opportunity to perform the survey. After discussion, Mayor Pro-Tem Sitka made a motion to allow Seitel Data, LTD to enter the property requested in order to conduct a seismographic survey as per the agreement, contingent upon the City Attorney’s findings. Motion was seconded by Councilmember Faulkner and carried unanimously.

POLICE Chief Arthur Rogers was present to provide information regarding a request to sell abandoned and impounded vehicles. After discussion, Councilmember McCoy made a motion to authorize the sale of abandoned and impounded vehicles pursuant to Chapter 683 of the Texas Transportation Code. Motion was seconded by Councilmember McMullen and carried unanimously.

ECONOMIC/Community Development Coordinator Patrick J. Kennedy was present to provide information and answer questions regarding the YEDC’s Annual Work Plan and Budget. After review and discussion, Councilmember Faulkner made a motion to approve the Yoakum
Economic Development Corporation Annual Work Plan and Budget for FY 2010-2011. Second was made by Councilmember Faulkner; motion carried unanimously.

MR. Kennedy provided information regarding a request from Handy Stop Nursery for project funding from the YEDC. Final approval will be contingent upon the YEDC approving the Performance Agreement. After discussion, Councilmember Faulkner made a motion to adopt a Resolution (recorded as No. 2010-08) on first reading approving a project proposed by Handy Stop Nursery to the Yoakum Economic Development Corporation. Motion was seconded by Councilmember McCoy and carried unanimously.

THE Council held a review of the property located at 105 W. May Street in their designation as the Second Panel of the Building and Standards Commission. The property owners were unable to attend. A review of the past actions and discussions was held, as well as letters sent to and received from property owners. The asbestos survey promised in earlier reviews has not been received. Council gave direction to City staff to allow the property owners until July 20, 2010 to provide an asbestos/environmental survey for demolition purposes. If no survey is provided, Councilmember Faulkner made a motion to authorize City staff to proceed with acquiring an asbestos/environmental survey and secure bids for demolition of the property. Second was made by Councilmember McMullen. Motion carried unanimously.

MOTION was made by Councilmember McMullen to appoint Mayor Pro-Tem Elorine Sitka and Councilmember Faulkner to the Golden Crescent Regional Planning Commission’s General Assembly. Second was made by Councilmember McCoy; motion carried unanimously.

STAFF provided information regarding an opportunity to nominate a representative to serve as a member of the Texas Municipal League Employee Benefits Pool Board of Trustees. After consideration, no nominations were made.

UNDER City Manager’s Report: recent rains have slowed the progress of Phase II of the Sanitary Sewer Replacement Project. Presently, the Contractor has two crews working: one on E. Gonzales, and one on Davis Streets. They have been unable to begin construction on the lift station and the force main on the East side of town due to wet ground. Those two items must be completed before installation of the gravity flow lines that will discharge into the lift station. A draft Joint Use Pole Attachment Agreement was sent to AT&T on March 30th. After a second request for response, AT&T provide a letter to staff indicating that they would like to negotiate the rate, and requesting copies of the pole attachment maps. Attached to the letter was a revised Joint Use Agreement that has been carefully reviewed by staff and the consultant. The consultant felt that the changes were acceptable, with certain additional wording added. Rate negotiations will continue. The SECO (the Energy Efficiency and Block Grant Program) grant signed by the City Manager on June 17th has been sent to the Texas Comptroller’s office. Staff is waiting on the return of the executed documents from the Comptroller’s office. Funds received from this grant will be utilized to replace two large motors at one of the water treatment plants, and to install variable speed drive motor starters at the lift station on FM 318. Hersey-Mueller Meter Company will be in Yoakum from July 21st through 23rd to install 20 water and 20 electric meters for a pilot study on the companies smart meter system. The meters will be installed in the Sandel Addition. The equipment utilized to update the City’s Government Access Channel has been inoperable for several months. Now that the cable company is under the State Franchise Agreement, they are no longer responsible for replacing or maintaining the equipment. Staff is gathering information to acquire the appropriate equipment and communication lines needed to make the system operable. Staff has been in contact with representatives of Union Pacific Railroad in an effort to have the property located along Front Street, owned by UPRR cleaned. The railroad company agreed to bring some of the old buildings into compliance with building standards by making improvements or by demolition.
The representative assured staff that the process would be started. Staff has also requested that UPRR also clean and maintain the other Railroad owned property throughout the City.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:10 PM to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec. 551.086); for consultation with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071); and to deliberate the annual performance evaluation of the City Manager by City Council (V.T.C.A. Gov. Code, Sec. 551.072). The meeting re-opened to the public at 7:45 PM. Action resulting from Executive Session: Mayor Pro-Tem Sitka made a motion to increase the City Manager’s annual salary by $5,000 to become effective October 1, 2010. Second was made by Councilmember McCoy; motion carried unanimously.

THERE being no further business, the meeting closed at 7:46 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
1. Amended: “Mayor Pro-Tem Sitka”
SPECIAL BUDGET WORKSHOP/MEETING

PRESENT: Anita R. Rodriguez ............................................. Mayor
        Elorine Sitka ......................................................... Mayor Pro-Tem
        Margie McMullen ................................................. Councilmember
        Tim Faulkner ........................................................ Councilmember
        Timothy L. McCoy ................................................ Councilmember
        Charles J. Kvinta, Jr ............................................... City Attorney
        Calvin Cook ................................................................ City Manager
        Theresa A. Bowe ...................................................... City Clerk

ABSENT: None

THE budget workshop meeting was called to order by Mayor Rodriguez with City Manager Calvin Cook, Fire/EMS Director Phil Baker, Director of Technical Services Jack Maloney, Finance Director Charlotte Morrow, Police Chief Arthur Rogers, Director of Community Services Derrick Smith, and City Clerk Theresa Bowe in attendance for presentation of the 2009-2010 Fiscal Year Budget.

Also in attendance was Mr. Robert Stluka from Port Aransas, Texas. Mr. Stluka is a Strategic Planning Consultant enlisted to assist the Council in developing a Strategic Plan for the City of Yoakum. Mr. Stluka was introduced and gave a brief presentation and answered questions posed by the Council. After a brief discussion, the Council thanked Mr. Stluka for joining them and proceeded with the meeting.

