REGULAR MEETING OF THE CITY COUNCIL

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

ABSENT:  
Theresa A. Bowe .......................................................... City Clerk

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

UNDER Old Business, a motion was made by Councilmember Faulkner to adopt an ordinance (recorded as No. 1980) on second and final 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.). The motion was seconded by Councilmember McCoy; motion carried unanimously.

UNDER New Business, Mayor Rodríguez 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 Specific Use Permit to operate a religious institution on property located at 711 Hopkins St. Mary Alice Garza, applicant and other representatives of the church were present to answer any questions and provide information to the Council. Ms. Garza made the request to have the water turned on so they made do some cleaning in the building. Mr. Cook stated that they must contact the utility office, as well as the Code Enforcement Officer for stipulations to have the water turned on. There being no objections, the public hearing was closed.

MAYOR Pro-Tem Sitka motioned to adopt an ordinance (recorded as No. 1981) on first reading granting a Specific Use Permit to operate a religious institution on property described as Lots 6 & 7 of Block 6 (NCB 1117) in the May Addition as shown on the official tax roll (for location reference only: 711 Hopkins St.). Councilmember Faulkner seconded the motion; motion carried unanimously.

THE City of Yoakum’s Guidelines and Criteria for Tax Abatement adopted February 11, 1997 was presented to Council for their review as required every two years. This information
was presented to the Economic Development Corporation Board of Directors at their meeting of January 10, 2011, and their recommendation was to revise the EDC Advisory Board on the checklist to read Yoakum Economic Development Corporation Board of Directors. The checklist was revised and presented to Council. There being no further revisions, Councilmember Faulkner made a motion to adopt a resolution (recorded as No. 2011-01) re-affirming the City of Yoakum’s Guidelines and Criteria for Tax Abatement. A second was made by Councilmember McCoy; motion carried unanimously.

COUNCILMEMBER McCoy motioned to adopt a resolution (recorded as No. 2011-02) authorizing, establishing the procedures, and appointing election officials for the City’s General Election to be held on Saturday, May 14, 2011. Mr. Fred Sieck has agreed to serve as the Election Judge, and Mrs. Judy Leist has agreed to serve as the Alternate Election Judge. Councilmember McMullen seconded the motion; motion carried unanimously.

MOTION was made by Councilmember McCoy authorizing City Manager, Calvin Cook to enter into a lease agreement with Lavaca County for the use of two (2) electronic voting machines to be utilized during Early Voting and on Election Day. This agreement was presented to Council and fees were discussed. Motion was seconded by Councilmember McMullen; motion carried unanimously.

MR. Cook, City Manager requested authorization from the Council to purchase a 2011 aerial unit with cab and chassis for the Electric Department. The cost of this hi-ranger C52 bucket truck is $141,382. Authorization for the sale of the 1986 TECO unit will be requested once the new truck is received in July or August, 2011. The difference between the $136,000 originally budgeted for this item and the cost of the new truck should come within budget once the sale of the old truck is made. Motion was made by Councilmember Faulkner to authorize the City Manager to purchase a 2011 aerial unit with cab and chassis for the Electric Department from TREX Utilities for the price of $141,382. Councilmember McCoy seconded the motion; motion carried unanimously.

DISCUSSION of the Community Clean Up Program was held. A meeting was scheduled for January 27, 2011 at 6:00 p.m. to include various clubs and organizations. Council gave direction for staff to develop a letter to be sent out to service clubs, churches, and other organizations as an invitation to attend, and to advertise this meeting in the Yoakum Herald-Times. Mr. Cook was asked to contact the Chamber of Commerce to see if they would donate the banquet side of the Community Center to for this meeting.

UNDER the City Manager’s Report: In December, the contractor installed approximately 4,000 linear feet of sewer line in the Phase II Sanitary Sewer Replacement Project. As of December 30th, this accounts for 24,500 feet of pipe installed overall, which leaves the project at about 70% complete. Work on the lift station is making progress; the pumps have come in and electrical work has begun, and GVEC has set the poles.

The Environmental Division of TRC Engineers has completed the environmental study for Phase III of the Sanitary Sewer Replacement Project. The report should be received next week, and after review by Mr. Cook and Craig Bell, it will be sent to various State agencies for their review. A thirty-day comment period will follow this review process, in which the public will have the opportunity to review this document. A copy will be submitted to the Texas Water Development Board for approval after the thirty-day period. Based on the timeline given, the project may be ready for bidding in the summer. The City still has easements to acquire and
possibly property to purchase for the construction of the lift station on Hickey Street. Financial information from engineers is being developed to determine cost of project.

The building located at 105 West May Street has been demolished, and they are working on clearing debris. This case can officially be closed.

Pumpco, Inc. began work on the extension of the water main under Highway 77A, and should be completed within the next few weeks. A permit has been obtained from TxDOT for this construction.

The pole attachment agreement with AT&T has been executed and the City has received a completed copy.

The City received a letter from Time Warner on January 3rd disputing the rate that was calculated by the City's consultants. A letter, sent by Mr. Cook to Time Warner, was provided to Council stating that the revisions they are requesting are not supported nor feasible, and the City is requesting payment for the poles they utilize. Should Time Warner not agree, and payment is not received, Council will be asked to authorize Mr. Cook to have them remove their service from City poles. Throughout negotiations with AT&T, Time Warner has been sent copies of correspondence and never made an objection. The required formula used to determine cost of poles has been used. In addition, the State requires entities utilizing City poles to be charged the same rates.

Sealed bids for the purchase of a new police car were opened earlier today. The low bid was submitted by Caldwell Country Ford in the amount of $21,442 after trade in and awarded. State Law provides that the governing body of a municipality can award to a local bidder if the bid is no more than 3% higher than the lowest bid. Wendel Motor Company's bid was 7.1% higher; therefore, not awarded the bid.

Information was provided to Council on an Elected Official's Conference being held in Austin on February 11-14. If any of the Council is interested, registration and hotel accommodations will be handled by Charlotte Morrow, Finance Director.