MOTION was made by Mayor Pro-Tem Sitka to adopt a Resolution (recorded as No. 2010-07) accepting work under the Texas Water Development Board Contract #72020 for Phase I of the Sanitary Sewer Replacement Project. Second was made by Councilmember Faulkner; motion carried unanimously.

MAYOR Rodriguez expressed the gratitude of the Council to the City Manager and the Department Heads for the hard work that went into the development of the budget. All revenues and expenditures were reviewed on an individual department basis. City Manager and department heads outlined the increase and decreases in the cost of certain items, needed purchases, and expenditures. Staff also provided information on proposed rate increases to bring revenues up to anticipated expenditures. Council gave direction to staff to provide an estimate of how the rate increases will affect an average household before proceeding with rate changes. A special meeting was scheduled for July 28, 2010 at 12:00 to review the findings.

THERE being no further business, the meeting closed at 7:15 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
July 28, 2010
Conference Room – 12:00 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .............................................. Mayor
        Elorine Sitka ....................................................... Mayor Pro-Tem
        Margie McMullen .................................................. Councilmember
        Tim Faulkner ....................................................... Councilmember
        Timothy L. McCoy .................................................. Councilmember
        Calvin Cook ......................................................... City Manager
        Theresa A. Bowe .................................................... City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and opened the meeting to the public. The purpose of the meeting was to review and consider proposed changes to the City of Yoakum Manual of Fees and Service Charges as presented by City staff.

REVENUE projections were presented and reviewed from all departments. Rates for residential and commercial customers were evaluated. Council agreed to the proposed changes as presented and City Manager Cook informed them that other fees will be reviewed by staff in order to assure that the fees reflect the cost of service. The complete revised Manual of Fees and Service Charges will be presented for Council’s review at the regular August Council meeting. Council expressed their thanks to City Manager Cook for the work done on the rate structure.

THERE being no further business, the meeting closed at 12:30 PM.

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

ATTEST:

[Signature]
Theresa A. Bowe, City Clerk

[City of Yoakum, Texas Seal]
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .................................................. Mayor
Elorine Sitka ................................................................. Mayor Pro-Tem
Margie McMullen .......................................................... Councilmember
Tim Faulkner ................................................................. Councilmember
Timothy L. McCoy ......................................................... Councilmember
Charles J. Kvinta, Jr. ....................................................... City Attorney
Calvin Cook ................................................................. City Manager
Theresa A. Bowe ............................................................. City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and Councilmember Faulkner gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Visitors were acknowledged and welcomed.

MOTION was made by Councilmember Faulkner to adopt the minutes from the meetings of July 13, July 22, and July 28, 2010 as presented. Second was made by Councilmember McCoy; motion carried unanimously.

UNDER New Business, the following recommendation was received from the Planning and Zoning Commission: for the approval of a Change in Zoning from Industrial to Residential (R-4) at 504 Boyle St. A Public Hearing was opened to receive citizen comments on the recommendations. Information regarding the requests were reviewed and discussed. Property owners were not present. The request received no objections and is in compliance with the Future Land Use Plan. There being no comments received from the public, the Public Hearing was closed.

MOTION by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 1971) on first reading granting a Change in Zoning from Industrial to Residential (R-4) on property described as Part of Lots 17 and 18 of Block 1085 in the Plaza Addition as shown on the official tax roll (for location reference only: 504 Boyle St.). Motion was seconded by Councilmember Faulkner and carried unanimously.

ECONOMIC/Community Development Coordinator Patrick J. Kennedy was present to provide information regarding the Parks, Recreation, and Open Space Master Plan Update – 2010 as revised. The updated Plan was provided to the Council for review and discussion. A motion was made by Councilmember McMullen to adopt a resolution (recorded as No. 2010-09) adopting the Parks, Recreation, and Open Space Master Plan Update - 2010 as presented. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

DISCUSSION was held to consider authorizing the submission of a Texas Community Development Fund Grant Application to assist with funding a sewer line project. After review, Mayor Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2010-10) authorizing the submission of the 2011/2012 Texas Community Development Fund Grant Application to the Texas Department of Rural Affairs. Motion was seconded by Councilmember Faulkner and carried unanimously.
THE 2010 Certified Tax Roll submitted by DeWitt County Tax Assessor/Collector indicated a taxable value of $185,952,828 for 2010, which is a decrease of $3,150,182 from 2009. Councilmember Faulkner made the motion to approve the 2010 tax roll as certified and presented by the City’s Finance Director at a total taxable value of $185,952,828. Second was made by Councilmember McCoy. Motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to establish the amount of debt service to be supported by the ad valorem tax at $105,000 and the amount to be supported by utility revenue at $350,480 for Fiscal Year 2010-2011 for the payment of principal, interest and administrative fees and the 2004 General Obligation Bond Issue debt in the amount of $265,480, the 2006 Texas Water Development Board Certificates of Obligation debt in the amount of $75,000, and the 2008 Texas Water Development Board Certificates of Obligation debt in the amount of $115,000 for a total debt service of $455,480. The motion was seconded by Councilmember Faulkner. Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1972) on first reading setting the 2010 City Tax Rate for the City of Yoakum at $.08909 per one hundred dollar valuation, allowing $.03263 for maintenance and operation and $.05646 for debt service. Motion was seconded by Councilmember Faulkner and carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 1973) on first reading adopting the City of Yoakum’s 2010-2011 Fiscal Year Budget as presented in the amount of $15,908,460. Second was made by Councilmember McCoy. Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1974) on first reading approving increases in the Manual of Fees and Service Charges to increase revenue by 4% in order to balance the budget. Discussion was held regarding residential brush chipping services. The service has been provided to residential utility customers free of charge for many years. However, with the increase in limb pick up requests, it was brought to Council’s attention that the City’s cost has become quite large. A recommendation was made to charge for picking up piles of limbs that will take in excess of 15 minutes for City crews to chip. A fee schedule was reviewed, which included the reduction of cost for customers bringing limbs directly to the City of Yoakum Transfer Station. Other discussion included the implementation of an impound and boarding fee for animals found running at large. Second was made by Councilmember Faulkner; motion carried unanimously.

MOTION by Mayor Pro-Tem Sitka to appoint Margie McMullen and Tommy Barre to the Yoakum Economic Development Corporation Board of Directors for two-year terms. Board Member Allen Dieringer declined to be considered for appointment. Motion was seconded by Councilmember Faulkner and carried unanimously.