Dennis Konecny, Mechanic will be retiring on January 27th with 38 years of service and Walter Squyres, Building Maintenance will be retiring on January 31st with 35 years of service. Their parties will be from 3:00 – 4:30 p.m. in the Conference Room at City Hall on their last day.

Yoakum is hosting the Guadalupe Valley Water Association meeting on January 20, 2011 at the Yoakum Community Center. Social hour will begin at 6:00 p.m. followed by the meal at 7:00 p.m. All Councilmembers are invited to attend.

Mr. Cook presented Council with a letter that was received from 1st Lieutenant Almand thanking City staff for their contribution to the care packages sent to him in Afghanistan.

MAYOR Rodriguez announced that Daniel Squyres with Community Health Centers of South Texas has informed her that he has received support letters from Representative Geanie Morrison and Senator Glenn Hegar for the clinic he and his colleagues want to bring into Yoakum.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:40 p.m. to discuss an electric utility related matter
(V.T.C.A. Gov. Code, Sec. 551.088). The meeting re-opened to the public at 7:40 p.m. with no action resulting from Executive Session.

THERE being no further business, the meet closed at 7:41 p.m.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:
Theresa A. Bowe, City Clerk

CITY OF YOAKUM
TEXAS.
SPECIAL MEETING OF THE CITY COUNCIL
COMMUNITY CLEANUP

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

ABSENT:  Theresa A. Bowe  City Clerk

THE Meeting opened at 6:02 p.m. by Mayor Rodriguez with the announcement of the Councilmembers (Elorine Sitka, Tim Faulkner, Tim McCoy, and Margie McMullen) and City staff that were present (Gena Jiral, Sharon Mucala, Jack Maloney, Phil Baker, Gerard Novosad, Police Chief Arthur Rogers, Fire Chief Phil Baker, Adam Findeisen, Michael Bennett, and Patrick Kennedy).

THE Mayor addressed the vision statement of the Cleanup Program: “Work to encourage a cleaner city with citizen and community involvement”, and encouraged involvement from the community.

COUNCILMEMBER Faulkner informed the guests that making Yoakum a cleaner community was one of the top five priorities of the City’s Strategic Plan. This program would be organized to have a Cleanup Day in Yoakum twice a year on a Saturday. The idea is to encourage people to dispose of any items they no longer want. It should be recognized that this is not a City of Yoakum project, but a community effort. He also thanked the Chamber for donating the use of the community center for the meeting and encourages anyone who was not already of member of the chamber of commerce to consider joining. Council has agreed to provide pastries the morning of the cleanup days, and Mr. Bill Lopez, Chamber President has agreed to provide the coffee. Everyone will meet at the Community Center, on Saturday, March 5, 2011, eat, be given directions, and any other pertinent information needed to accomplish the tasks. A concern by Chamber Chairman, Linda Schmidt was that the Tom Tom Relay races were being held the 1st weekend in March. Mr. Faulkner stated that he did not realize these were held that weekend, but hoped that others from their organization would still be able to participate.

THE meeting was then turned over to City Manager, Calvin Cook. This project is designed to assist in developing community pride; and working together is what will make it happen. The City will be involved in the organization of this Program in numerous ways, but community support is needed to assist in promoting and providing labor and equipment. City of Yoakum personnel will be taking and maintaining a list of calls from individuals wishing to dispose of items. These lists will be organized according to type of material to be disposed of, and distributed to the various groups the morning of the cleanup. The City will also advertise and promote through their website and local newspaper. No appliances containing refrigerants can be accepted at the Solid Waste Management Facility; however, a couple of local contractors have been contacted and are willing to pick up these items and dispose of them elsewhere. The Solid Waste Management Facility will be open as long as necessary on the scheduled cleanup days with City personnel on site to assist drivers in where to unload debris. The City will accept car batteries and tires, but no liquid waste. All waste should come from within the City limits of Yoakum. He asked anyone interested in signing up tonight, should do so on the forms provided on each of the tables. He then opened the floor up for discussion and questions.
THE following questions were addressed by Calvin Cook, City Manager:

BILL Lopez, Yoakum Chamber of Commerce President – Will the volunteers be using their own vehicles? Yes, all volunteers will be expected to provide trucks and trailers.

GERY Maneth, Yoakum Rotary Club – Is the Transfer Station going to open to citizens that day? Yes, anyone inside the City limits may dispose of trash that day free of charge. They will however need to bring their utility bill and present it at the gate.

COUNCILMEMBER Faulkner – Will this be open for businesses? Yes, businesses will be allowed to have their waste picked up.

CITY Manager Cook informed everyone that limbs will not be picked up. If someone needs them picked up, they should follow the current procedure/policy that is in place with the City of Yoakum.

BETTY Kocian, Helping Hands & Hearts – Do we have recycle centers for certain items; a lot of the items picked up could be recycled? We do currently have the receptacles at the Community Center, and accept recyclables at the Transfer Station. In addition, City staff will be asking permission from the Council at their meeting in February to apply for a grant to the Golden Crescent Regional Planning Commission in order to purchase more recycling receptacles for the Transfer Station.

BILL Lopez – Are we going to concentrate on the downtown area? No, we will cover the whole town. Mr. Lopez said that before they weed-eated in the alleys and such downtown. Mr. Cook suggested that if that is something they would like to see done, they should promote it.

HELPING Hands & Hearts Representative – Helping Hands & Hearts of Yoakum will be offering a $500 scholarship to any senior who assists in the beautification of Yoakum; a flyer was provided for reference.

BILL Lopez – Will make sure that the information about this program is in their next newsletter.

PATRICK Kennedy – Inquired about right of entry agreements. The City is suggesting that a right of entry and hold harmless agreement be signed by a property owner before anyone enters or removes items from their property; however, we are not requiring it. The volunteers will be fully responsible for getting these signatures if they choose to.

CITY Manager Cook – asked how many of the guests thought this was a good idea. The majority raised their hands.