UNDER City Manager’s Report: Phase II of the sanitary sewer project, despite rain and poor soil conditions, is progressing satisfactorily. The contractor has completed the line replacement and connected services to the new line on E. Gonzales St. Testing of the new line, including a TV survey, will be conducted prior to the paving of the street. The contract presently has two crews working on the project. Staff received a letter from the owners of the property at 105 W. May St., indicating that they have completed the environmental testing required prior to demolition of the structure. Staff has requested a copy of the report; no response has been received as of yet. Staff and our consultants continue to negotiate with AT&T on the joint pole use agreement. AT&T has hired a consultant to perform another pole count. After AT&T has completed their count, we will compare our consultant’s account with theirs. City staff will accompany the AT&T consultant on the pole count. AT&T did not send staff on the pole count conducted by the City although they were invited to do so. Staff received the executed
agreement from the Comptroller’s office on the SECO stimulus grant. The City will receive $40,303 for the replacement of two old motors with more energy efficient motors at one of the water plants and the installation of two variable speed drive motor starters for the FM 318 sewer lift station. Staff will start the procurement phase of the project within the next couple of weeks. The Council was provided with a report from some of the smart meters installed last month as a pilot study. Staff informed the Council that contingent on the Yoakum Economic Development Corporation’s approval, the City may apply for a matching fund grant through the Community Development Partnership Grant Program with LCRA. Funds from the local match and the grant would be used for lighting of a soccer field. Union Pacific Railroad Company has informed staff that they have started the process to either secure or demolish their buildings on Front Street across from the Library. Due to the wet weather earlier in the year, staff has sent out 493 letters to property owners concerning weedy lots. Three hundred and seven of those lots were mowed by the City’s contractor after property owners did not take action to improve the properties. If the City is forced to mow the lots, invoices are sent to the property owners for reimbursement to the City, however, very few payments are received. Council was informed that due to scheduling issues with lifeguard personnel, the City pool will only be opened for the evening session during the week of August 9th through 14th. Saturday, August 14th will be the last day for this summer. The street improvement project is running about 3-4 weeks behind schedule due to the rains we have had this summer and equipment breakdowns. We hope to have the seal coat contractor in town by the middle of September. The Council was informed about the Golden Crescent Regional Planning Commission Annual Assembly that will be held in Cuero on August 25, 2010, and other meetings being held in our area. The Yoakum Area Chamber of Commerce Tom Tom Committee requested a meeting with the Council to discuss possible improvements to the festival.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:10 PM to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec. 551.086); and for consultation with the City Attorney on pending litigation (V.T.C.A., Gov. Code, Sec. 551.071). The meeting re-opened to the public at 7:35 PM. No action resulted from Executive Session.

THERE being no further business, the meeting closed at 7:36 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
August 17, 2010
Conference Room – 6:00 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT: 
Anita R. Rodriguez ..........................................................Mayor
Elorine Sitka .................................................................Mayor Pro-Tem
Margie McMullen .........................................................Councilmember
Tim Faulkner .................................................................Councilmember
Timothy L. McCoy ........................................................Councilmember
Calvin Cook .................................................................City Manager
Theresa A. Bowe ............................................................City Clerk

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and opened the meeting to the public. The purpose of the meeting was to hold discussion with the Yoakum Area Chamber of Commerce Tom Tom Festival Committee to discuss and consider possible improvements to the Annual Tom Tom Festival.

DISCUSSION was held regarding possible changes to the flow of traffic within the park area in terms of crowd control, improvement to paths and walkways for patrons to utilize, parking issues for the festival and carnival, location of the craft show area, the need for additional power strips, the location of the antique car display, and possible street closures surrounding the park area during the Tom Tom Festival. Chamber representatives indicated the difficulties of having the entertainment events at the Community Center separate from the actual festival located at the Municipal Park.

COUNCIL provided comments regarding comments received from the public regarding the restrictions for alcohol being brought into the park. Chamber representatives indicated that the control measures were implemented to satisfy insurance liability purposes. Information was provided regarding the City’s expenses during the Tom Tom Festival.

SUGGESTIONS were made to have a Council Liaison appointed to the Tom Tom Committee, to notify the City when planning meetings are held, to establish the festival as a 2-3 day event to bring in more tourists, and to seek greater participation from the Yoakum Community and build community involvement.

THERE being no further business, the meeting closed at 6:45 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez ........................................... Mayor
          Elorine Sitka .................................................. Mayor Pro-Tem
          Margie McMullen ................................................ Councilmember
          Tim Faulkner .................................................... Councilmember
          Timothy L. McCoy .............................................. Councilmember
          Calvin Cook ..................................................... City Manager
          Theresa A. Bowe ................................................. City Clerk
          Gena Jiral .......................................................... Deputy City Clerk
          Charles J. Kvinta, Jr. .................. City Attorney

ABSENT: None

MAYOR Rodriguez called the city council meeting to order and Councilmember McMullen gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Visitors were acknowledged and welcomed.

MOTION was made by Mayor Pro-Tem Sitka to adopt the minutes from the meetings of August 10, 2010 and August 17, 2010. Second was made by Councilmember Faulkner; motion carried unanimously.

UNDER Old Business, a motion was made by Mayor Pro-Tem Sitka to adopt a Resolution (recorded as No. 2010-08) on second and final reading approving a project proposed by Handy Stop Nursery to the Yoakum Economic Development Corporation. Motion was seconded by Councilmember McCoy; motion carried unanimously.

COUNCILMEMBER McCoy made a motion to adopt an ordinance (recorded as No. 1971) second and final reading granting a Change in Zoning from Industrial to Residential (R-4) on property described as Part of Lots 17 & 18 of Block 1085 in the Plaza Addition as shown on the official tax roll (for location reference only: 504 Boyle St.). Motion was seconded by Councilmember McMullen; motion carried unanimously.

COUNCILMEMBER Faulkner made a motion that the property tax rate be increased by the adoption of an ordinance (recorded as No. 1972) on second and final reading setting a 2010 City Tax Rate for the City of Yoakum of 0.08909 per $100 valuation, which is effectively a 1.08% increase in the tax rate. This tax rate apportions $0.3263 for the purpose of maintenance and operation, and $0.05646 for the payment of principal and interest on debt. Second was made by Councilmember McCoy; motion carried unanimously.