NIKKI Maxwell, Gonzales Cannon – A cleanup day is held every April in Gonzales, and a local business donates a large item to be raffled off. Each volunteer participating in the cleanup has the opportunity to win by signing up when they return to the designated location after the cleanup. They also have a meal for everyone that usually consists of hotdogs or hamburgers.

BILL Lopez – Will each organization be responsible for getting their own trash bags? The City could provide bags if needed. A question was asked that if a person has trash to be picked up why they couldn’t just place it in their blue can and have it picked up on their normal garbage day. The concentration should be on picking up the larger items and it is suggested regular garbage be picked up by City on regular routes.

AL Veselka – Are there junk vehicles around town? The Code Enforcement Officer and Police Department have been working together in getting junk vehicles removed from people’s property.

CARL O’Neill – Will everyone be working strictly off of lists provided? No. The lists of calls will be provided, but they don’t have to call in to have their items picked up.
MARIE Jo Knippa – Will each organization pick an area in town to clean up and call those individuals? If a certain group sees that there is a specific area they would like to target, they should contact these individuals and ask if they would like some assistance.

CARL O'Neill – Would it be easier to grid off the City and have each group pick a grid? Yes, that is where the idea of the “zones” was developed. Once all calls are received, we will be able to better determine how to divide the town.

RACHEL Rodriguez – Will a map be provided as to how the items will be picked up? We will do so according to the type of material needing to be picked up. Do they need to obtain a signature from people to pick their stuff up? A right of entry agreement will be provided by the City if the volunteers choose to use them. It is recommended, but not being required. Should businesses be contacted if their weeds need cutting? If a group or individual sees that someone needs to cut their weeds, that group should make the effort to get in contact with that owner.

NIKKI Maxwell – In Gonzales, there is a designated drop off point designated for anyone wishing to dispose of items that missed the cleanup day. Will we have that? All items will be taken down to the transfer station for disposal; we will not have an alternate location. If there are still a lot of items out there after the 1st day, we may have to expand to another day as well. This will be addressed at that time.

CITY Manager Cook informed guests that all volunteers would meet at the Community Center parking lot the morning of cleanup day, and maps will be distributed along with lists of addresses. Organizations should make sure they have participation from their own membership. Once it is determined how much participation we will have, advertising will begin. The City is asking help from each group in getting the word out.

MAYOR Rodriguez then asked everyone to please sign up and to call City Hall and ask to be placed on the list of volunteers. All guests were thanked for attending.

THERE being no further business, the meeting closed at 6:41 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:
Theresa A. Bowie, City Clerk
REGULAR MEETING OF THE CITY COUNCIL

PRESENT: Anita R. Rodriguez .........................................................Mayor
          Eliorine Sitka .............................................................Mayor Pro-Tem
          Margie McMullen ..........................................................Councilmember
          Tim Faulkner .................................................................Councilmember
          Timothy L. McCoy .........................................................Councilmember
          Calvin Cook .....................................................................City Manager
          Charles J. Kwinta, Jr. .........................................................City Attorney
          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 recited by all attending. Visitors were
acknowledged and welcomed.

MOTION was made by Councilmember McCoy to adopt the minutes from the meetings of
January 11, 2011 and January 27, 2011. Second was made by Councilmember McMullen; motion
carried unanimously.

UNDER Old Business, Councilmember Faulkner made a motion to adopt an ordinance
(recorded as No. 1981) on second and final reading granting a Specific Use Permit for the operation of
a religious institution on property described as Lots 6 & 7 of Block 6 (NCB 1117) in the A May Addition
as shown on the official tax roll (for location reference only: 711 Hopkins St.). Motion was seconded by
Mayor Pro-Tem Sitka and carried unanimously.

UNDER New Business, Council received information regarding a recommendation from the
Yoakum Economic Development Corporation for the expenditure of Type B Sales Tax Funds for a
lighting project at the soccer fields located on Dunn Street across from the Mack Jamison Park. After
review and discussion, Councilmember McCoy made a motion to adopt a resolution (recorded as No.
2011-03) on first reading approving the expenditure of Type B Sales Tax Funds of $50,000 as
recommended by the Yoakum Economic Development Corporation for the Soccer Field Lighting Project
located on Dunn Street. Councilmember McMullen seconded the motion; motion carried unanimously.

CITY Manager Cook provided information regarding bids for the Soccer Field Lighting Project.
Options included: a turnkey project cost of $80,000 through a BuyBoard vendor; a turnkey project cost
of $91,000 through a non-BuyBoard vendor; or purchasing the material and contracting each job
function to individual contractors at a cost of $75,895. Staff is recommending that the Council consider
the turnkey project cost through the BuyBoard in order to assure a professional installation by a
company that specializes in construction in sports lighting, and would assure the warranties on the
equipment and installation of the system. After review and discussion, Mayor Pro-Tem Sitka made a
motion to authorize the City Manager to award the bid for the Soccer Field Lighting Project to Techline
Sports Lighting of Austin, Texas in the amount of $80,000. Motion was seconded by Councilmember
McCoy and motion carried unanimously.

DISCUSSION was held regarding a possible Local Park Grant Program through the Texas
Parks & Wildlife Department. Economic/Community Development Coordinator Patrick J. Kennedy was
present to provide Council with information and answer questions. The grant application will be for a
proposed project to renovate the Yoakum Municipal Swimming Pool facility. Funding sources may
include the Park grant, local contributors, and support from the YEDC. The YEDC voted at their
February 7, 2011 meeting to support the effort and contribute funding if there is a shortfall of local
contribution funds. The maximum funding through the grant is $75,000. Solicitation efforts from the Yoakum Community will continue. If the grant is not approved, the YEDC will re-evaluate their participation. Community donations received will be utilized for the swimming pool project as funding allows, beginning with the roof and then bathhouse improvements. After discussion, Councilmember McCoy made a motion to adopt a resolution (recorded as No. 2011-04) establishing the guidelines for participation and designating officials for the Local Park Grant Program through the Texas Parks & Wildlife Department. Motion was seconded Councilmember McMullen. Motion carried with Councilmembers Sitka, McCoy, and McMullen voting for and Councilmember Faulkner voting against.