A Public Hearing was opened at 6:11 p.m. to receive citizen comments on the proposed 2010-2011 City Budget. City Manager Cook provided information to the council regarding the budget. There being no comments received from the public, the hearing was closed. Mayor Pro-Tem Sitka made a motion to adopt and ordinance (recorded as No. 1973) on second and final reading to adopt the 2010-2011 City Budget in the amount of $15,908,460. The motion was seconded by Councilmember McCoy and carried unanimously.
COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 1974) on second and final reading adopting a revised Manual of Fees and Service Charges as presented. A second was made by Mayor Pro-Tem Sitka. Motion carried unanimously.

UNDER New Business, MAYOR Rodriguez opened a public hearing to receive citizen comments regarding the continuation of the Juvenile Curfew Ordinance No. 1578. Information was presented to council, along with a memo from the Police Chief, and letters of support. Police Chief Arthur Rogers was present to answer questions and provide information. There being no citizen comments, the public hearing closed. Motion to adopt an ordinance (recorded as No. 1975) on first reading providing for the continuance of Juvenile Curfew Ordinance No. 1578 as amended was made by Mayor Pro-Tem Sitka and seconded by Councilmember Faulkner. Motion carried unanimously.

AFTER review of applications for the City depository, Councilmember McCoy made a motion to award the depository contract to Yoakum National Bank for a two-year period. Second was made by Councilmember McMullen and motion carried with Mayor Pro-Tem Sitka abstaining from the vote.

Councilmember Faulkner made a motion to authorize the charge-off of listed ambulance and utility account receivables: ambulance accounts in the amount of $40,601, and utility accounts in the amount of $50,778. Second was made by Councilmember McCoy; motion carried unanimously.

CITY Manager, Calvin Cook presented Council with a Continuation of Coverage Administrative Agreement from Texas Municipal League Intergovernmental Employee Benefits Pool. Motion was made by Mayor Pro-Tem Sitka to adopt a resolution (recorded as No. 2010-11) authorizing execution of the Texas Municipal League Intergovernmental Employee Benefits Pool Continuation of Coverage Administrative Agreement. A second was made by Councilmember Faulkner; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to authorize the Mayor to execute a certificate casting votes for incumbent candidates to serve six-year terms for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees. Motion was seconded by Councilmember Faulkner and carried unanimously.

MAYOR Rodriguez appointed Councilmember Faulkner to be the Council Liaison to the Yoakum Area Chamber of Commerce Tom Tom Festival Committee. Councilmember Faulkner accepted the appointment.

MOTION was made by Councilmember Faulkner to authorize the Mayor to submit a letter of support to the Community Health Centers of South Texas for providing services to Yoakum as provided in their packet. Second was made by Councilmember McCoy; motion carried unanimously.

COUNCILMEMBER Faulkner made a motion authorizing the Mayor to submit a letter of support to the Lavaca County Commissioner's Court for the approval of tax abatement for Enterprise Products of Houston, Texas. Second was made by Councilmember McMullen; motion carried unanimously.

COUNCIL was provided a ballot with nominated individuals listed for selection as a member to the Economic Development Corporation. Tabulation of the ballots by the City Clerk
and City Attorney indicated Zenith Stevens having the majority of votes. Councilmember Faulkner made a motion to appoint Zenith Stevens as a Director to the Yoakum Economic Development Corporation Board of Directors to a two-year term ending September, 2012. Motion seconded by Councilmember McCoy; motion carried unanimously.

STAFF requested Council direction for any action to be taken as a result of the workshop for the City’s strategic plan. After discussion, Council gave direction to staff to develop an outline for a proposed clean-up program that would incorporate civic groups, local organizations, and community participation to be brought back to the Council for review at the October Council meeting.

Under City Manager’s Report: the Contractor on Phase II of the sanitary sewer project has lost eleven (11) construction days due to rain. The contractor is presently working on Kennedy Street between Dallas & Clark. They have completed replacement of the old sewer lines on Hubbard Street and the section of Coke Street between Hubbard and Lavaca. They have also completed line replacements on East Gonzales and made pavement repairs to sections of E. Gonzales and Hubbard streets. As of August, the Contractor has installed 5,400 linear feet of sewer lines which is 15% of the total project. Sections of the installed lines still need to be tested and videoed. The contractor informed the City Manager that, depending on the weather, he hopes to have a crew in Yoakum within the next two weeks to start on the force main and lift station included in this project. Staff anticipates that the lift station will not be completed before January 2011. The Police Department held the abandoned vehicle auction in August. Sixteen vehicles and several lots of bicycles were sold totaling $9,470. Staff reported that the auction went smoothly. City Manager Cook provided an update on the property located at 105 W. May Street. The property owners contacted staff and they have indicated again that the asbestos survey as been completed and they are waiting on the report. The owner also informed staff that the property has been deeded to another individual in Yoakum. Staff will continue to monitor the progress in an attempt to expedite the process of removing the building. Information was provided regarding the AT&T pole attachment negotiations. AT&T indicated a concern with the rate and requested a review of the financial data. AT&T has not submitted a copy of their pole count audit; however, their consultant indicated that the AT&T count was similar to the pole audit conducted by the City’s consultant. Representatives from AT&T may request to come before the Council at a regular Council meeting. If so, the City’s consultant Greg Fender of Local Government Services would like to attend as well. Once negotiations are finalized with AT&T, staff will continue negotiations with Time Warner. The first status report for the SECO grant has been submitted and staff has requested reimbursement for audit expenses in the amount of $1,500. Several companies will be contacted for equipment quotes. Staff has met with another meter company regarding their proposed automated meter reading system pilot study. Research continues to determine which system will be the best system for the City. On the Street Improvement Project: FN Ploch Construction began work on the streets on September 13th and completed on September 14th. Staff adjusted asphalt rates in an attempt to decrease the amount of rock shedding on the streets. The Economic Development Corporation approved providing the matching funds contingent on receiving an award for a grant through the LCRA Community Development Partnership Program. Funds will be utilized for a lighting project for the soccer fields located on Dunn Street. The grant request is for the maximum amount of $25,000. The Tocker Foundation approved a grant in the amount of $50,000 for shelving, furniture and equipment for renovation of the second floor of the Library. The emergency generator planned for lift station located at FM 318 has been installed. Final tune-up and start-up is planned for September 15th. The project did come in within budget. The electronic flow meter on the lift station had shorted out. The City is required to meter all flow from that lift station; an expenditure of $6,300 was made to replace that meter in order to stay
within compliance. That meter will be replaced by the end of September. On August 31st, the Methodist Church contacted our office about a power outage. City electric department personnel found the underground conductor serving the church had shorted out. To expedite restoring the power staff called a contractor to assist in the replacement of the conductor. Due to the growing number of underground primary services and transformers in our system, the City has purchased additional underground conductors in order to expedite repairs in the future. Information was provided on the SAWS Ocean Water Desalination Plan website. The Rotary Club has applied for an $800 grant that, if awarded, they will provide matching funds to purchase trees to be planted at the Front Street Railroad Park. The civic group agreed that trees would need to be planted to conform with future plans for the Park and understood that if a conflict with infrastructure arose, the trees would need to be moved. Council was informed of the TML Region 11 Meeting to be held in Port Aransas on September 22nd.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:12 p.m. to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec. 551.086), and to consult with the City Attorney on pending litigation (V.T.C.A. Gov. Code, Sec. 551.071). The meeting re-opened to the public at 7:30 p.m. with no action resulting from Executive Session.

THERE being no further business, the meet closed at 7:31 p.m.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .............................................. Mayor
          Elorine Sitka .................................................... Mayor Pro-Tem
          Margie McMullen .................................................. Councilmember
          Tim Faulkner ..................................................... Councilmember
          Timothy L. McCoy ................................................. Councilmember
          Calvin Cook ........................................................ City Manager
          Theresa A. Bowe .................................................... City Clerk
          Gena Jiral ............................................................ Deputy City Clerk
          Charles J. Kwinta, Jr. ............................................... City Attorney

ABSENT: None

MAYOR Rodriguez called the city council meeting to order and Councilmember McCoy gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Visitors were acknowledged and welcomed.

MOTION was made by Councilmember Faulkner to adopt the minutes from the meeting of September 14, 2010. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

UNDER Old Business, MAYOR Rodriguez opened a public hearing to receive citizen comments regarding the continuance of the Juvenile Curfew Ordinance No. 1578. The ordinance and supporting information was reviewed by council. There being no citizen comments, the public hearing closed.

MOTION to adopt an ordinance (recorded as No. 1975) on second and final reading providing for the continuance of Juvenile Curfew Ordinance No. 1578 as amended was made by Mayor Pro-Tem Sitka and seconded by Councilmember McCoy. Motion carried unanimously.

UNDER New Business, Steven Van Mannen with Harrison, Waldrop & Uherek, L.L.P. was present to provide the audit report for Fiscal Year ending September 30, 2009 and a letter of assurance from the firm asserting that the information in the audit report is accurate. After review of the document, Councilmember Faulkner made a motion to approve the audit for Fiscal Year ending September 30, 2009 as presented. Councilmember McCoy seconded the motion. Motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to appoint the auditing firm of Harrison, Waldrop & Uherek, L.L.P. for auditing of City financial records for Fiscal Year ending September 30, 2010 and authorize the City Manager to enter into a Letter of Understanding with the firm. Second was made by Councilmember Faulkner; motion carried unanimously.

INFORMATION was presented regarding new Floodplain Maps and Guidelines as provided by the Texas Water Development Board and FEMA. According to the survey provided from Spring 2009, no changes were necessary from the previous maps. After review and discussion, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1976) on first reading approving FEMA Floodplain Maps and Guidelines as presented. Second was made by Councilmember Faulkner. Motion carried unanimously.
REVIEW was held on a proposed ordinance prohibiting the use, possession, and sale of certain products containing synthetic cannabionoids being distributed by local stores. The chemicals found in these substances produce effects similar and possibly more sever than some illegal drugs. After review and discussion, Councilmember McCoy made a motion to adopt an ordinance (recorded as No. 1977) on first reading prohibiting the use, possession, and sale of certain products containing synthetic cannabionoids. Second was made by Councilmember McMullen; motion carried unanimously. Staff was directed to send letters to business owners informing them of the ordinance once final passage was complete, and to conduct follow-up with those businesses to ensure compliance.

A revised Investment Policy was presented to Council for review. After discussion of the recommended changes, Mayor Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2010-12) adopting a revised Investment Policy as presented. Motion was seconded by Councilmember McCoy and carried unanimously.

CORRESPONDENCE was reviewed between City staff and AT&T concerning the recent Pole Attachment Agreement negotiations. AT&T is requesting audience with the Council at the November Council meeting for continued discussion. The City Manager requested authorization to cover the expense for the City’s Pole Attachment Consultants to attend that meeting, as well, in order to provide the Council with the most accurate information. After discussion, Mayor Pro-Tem Sitka made a motion to authorize the expense for the City’s Pole Attachment Consultants to attend the November Council meeting. Councilmember Faulkner seconded the motion; motion carried unanimously.

REVIEW of an outline provided by City staff was presented regarding the City’s Strategic Planning exercise concerning a community beautification initiative. Council provided additional suggestions and comments. Civic groups and volunteers will be recruited to provide labor, pickup trucks, trailers and other equipment to collect and transport debris and waste from residential and commercial properties as requested by property owners. City staff will coordinate pickup locations, track the type of collection needed, and relay information to the volunteers. The City Transfer Station facility will be opened from 8:00 AM to 4:00 PM on the dates of collection, currently scheduled for the first Saturdays in March and October beginning in 2011, with City staff available to direct the disposal of collected items. Civic groups, service clubs, churches, school clubs, and various others will be invited to a meeting to be held in January 2011 in order to enlist support for this community wide event.

COUNCILMEMBER Faulkner made a motion to re-appoint Melba Bucek and George Boecker for three-year terms to the Yoakum Oak Grove Cemetery Association Board of Directors. Second was made by Councilmember McCoy. Motion carried unanimously.