INFORMATION was provided to the Council regarding site plans for the Front Street Railroad Park. At the YEDC Board meeting on February 7, 2011, the Board gave direction to staff to work with the Parks & Recreation Advisory Committee to develop a site plan for the Front Street Railroad Park. In put may be requested from the Victoria Chapter of the Master Gardener’s Club. A site plan will provide a concept for staff and contributors to abide by when choosing plants and other items to be placed within the park. The area near the center of the park where drainage facilities may be constructed will be left empty until the drainage issues can be addressed. Councilmember Faulkner stipulated that the YEDC has not pledged any funds toward the development of that park.

COUNCIL was provided information and documentation concerning pole attachment negotiations with Time Warner Entertainment/Advanced Newhouse Partnership D/B/A Time Warner Cable (TWC). TWC is disputing the calculation for the cost of pole attachments that has arrived at through a lengthy negotiation with AT&T. The City has been negotiating with AT&T and TWC since early in 2010 for the new pole attachment agreements. Last month we executed a new agreement with AT&T. State law requires that each service provider utilizing the poles be charged the same pole rental fee. A resolution was provided for Council’s consideration to provide TWC with written notice of termination of all rights to attach to City utility poles and to provide 30 days advanced notice of the termination. Shortly before the Council meeting TWC provided correspondence to City staff requesting continued negotiations and agreeing to pay the pole rental rate proposed by the City under protest. Motion was made by Mayor Pro-Tem Sitka to table the resolution (recorded as No. 2011-05) until further communications with TWC can be completed. Second was made by Councilmember Faulkner; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2011-06) authorizing the filing of a grant application with the Golden Crescent Regional Planning Commission for a regional solid waste program grant and authorizing the City Manager to act on behalf of the City on all matters relating to the application. Motion was seconded by Councilmember McCoy and carried unanimously.

COUNCIL reviewed amendments to the prior year’s budget. After review and discussion Councilmember Faulkner made a motion to adopt an ordinance (recorded as No. 1982) on first reading amending Fiscal Year 2009-2010 Budget Ordinance No. 1958. Second was made by Councilmember McCoy; motion carried unanimously.

ADVERTISEMENT and coordination efforts have begun for the Community Clean Up Program. Notes from the community meeting and flyers were provided for Council’s review. The information has been dispersed to City facilities, on the website, and advertised in the newspaper. Participating entities and contractors that have agreed to assist with the project were reviewed. The City will be unable to pick up large quantities of limbs, but will attempt to pick up the small piles that may accumulate as a part of normal clean up. Sign up sheets are being maintained at the City Hall offices.

MAYOR Pro-Tem Sitka made a motion to approve a request from Christi Fojt representing the Yoakum Shape Shop for the closure of certain streets and the utilization of police department personnel in order to hold a 5K run/walk for a charity benefit to be held on May 14, 2011. The intended route will cover portions of W. Gonzales and W. Grand as well as parts of streets surrounding the Yoakum High School and downtown. Second was made by Councilmember Faulkner. Motion carried unanimously.
Inserted after City Manager’s report on page 71:

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:05 p.m. 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. 551.086). The meeting reopened to the public at 7:55 p.m. with no action resulting from Executive Session.
MOTION was made by Mayor Pro-Tem Sitka to proclaim the week of March 7 through 11, 2011 as “Texas Public Schools Week.” Motion was seconded by Councilmember McCoy and carried unanimously.

UNDER City Manager’s Report: in January the sewer contractor installed 4,200 feet of pipe, which brings a total of approximately 28,590 feet of pipe installed. This represents 83% of the total line to be installed. A conference call with the electrical engineers is scheduled to discuss the installation of electric components at the lift station. Staff is hoping to have the lift station completed and in operation within the next few weeks in order to install the remaining lines that will be connected to the lift station. The contractor will be boring under Sheehan Street/FM 318 this week, and will bore under Hwy 111 at Steen Street next week.

On Phase III, the engineers have completed an environmental report, and a cultural resources survey report. The cultural resources survey report has been submitted to the Texas Historical Commission for their review and consideration. The environmental report was received on Monday and notice has been published in the newspaper that the report is available at City Hall for public review and comment for thirty (30) days. After the thirty (30) day review period, the report will be submitted to the Texas Water Development Board for review. Staff is anticipating bidding the Phase III project out in June or July of 2011.

The City Manager has been in preliminary discussions with Longbranch Energy. The company is interested in purchasing treated effluent from our wastewater treatment plant to use in oil field operations. The representative indicated that the company would incurred all costs associated with the construction of facilities that would be necessary for pumping water from the wastewater treatment plant to the holding facility. Currently, the company is looking for sites that would be adjacent to State Highways to place the facility. The City will have to request permission from the Texas Commission on Environmental Quality for approval to provide the wastewater to the company. The representative stated that the company would be responsible for all of the cost associated with the application to TCEQ. Staff suggested that Longbranch Energy consider locating the facility near the park for possible future irrigation alternatives.

Information was provided regarding the possibility of adding RV sites in order to accommodate the additional RV customers being brought into the area by the oil field activity. Drawings and suggestions were presented indicating the creation of temporary sites near the rodeo arena in order to utilize existing overhead electrical lines, existing water and sewer lines. Final recommendations will be brought to the Council at the March meeting.

The bollards to be utilized at the corners of West Grand and Lott Street have arrived and will be installed next week.

Council was informed of the Golden Crescent Regional Planning Commission 2-1-1 Open House scheduled for Friday, February 11, 2011 and the TML Region 11 Quarterly meeting scheduled for February 27, 2011 in Corpus Christi, Texas.