Under City Manager’s Report: the Texas Water Development Board has provided the Certificate of Approval on Phase I of the Sanitary Sewer Replacement project authorizing the release of construction fund retainage on that portion of the project. The final check has been delivered to Midcontinent Casualty on October 5, 2010 and the project is closed out. The bid award on that project was $2,300,196.00; the actual final cost was $2,132,792.33. On Phase II, an updated drawing was provided indicating where the Contractor is at. Three crews are currently working and a fourth crew will be in soon. Two crews are working on line replacement work, the third crew is working on the lift station site this week: the box for the lift station has been installed and installation of the gravity flow line from the lift station up toward Highway 111 should begin. The contractor plans to begin boring under the highway later in the week. The fourth crew will start on the force main from FM 682 down to the lift station. As of October 1st, 7,075 linear feet of pipe has been installed which represents an estimated 20% of the line work
and 16% of the total project on Phase II. The contractor anticipates completion in April or May of 2011. The Yoakum Economic Development Corporation Board of Directors at their meeting of October 4th, awarded grants to various companies through their Business Enhancement Program. The funds had been budgeted by the Corporation for this program. The Community Development Block Grant for additional sewer line work has been submitted to the Department of Community Affairs; staff hopes to receive a response sometime after the first of the year. If successful, the grant amount will be in the amount of $263,000 that will have to be matched by the City in the amount of $53,000. Bid prices were received for the annual mowing contract. The low bidder was Fritz Colle in the amount of $21.95 per lot. A summary was provided indicating an amount of $10,258.96 spent by the City in Fiscal Year 2009-2010 for mowing lots not maintained by property owners. Owners of the property that the City is forced to mow are billed for the services; property owners that do not pay the submitted bills have liens placed against the property. The City of Yoakum Water Department received an award from the National Committee for Employer Support of the Guard and Reserve as nominated by employee Everado (Eddie) Varela for the support he received from the City and City staff during his deployment overseas during military service. Minutes from the Building and Standards Commission meeting of October 5, 2010 were provided for Council’s review. City Manager Cook commended the members of the Building and Standards Commission for the good work that they do for the City. Questions were presented and addressed regarding the property at 105 W. May Street. City Manager Cook informed the Council that a certified asbestos surveying firm had been at the location to perform a survey on the building. The Code Enforcement Officer spoke with the crew and they assured the City that a copy of the report would be submitted for the City’s records once complete. An agenda was provided for Council’s information for HEB’s 50th Anniversary celebration to be held on Saturday, October 16th. As part of the ceremony, HEB will be presenting the Carl & Mary Welhausen Library, and the City of Yoakum Parks & Recreation Department, each $1,000 as a donation. HEB will also contribute $1,500 to the Yoakum Volunteer Fire Department. A copy of a letter from the Texas Department of Transportation informing the City that TxDOT has launched a new online pot hole reporting program. Council was also informed that the Mayor and certain staff members will be leaving for the Texas Municipal League Annual Conference to be held October 27-29, 2010 in Corpus Christi, Texas.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:50 PM to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec. 551.086), and to consult with the City Attorney on pending litigation (V.T.C.A. Gov. Code, Sec. 551.071). The meeting re-opened to the public at 7:55 PM with no action resulting from Executive Session.

THERE being no further business, the meet closed at 7:55 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
November 9, 2010  
Conference Room – 6:00 PM  
City Hall

REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  
Anita R. Rodriguez .................................................... Mayor  
Elorine Sitka ............................................................ Mayor Pro-Tem  
Tim Faulkner .............................................................. Councilmember  
Timothy L. McCoy ...................................................... Councilmember  
Calvin Cook ............................................................... City Manager  
Charles J. Kvinta, Jr. ................................................... City Attorney  
Theresa A. Bowe ........................................................... City Clerk  
Gena Jiral ................................................................. Deputy City Clerk

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

MAYOR Rodriguez called the city council meeting to order and gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Visitors were acknowledged and welcomed.

MOTION was made by Councilmember Faulkner to adopt the minutes from the meeting of October 12, 2010. Second was made by Councilmember McCoy; motion carried unanimously.

UNDER Old Business, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1976) on second and final reading approving FEMA Floodplain Maps and Guidelines as presented. Motion was seconded by Councilmember Faulkner and carried unanimously.

COUNCILMEMBER McCoy made a motion to adopt an ordinance (recorded as No. 1977) on second and final reading prohibiting the use, possession and sale of certain products containing synthetic cannabinoinds. Police Chief Arthur Rogers provided information to the Council and informed them that all businesses currently selling these products will be provided a copy of the adopted ordinance prior to the effective date. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

UNDER New Business, a Public Hearing was opened to received citizen comments on the following recommendations received from the Planning and Zoning Commission: for the approval of a Change in Zoning from Residential (R-2) to Residential (R-4) at 508 & 510 Moffitt Street and for the approval of a Change in Zoning from Residential (R-3) to Business (B-1). Information regarding the requests were reviewed and discussed. Property owner of 508 & 510 Moffitt Street, Juan Bosquez was present to answer questions and provide information to the Council. The property owner for 413 & 415 E. Hochheim Street was not present. The requests did not receive objections, and both are in compliance with the Future Land Use Plan. There being no comments received from the public, the Public Hearing was closed.

MOTION was made by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 1978) on first reading granting a Change in Zoning from Residential (R-2) to Residential (R-4) on property described as Lots 12 & 13 of Block 1135 in the Leo Tucker Addition as shown on the official tax roll (for location reference only: 508 & 510 Moffitt St.). Second was made by Councilmember Faulkner; motion carried unanimously.
COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 1979) on first reading granting a Change in Zoning from Residential (R-3) to Business (B-1) on property described as Lot 11 & Part of 12 of Block 1263 in the Blakeman Addition as shown on the official tax roll (for location reference only: 413 & 415 E. Hochheim St.). Motion was seconded by Councilmember McCoy and carried unanimously.

A motion was made by Mayor Pro-Tem Sitka to authorize the Mayor to execute a 2010 Sub-Recipient Agreement for a Homeland Security Grant from the State of Texas Division of Emergency Management. Councilmember Faulkner seconded the motion; motion carried unanimously. The grant is in the amount of $6,290 and will be utilized for new radio equipment for the Emergency Operation Center and City Hall.

STAFF received a letter from the DeWitt County Tax Assessor-Collector regarding an adjusted tax roll. The adjustment will not affect the tax rate; it will only affect the tax appraisals. After review, Councilmember Faulkner made a motion to approve the 2010 City of Yoakum Tax Roll from the DeWitt County Tax Assessor-Collector as adjusted in the amount of $185,990,148. Second was made by Mayor Pro-Tem Sitka. Motion carried unanimously.

A request was received from the Yoakum Area Chamber of Commerce for the temporary closure of streets in the downtown area for the arrival of Santa Claus and the Christmas Tree Lighting Ceremony. After discussion, Mayor Pro-Tem Sitka made a motion to approve the request as presented for the closure of certain streets on December 7, 2010 from 5:30 pm to 8:00 pm for the Downtown Tree Lighting Ceremony. Motion was seconded by Councilmember McCoy and carried unanimously.

Under City Manager’s Report: on the Sanitary Sewer Project – Phase II, the Contractor currently has three (3) crews working on the project. One is installing gravity flow lines; another crew is installing the force main line on FM 682 down to the new lift station. Staff has been very satisfied with the progress. In October the Contractor installed over 4,400 linear feet of gravity line and 1,161 feet of force main, for a total of 5,561 feet in October. These figures represent about 41% of the total line installation complete on this phase of the project. Letters and invoices were sent to the property owners along Raska Drive for the line extension approved by the Council prior to the beginning of this Phase and agreed to by the property owners. Staff hopes that the Raska Drive portion of the project will not begin until after Christmas and anticipates completion on Phase II in March 2011. Survey work on Phase III of the project has begun. Information is being sent to the engineers to begin working on design. Staff received information last week that an environmental study will be required prior to the beginning of construction on the portion of the line that follows Brushy Creek, which may require preliminary excavation prior to beginning the environmental study. Staff is working with the engineers to determine how the process will be handled and trying to do as much of the preliminary work in public right-of-way as possible. Damage was reported to the Pershing Square planters at the corner of Lott and W. Grand Avenue. A large truck hit the planters at the South East and North East corners of the intersection. The vehicle was located and the driver’s insurance information was obtained in order to have repairs completed. Estimates for the cost of repair are being obtained. The City received the State Energy Conservation Office (SECO) Grant in the amount of $40,000. The first phase of the grant was for the installation of variable speed drives for the lift station on FM 318. Two bids were received for that project: Mercer Controls of Edna, Texas was the lower bidder in the amount of $22,755 and was awarded the bid. Staff will be requesting bids for two variable speed motors for the Brushy Creek Water Plant. On September 23, 2010, the Texas Commission on Environmental Quality (TCEQ) conducted an inspection of our water system. On October 22, 2010 staff received a letter indicating that the City of Yoakum water supply system continues to merit recognition as a Superior Water System. Bid
tabulations were provided for the Annual Brush/Lumber Grinding project. The low bid was received from Eggemeyer Land Clearing, LLC of San Antonio, Texas in the amount of $8,909.50; commencement of that project is scheduled to begin on November 12th. An agreement has been reached with AT&T for the cost of pole utilization in an amount of $11.64 per pole that AT&T will pay to the City of Yoakum for the use of City owned poles. The City will pay AT&T $24.45 per pole for utilization of the top eight (8) feet of AT&T owned poles. AT&T is limited to one (1) foot on poles. According to State law, the amount that is charged to the telephone company is the same price that must be charged to the cable company. The agreement and resolution will be ready for Council consideration at the December 2010 Council meeting. AT&T chose to have their own pole count performed and found that the City owns 1,917 poles. The City’s original pole count indicated 1,916. Economic/Community Development Coordinator Patrick J. Kennedy received a call from the Lower Colorado River Authority (LCRA) informing him that the City has been awarded a $25,000 Community Development Partnership Grant for the purchase and installation of lighting at the soccer fields. Contract should be received next week. The video/audio system that was budgeted for the Police Department has been received. A total of 16 cameras were received and Police Department Staff are installing the equipment. All cameras should be installed and functioning in the next few weeks. Council was informed that the Hub City RV Park is completely full at this time due to recent oil field activity in the area as well as several vacationers. Staff has expressed some concern regarding regular annual customers that may not be able to find spots due to the activity. Staff will do their best to accommodate these customers. Revenues for the RV Park are up. Mr. Cook also reported that the City’s Hotel/Motel tax revenue is up 47%. Thursday, November 11th is Veterans Day and City facilities will be closed on that day; Thursday’s garbage routes will run on Friday. Mayor Rodriguez requested that Council schedule another Strategic Planning meeting; scheduled for Tuesday, November 23rd at 4:00 PM at City Hall.

THERE being no further business, the meet closed at 6:35 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT:  
Anita R. Rodriguez ......................................................... Mayor  
Elorine Sitka ........................................................................ Mayor Pro-Tem  
Margie McMullen ................................................................. Councilmember  
Tim Faulkner .......................................................................... Councilmember  
Calvin Cook ............................................................................. City Manager  
Charles Kvinta, Jr. ................................................................. City Attorney  
Gena Jiral ................................................................................ Deputy City Clerk

ABSENT:  
Timothy L. McCoy ................................................................. Councilmember  
Theresa A. Bowe .................................................................... City Clerk

MAYOR Rodriguez called the city council meeting to order and Mayor Pro Tem Sitka gave the invocation. The Pledge of Allegiance to the Flag was recited by all attending. Visitors were acknowledged and welcomed.

MOTION was made by Councilmember Faulkner to adopt the minutes from the meeting of November 9, 2010. Second was made by Mayor Pro Tem Sitka; motion carried unanimously.

UNDER Old Business, a motion was made by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 1978) on second and final reading granting a Change in Zoning from Residential (R-2) to Residential (R-4) on property described as Lots 12 & 13 of Block 1135 in the Leo Tucker Addition as shown on the official tax roll (for location reference only: 508 & 510 Moffitt St.). Motion was seconded by Councilmember Faulkner; motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 1979) on second and final reading granting a Change in Zoning from Residential (R-3) to Business (B-1) on property described as Lot 11 & Part of 12 of Block 1263 in the Blakeman Addition as shown on the official tax roll (for location reference only: 413 & 415 E. Hochheim St.). Motion was seconded by Mayor Pro Tem Sitka; motion carried unanimously.