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
SPECIAL MEETING and PUBLIC HEARING
OF THE CITY COUNCIL

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

ABSENT: Margie McMullen ........................................ Councilmember
Timothy L. McCoy .................................................. Councilmember
Charles J. Kvinta, Jr. ............................................. City Attorney

MAYOR Rodriguez called the City Council meeting to order. A Public Hearing was opened to receive citizen comments on a grant application for a Local Park Grant Program through the Texas Parks & Wildlife Department for the Yoakum Municipal Swimming Pool Facilities Improvement Project. Economic/Community Development Coordinator Patrick J. Kennedy was present to provide information and answer questions.

MR. Kennedy discussed the grant program, the development of community development needs, the amount of TPWD funding available, all eligible TPWD activities, and the use of past TPWD funds. The City encouraged citizens to participate in the development of this TPWD application and to make their views known at this public hearing. Citizens unable to attend the meeting were provided the opportunity to submit their views and proposals to City Manager Calvin Cook at the Yoakum City Hall. Publication was made in the Yoakum Herald-Times newspaper of the public hearing inviting citizens to attend. Citizens were present and provided comments regarding the swimming pool project. Brenda Westmoreland representing Yoakum Independent School District was present and spoke regarding the importance to the children during the summer months for this project to be completed; Cynthia Morris representing the swim team was present and explained the benefits of the proposed renovations to members of the swim team; Karen Barber representing the Yoakum Community Hospital provided insight to possible patient utilization for physical therapy sessions if improvements were made; Christi Talbert representing Yoakum Shape Shop indicated a concept of a possible partnership to provide water aerobics to the general public and spoke of the impact of childhood obesity that can be diminished to a degree with the utilization of the local swimming pool; Dr. Sandra Anderson discussed the issue of childhood obesity and the need to encourage children to be active, and was supportive of the grant to enhance the current facilities; and Mr. Don Bowe was present to acknowledge his support of the improvement project to help maintain an excellent quality of life in our community for our youth. With citizen comments concluded, the Public Hearing was closed.

After discussion, Mayor Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2011-04) as amended, on second reading establishing the guidelines for participation and designating officials for the Local Park Grant Program through the Texas Parks & Wildlife Department. Motion was seconded by Councilmember Faulkner; motion carried unanimously.

THERE being no further business, the meeting closed at 5:28 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
          Charles J. Kvinta, Jr. ...................................................... City Attorney
          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 was recited by all attending. Visitors were acknowledged and welcomed.

A motion was made by Councilmember Faulkner to adopt the minutes from the meetings of February 8, 2011 and February 24, 2011 were approved as presented. Second was made Mayor Pro-Tem Sitka. Motion carried unanimously.

UNDER Old Business, Mayor Pro-Tem Sitka made a motion to adopt a resolution (recorded as NO. 2011-03) on second and final reading recommended by the Yoakum Economic Development Corporation to expend Type B Sales Tax in excess of $10,000 for a soccer field lighting project. Councilmember Faulkner seconded the motion; motion carried unanimously.

MOTION was made by Councilmember McCoy to adopt an ordinance (recorded as No. 1982) as amended on second and final reading amending the 2009-2010 City of Yoakum Budget. Second was made by Councilmember McMullen. 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 approve a change in zoning from Residential (R-2) to Residential (R-4) on property located at 511 Bingham St. Property owners Greg and Cheryl Mears were present to answer any questions and provide information to the Council. The request is in compliance with the Future Land Use Plan. After receiving citizen comments and review of the information, the public hearing was closed.

MOTION by Councilmember McCoy to adopt an ordinance (recorded as No. 1983) on first reading granting a Change in Zoning from Residential (R-2) to Residential (R-4) on property described as 15' of Lot 5 and all of Lot 6 of Block 1135 in the Tucker Addition as shown on the official tax roll (for location reference only: 511 Bingham St.). Second was made by Councilmember McMullen; motion carried unanimously.

COUNCIL received information from staff regarding the 2011 Street Improvement Project; all but three (3) of the streets to be included in the project this year were part of Phase II of the Sewer project. Eight miles of streets are being repaired as compared to six (6) miles last year, due to less reconstruction work for the streets included in the sewer project. Depending on oil prices, staff may be forced to reduce the number of streets to stay within budget. After discussion, Mayor Pro-Tem Sitka made a motion to approve the streets to be included in the 2011 Street
Improvement Project and authorize the City Manager to advertise for seal coat bids. Motion was seconded by Councilmember McCoy and carried unanimously. Bids will be received this month and brought to the Council at their April meeting for consideration.

COUNCILMEMBER Faulkner made a motion to adopt a resolution (recorded as No. 2011-07) authorizing the submission of a grant application to the Office of the Governor, Criminal Justice Division and authorizing the City Manager to act on behalf of the City on all matters relating to the grant application. Second was made by Councilmember McCoy. Motion carried unanimously. If received, the grant will be utilized to purchase thermal imagers to be attached to the Police Department spot lights, as well as an inkless fingerprint system.

DISCUSSION was held regarding the construction of a temporary RV park site. After reviewing the physical locations being considered for the site, staff recommended to Council to place the temporary RV site in the location of the old soccer fields near the current RV Park. The estimated cost is $21,200. Based upon the number of calls and potential income, estimated revenue indicates that the cost could be recuperated within 3 to 4 months of completion. Motion was made by Mayor Pro-Tem Sitka to approve the construction of the temporary RV Park; seconded by Councilmember McMullen and carried unanimously. Material will be ordered and construction should begin the week of March 14th.

MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2011-08) authorizing the use of the trademarked City logo for a 2011 Yoakum Day advertisement poster advertising Yoakum Day at the UHV baseball game on April 3rd sponsored by First State Bank. Second was made by Councilmember Faulkner and motion carried unanimously. The poster will be developed by the University of Houston-Victoria.

MOTION was made by Councilmember Faulkner to proclaim the month of April 2011 as Fair Housing Month. Motion was seconded by Councilmember McMullen and carried unanimously.

UNDER the City Manager's report, Phase II of the Sanitary Sewer Project is proceeding well. Approximately 87% of the line work has been completed. The lift station has been completed; start up and testing will be conducted this week. After start up and testing of the lift station the lines draining into the station can be constructed. The contractor is slightly behind schedule at this time; anticipated completion for Phase II is May 2011. The Environmental Assessment for Phase III will be available for public review and comment until March 11, 2011, the report will then submitted to the Texas Water Development Board for their review and consideration. Staff anticipates advertising for bids in June or July of 2011 for the final Phase of the Sewer Replacement Project. Staff has been in continued discussion with Longbranch Construction regarding the possible purchase of effluent water from the wastewater treatment plant for use in their oil field activities. Staff has contacted Texas Commission on Environmental Quality to determine the steps that may need to be taken. TCEQ has no problem allowing the use of the effluent water, but the City would have to apply for a Chapter 210 re-use permit. Longbranch Construction will be required to apply for a permit from the State and will be responsible for covering all costs associated use the effluent water for the project. The representative from Longbranch has left a proposed contract for review and will attend the April City Council meeting. On the SECO grant, staff has completed the first phase of that project: the motors at the Brushy Creek Plant have been installed; Mercer Construction will be installing the variable speed drives on FM 318. Staff has requested that the contractor complete the work on the Phase II lift station prior to beginning work on the variable speed drives. Time Warner did pay the pole attachment fee as invoiced at the interim rate of $11.64; however, they did pay it under protest. Negotiations will continue until a final agreement is reached. The Police Department has applied for a grant through the Johnson Foundation in the amount of $80,078 to purchase laptop computers and docking stations with printers for the patrol cars. There is no requirement for matching funds if the grant is awarded. The contractor came in on February 28th and set the light poles and installed the light
fixtures for the soccer field lighting. Workers should be in on March 14th to begin installation of the underground conductor. Anticipated completion for that project is March 18th. Once installation is complete, security fencing and other details will be completed prior to the end of March. Lighting usage fees will be considered at the April meeting. On the pole and air switch replacement project, the bid was awarded to the low bidder, Techline Construction Company of Athens, Texas in the amount of $9,380. Work began on February 28th and was completed on March 7th. Fifteen thousand ($15,000) was budgeted for the pole replacement project. The remaining funds will go toward the city's match for the soccer field lighting project. The Yoakum Clean Up Program held Saturday, March 5th was a great success. Approximately 30.4 tons of various types of debris, 79 cubic yards of brush, 65 cubic yards of lumber and 666 tires were removed from the community. The organizations that participated brought hardworking volunteers; pick up and disposal of the items went very smoothly. The Mayor will be sending out Thank You letters to the entities that were involved. The shelves purchased with the grant funds received from the Tocker Foundation have arrived and been installed at the Library. Staff is working on re-shelving books and organizing the area.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:40 p.m. 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 8:12 p.m. with no action resulting from Executive Session.

There being no further business, the meeting closed at 8:12 p.m.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
March 16, 2011
Conference Room – 5:30 PM
City Hall

SPECIAL MEETING and PUBLIC HEARING
OF THE CITY COUNCIL

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

ABSENT: Timothy L. McCoy ........................................... Councilmember

MAYOR Rodriguez called the City Council meeting to order and the meeting was opened to the public.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 5:30 p.m. to discuss and deliberate complaints against; and the employment, evaluation, reassignment, duties, or discipline of Captain Jeff Ruppert and Fire/EMT-I Officer Brandon Chomout of the Yoakum Fire Department (V.T.C.A., Gov. Code, Sec. 551.074), and to consult with legal counsel regarding legal issues associated with previous executive session item (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 meeting closed at 7:30 p.m.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

City of Yoakum, Texas
April 12, 2011
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
Calvin Cook ..................................................... City Manager
Charles J. Kvinta, Jr ......................................... City Attorney
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 was recited by all attending. Visitors were acknowledged and welcomed.

A motion was made by Councilmember McCoy to adopt the minutes from the meetings of March 8, 2011 and March 16, 2011 were approved as presented. Second was made Mayor Pro-Tem Sitka. Motion carried unanimously.

MOTION by Mayor Pro-Tem Sitka to amend the minutes of the meeting of February 8, 2011 as follows:

Inserted after City Manager’s report on page 71:

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:05 p.m. 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. 551.086). The meeting re-opened to the public at 7:55 p.m. with no action resulting from Executive Session.

Motion was seconded by Councilmember Faulkner and carried unanimously.

UNDER Old Business, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1983) on second and final reading granting a Change in Zoning from Residential (R-2) to Residential (R-4) on property described as 15’ of Lot 5 and all of Lot 6 of Block 1135 in the Tucker Addition as shown on the official tax roll (for location reference only: 511 Bingham St.). Second was made by Councilmember McCoy; motion carried unanimously.

UNDER New Business, Mayor Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2011-09) accepting a Certificate of Unopposed Candidates, cancelling the May 14, 2011 General Election, and declaring each unopposed candidate elected to office for City Council Places 1 (Tim Faulkner), 2 (Tim McCoy), and 3 (Annie Rodriguez).

AN ordinance (recorded as No. 1984) was adopted on first reading amending the City of Yoakum Manual of Fees and Service Charges to include Soccer Field Lighting Usage Fees on
motion by Councilmember McCoy. Second was made by Councilmember McMullen. Motion carried unanimously.

AFTER review, Councilmember Faulkner made a motion to adopt Policy Statement No. 55 as revised relating to lighting use on Parks & Recreation Facilities. Motion was seconded by Councilmember McCoy and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to accept the Mayor's Challenge to promote the summer nutrition program as recommended by Todd Staples, Commissioner of the Texas Department of Agriculture. Second was made by Councilmember Faulkner; motion carried unanimously.

BID tabulations were reviewed for the 2011 Street Seal Coat Project. After discussion, Mayor Pro-Tem Sitka made a motion to award the bid to the low bidder, H&C Construction Company, Inc., based on unit prices submitted in the amount of $2.77 per gallon for asphalt and $58.76 per cubic yard for aggregate. Motion was seconded by Councilmember Faulkner and carried unanimously.