UNDER New Business, Mayor Rodriguez opened a public hearing to receive citizen comments on the following recommendation made by the Planning and Zoning Board of Commissioners: for the approval of a Change in Zoning from Residential (R-2) to Residential (R-4) at 310 & 312 Armstrong St. Information regarding the request was discussed. Mr. Humberto Briesno was present to answer any questions and provide information to the Council. This request is in compliance with the future land use plan and no objections have been made.

MOTION was made by Mayor Pro Tem Sitka to adopt an ordinance on first reading granting a Change in Zoning from Residential (R-2) to Residential (R-4) on property described as Lots 7-8 of Block 1141 in the Leo Tucker Addition as shown on the official tax roll (for location reference only: 310 & 312 Armstrong St.). Councilmember Faulkner seconded; motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to table the consideration of adopting a resolution amending the pole attachment agreement with Time Warner Entertainment dba Time Warner Cable
since no response from Time Warner has been received at this time. Mayor Pro Tem Sitka seconded; motion carried unanimously.

CITY Manager, Calvin Cook presented Council with a pole attachment agreement between the City of Yoakum and Southwestern Bell Telephone Company dba AT&T Texas for their consideration. This agreement has been reviewed by AT&T Legal, the City's consultant and City Attorney, Charles Kvinta, Jr. The agreement outlines the City of Yoakum to pay AT & T $24.45 for each of their poles that we use, and for AT & T to pay $11.64 to the City of Yoakum for each of our poles that they utilize. The City of Yoakum will have a net of $20,357 per year from AT&T. This agreement is for a period of five (5) years; at that time a new rate may be negotiated. Motion was made by Councilmember Faulkner to authorize the Mayor to execute a General Agreement for Joint use of Poles between the City of Yoakum and Southwestern Bell Telephone Company dba AT&T Texas. A second was made by Mayor Pro Tem Sitka; motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka authorizing the City Manager to purchase 19 mobile truck units and 7 handheld P25 communication radios for the Public Works Department from Buddy's TV & Communication in Hallettsville. These radios will be purchased with funds from the Sub-recipient Grant through Homeland Security that Council authorized in April, 2010. Motion was seconded by Councilmember Faulkner and carried unanimously.

CITY Manager, Calvin Cook provided Council with information concerning a request from a company interested in oil and gas leases on City owned property. Discussion was held about what properties to include, as well as, where to advertise for these leases. Councilmember Faulkner made a motion to authorize the City Manager to advertise for oil and gas leases on city owned property. Councilmember McMullen seconded; motion carried unanimously.

MAYOR Pro Tem Sitka motioned to proclaim the month of January, 2011 as School Board Recognition Month recognizing the Yoakum ISD School Board. This motion was seconded by Councilmember Faulkner; motion carried unanimously.

UNDER the City Manager’s Report: Mercer Construction has installed a little over 7,000 linear feet in the Phase II Sewer Replacement Project. As of November 30th, 20,500 feet of pipe has been installed, which put the project at about 59% complete. The roof to the lift station has been poured and the road built with the exception of the cattle guard onto Hwy 111. The overall cost of the project is at about 42%. They had intentions of installing the pumping equipment at the lift station, but were called out to an emergency in another community, and anticipate being back some time next week. There is still quite a bit of line that can be installed without the operation of this lift station, but they are coming to a point where it will have to be in operation before more line may be installed.

In Phase III of the Sewer Replacement Project; the Texas Historical Commission and Water Development Board required a cultural resource survey to be performed on a portion of land for the proposed project along brushy creek in order to determine if there were any previously recorded sites or cultural material in that area. The Environmental Department of TRC conducted the dig on October 7th at five different locations. We are waiting on the final report to determine if anything was found. A different group from the environmental department will be in this Thursday to do a walk through at this location for other environmental purposes.

The owner of the building located at 105 West May Street had an asbestos survey conducted, and provided the City with a copy identifying some asbestos in one area of the building. On November 27th, an abatement contractor removed the asbestos and demolition began this week. In addition, the
owner hopes to save some of the bricks with the intent to reuse, should he choose to expand his business.

As reported last month, the planters at Lott and Grand were hit by a truck. One bid has been received, and Derrick Smith, Director of Community Services is waiting on another bid. Once both bids have been received, a decision will be made to get the planters repaired. On November 18th, a truck ran over the pavers at the same location. The driver was given a citation, and his insurance information was obtained. To prevent this from happening again, a suggestion was made by Mr. Cook to place bollards on the Northeast side. Discussion was held regarding the cost and type of bollards to be purchased. Council gave Mr. Cook direction to purchase cement bollards for this purpose.

The City was awarded the SECO Grant in the amount of $40,303. Mercer Controls was awarded the bid in the amount of $22,755 for the variable frequency drives and the bid for the two motors in the amount of $15,700. In addition, there was a $1,500 consultant fee in which grant funds were used. A total of $39,555 has been spent to date. Additional cost may be accrued for the motor shafts, but will remain within budget. Installation should begin within the next couple of weeks.

The City has received the $25,000 check from the LCRA Community Partnership Grant for the soccer field lighting. Staff will begin preparing the specifications after the first of January in order to advertise for bids. After bids are received, information will be brought back to Council for consideration.

Pumpco, Inc., a pipeline construction company out of Giddings has purchased the old animal clinic off of Hwy 77A, and are requesting City water and sewer service. This company has purchased property in Yoakum and the surrounding area and will have about 300 employees dispatching from the Yoakum location. They are willing to bore under the highway in order to connect to our service and will obtain the required permits from TxDOT. A map of the property was distributed to the council and discussion was held about the size of pipe to be installed. City policy allows water and sewer service to be provided to individuals outside the City limits up to $2,100; a fire hydrant and valve will be provided by the City. Mr. Cook informed Council that he will continue with negotiations.

Mr. Cook then provided a property location map for the new Enterprise Plant being built between Yoakum and Hallettsville. Discussion was held about the benefits of it being so close to Yoakum.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:45 p.m. to discuss an electric utility related matter (V.T.C.A. Gov. Code, Sec. 551.086). The meeting re-opened to the public at 7:20 p.m. with no action resulting from Executive Session.

THERE being no further business, the meet closed at 7:21 p.m.

Anita R. Rodriguez, Mayor  
City of Yoakum, Texas

ATTEST:

Gena Jiral, Deputy City Clerk