COUNCILMEMBER McCoy made a motion authorizing the City Manager to act on all matters related to a grant from the Tocker Foundation for Furniture, Equipment, and materials for the Carl & Mary Welhausen Library. Second was made by Councilmember McMullen; motion carried unanimously.

BALLOTS were distributed to the Council for the appointment of two (2) Commissioners to the Yoakum Housing Authority Board of Commissioners. The City Attorney and City Clerk tabulated the ballots; after tabulation, Councilmember McCoy made a motion appointing Jack Turner and Mary Lou Vera to the Yoakum Housing Authority Board of Commissioners for two-year terms. Councilmember McMullen seconded the motion; motion carried unanimously.

COUNCILMEMBER McMullen motioned to appoint Councilmember McCoy, Mayor Pro-Tem Sitka, and City Manager Cook to the 2011 City/School Summer Recreation Board. Second was made by Councilmember Faulkner; motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to authorize the firm of Denton, Navarro, Rocha & Bernal, PC to serve as special council on an as needed basis for the City of Yoakum. Second was made by Councilmember Faulkner and the motion carried unanimously.

UNDER the City Manager's report, the contractor for Phase II of the Sanitary Sewer Project installed approximately 1,400 LF of gravity sewer main in March. As of the end of March, 32,000 LF of pipe has been installed, 1,536 LF of concrete streets have been repaired and 7,000 LF of asphalt pavement has been placed. Testing has been performed on many of the manholes that have been installed and none have failed as of this date. The lift station is completed and operational. Completion of this phase of the project is scheduled for July 1, 2011.

On Phase III of the Sanitary Sewer Project, the City has received notice from the Department of the Army concerning the permit application for Phase III work. Based on the findings in the Environmental Assessment, the Department has determined that a permit from the Department of the Army will not be needed. We have received comments from the Texas Parks & Wildlife and the US Fish & Wildlife regarding the Environmental Assessment Report for the project. The final report will be submitted to the Texas Water Development Board for consideration. Final cost estimates for Phase III, and right of entry agreements for design work are being gathered.
A check has been received from AT&T as a result of the recently finalized pole attachment agreement. The grant application submitted last month by the Police Department to the M. G. and Lilley R. Johnson Foundation was denied due to the request not being in the Foundation’s current funding interest. Texas Gas Service submitted a letter notifying the City that it will apply its annual one-time pipeline safety program fee in the amount of $0.65 per meter for calendar year 2011 based on meters read on and after March 30, 2011. Construction of the RV Park Expansion should be completed by the end of the week and ready for RVs to utilize by the end of next week.

At the request of Ms. Vanita Cheeves last year, Council approved a request to allow brush disposal at no charge for the cleaning of the old cemetery located at the corner of Jackson and Dunn Streets. Ms. Cheeves called last week to report that clean up will begin this week. City Manager Cook provided copies to the Council of an article published in the GVEC review highlighting the City of Yoakum’s recycling program. Mr. Cook also informed Council of a letter received from the Lavaca County Sheriff’s Office complimenting Sergeant Sharon Mucala for her off-duty efforts and observations, leading to arrests of individuals involved in the burglary of a local business.

Council was informed of two (2) individuals retiring from City employment at the end of April: Fire Chief/EMS Director Phil Baker is retiring after 13 years of service with the City, and Mrs. Jo Vinson, Library Assistant, is retiring after 23 years.

There being no further business, the meeting closed at 6:30 p.m.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
April 19, 2011
Conference Room – 5:30 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

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

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and the meeting was opened to the public. Engineer Steve Moffitt was present for the meeting.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 5:30 p.m. to discuss an electric utility related matter (V.T.C.A., Gov. Code, Sec. 551.086), and to discuss the employment of an interim Fire Chief (V.T.C.A., Gov. Code, Sec. 551.074).

The meeting re-opened to the public at 6:55 p.m. with no action resulting from Executive Session. There being no further business, the meeting closed at 6:55 p.m.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

Theresa A. Bowe, City Clerk

CITY OF YOAKUM
TEXAS
May 2, 2011
Conference Room – 4:30 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

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

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

MAYOR Rodriguez called the City Council meeting to order and the meeting was opened to the public.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 4:30 p.m. to discuss and deliberate the recruitment procedures for the position of City Manager (V.T.C.A., Gov. Code, Sec. 551.074).

The meeting re-opened to the public at 5:00 p.m. with no action resulting from Executive Session. There being no further business, the meeting closed at 5:00 p.m.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:
Theresa A. Bowe, City Clerk

CITY OF YOAKUM
TEXAS
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
        Charles J. Kvinta, Jr. .................................................... City Attorney
        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.

A motion was made by Councilmember Faulkner to adopt the minutes from the meetings of
April 12, 2011, April 19, 2011, and May 2, 2011 were approved as presented. Second was made
Councilmember McCoy. Motion carried unanimously.

UNDER Old Business, an ordinance (recorded as No. 1984) was adopted on second and
final reading amending the City of Yoakum Manual of Fees and Service Charges to include Soccer
Field Lighting Usage Fees on motion by Councilmember Faulkner. Second was made by
Councilmember McMullen; motion carried unanimously.

UNDER New Business, Mayor Rodriguez opened a public hearing to receive citizen
comments on the following recommendations made by the Planning and Zoning Commission: 1) approval to establish a Planned Unit Development (PUD) to allow the operation of a recreational
vehicle park at Ellen May Rd. contingent on receiving a letter from the engineer stating that the RV
park will not adversely impact the floodplain's available storage and hydraulic capacity; and 2) approval of a Change in Zoning from Residential (R-3) to Business (B-1) at 1107 W. Grand Ave.
Hetal Bhakta, property owner for the PUD request, was present to provide information and answer
questions. A letter from the engineer and a drawing of the proposed changes were provided for
review as stipulated by the Planning & Zoning Commission. Theresa Boening was present
representing the Change in Zoning request for 1107 W. Grand Ave. Information was provided and
questions were addressed. Both requests are in compliance with the Future Land Use Plan. After
receiving citizen comments and review of the information, the public hearing closed.

MOTION was made by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No.
1985) on first reading approving the establishment of a Planned Unit Development (PUD) to allow
the operation of a recreational vehicle park on property described as Part of Abstract 34 (3.13
acres) in the John May Addition as shown on the official tax roll (for location reference only: Ellen
May Rd.). Motion was seconded by Councilmember Faulkner and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1986) on
first reading granting a Change in Zoning from Residential (R-3) to Business (B-1) on property
described as 0.330 acres of Block 1 in the Coldewey Addition as shown on the official tax roll (for location reference only: 1107 W. Grand Ave.) Second was made by Councilmember Faulkner; motion carried unanimously.

INTERIM Fire Chief Mark Herchek was present to request permission to utilize funds budgeted for an awning and portable building in conglomeration with funds from the Yoakum Volunteer Fire Department to construct a training facility and storage area on City property located behind the Fire Station. With budgeted City funds, VFD fund raising activities, and dirt work provided by City employees, a facility can be constructed to better meet the current and future needs of the Fire Department. After discussion, Councilmember Faulkner made a motion to authorize the Volunteer Fire Department to construct a building on the two (2) City owned lots adjacent to the Fire Station, to allow budgeted funds ($8,100 – Carport/Storage Building) to be utilized, and to allow City crews to perform dirt work in the construction of the proposed building. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

COUNCIL heard a presentation from Charlotte Krause, General Manager of the Pecan Valley Ground Water District on the status of S.B. 332 and heard an overview of the district’s activities relating to the oil and gas activity in the area and how the District is planning to protect local water supply for the future.

INFORMATION was provided by Rex Kirkley of Longbranch Construction, LTD concerning the purchase of treated wastewater from the City of Yoakum. Transportation of the water, payment for infrastructure, and purchase cost was discussed. TCEQ has been contacted and has stated that this is an approved use of the treated wastewater. Longbranch Construction plans to utilize the treated water in oilfield activities. A proposed contract may be brought for Council consideration at a future meeting date.

A request was reviewed from Eddy Packing Co., Inc. to install a wastewater line under Schott Rd. for irrigation purposes. A proposed license agreement was provided for consideration. After review and discussion, Councilmember Faulkner made a motion to approve a license to bore under Schott Rd. for Eddy Packing Co., Inc. with a second by Mayor Pro-Tem Sitka. Motion carried unanimously.

MOTION was made by Councilmember McCoy to approve a request as presented from the Yoakum Area Chamber of Commerce for the closure of certain streets and alley for the 83rd Annual Tom Tom Festival to be held June 3 through June 5, 2011. Motion was seconded by Councilmember McMullen and carried unanimously.

DISCUSSION was held regarding the peddlers, solicitors, and itinerant vendors ordinance. Staff presented a proposed ordinance to limit vending by non-profit organizations to include only “local” non-profit organizations. After review, Councilmember McCoy made a motion to adopt an ordinance (recorded as No. 1987) on first reading amending the City of Yoakum Code of Ordinances, specifically Chapter 13, Article III. Peddlers, Solicitors, and Itinerant Vendors, Section 13-51 as presented. Second was made by Councilmember McMullen; motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to appoint Cynthia Morris and Thomas Linn, Jr. to the Parks & Recreation Advisory Board for two-year terms. Second was made by Councilmember McCoy. Motion carried unanimously.
UNDER the City Manager's report, on Phase II of the Sanitary Sewer Project, 94% of the project is complete based on the amount of pipe installed. A map was provided for review of the lines that have been installed and what remains to be completed. At this time, staff anticipates completion of Phase II by July 1st. Phase III is in the final stage of the review process with the Environmental Review Board. Staff is hoping for final approval in July in order for that portion of the project to be bid. Currently, cost estimates indicate that the City should be able to complete most of the work that was originally planned.

Council was provided a list of City appointed boards that will be due for re-appointment in June. Staff requested Council input on names of any candidates to be considered for the positions to the City Clerk. These candidates will be brought for consideration at the regular Council meeting.

Austin Street Baptist Church submitted a letter of support with a list of signatures from individuals committed to praying for our City, and the VFW and American Legion Post 395 requested City participation for the May 30th Memorial Day Ceremony.

Information was provided to Council from the Texas Municipal League regarding Senate Bill 1571 that would make private business documents open to the public. TML has encouraged City officials to contact state senators and representatives as soon as possible to express their opinions of the bill.

Council was invited to a Regional Local Government Workshop to be held in Gonzales on June 2nd.

The City has three (3) new employees: Joe Garza in the Water Department, Patricia Flaugher at the Library, and Ethan Strzelczyk in the Fire/EMS Department.

Council was also informed of a Special Council meeting to be held on May 16th.

There being no further business, the meeting closed at 7:08 p.m.

Anita R. Rodriguez, Mayor  
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
May 16, 2011
Conference Room – 4:00 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

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

ABSENT:  None

MAYOR Rodriguez called the City Council meeting to order and the meeting was opened to the public.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 4:00 p.m. to discuss and deliberate the recruitment procedures for the position of City Manager (V.T.C.A., Gov. Code, Sec. 551.074).

The meeting re-opened to the public at 4:50 p.m. with no action resulting from Executive Session. There being no further business, the meeting closed at 4:50 p.m.

__________________________
Anita R. Rodriguez, Mayor
City of Yoakum, Texas

__________________________
Theresa A. Bowe, City Clerk

ATTEST:

__________________________
Theresa A. Bowe, City Clerk
June 1, 2011
Conference Room – 4:30 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

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

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and the meeting was opened to the public.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 4:30 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 5:00 p.m. with the following action resulting from Executive Session:

MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2011-10) authorizing a patron wholesale power agreement between the City of Yoakum and GFS Electric Cooperative, Inc. regarding the purchase of electric energy by the City from GFS. Motion was seconded by Councilmember McCoy; motion carried with Councilmember Faulkner abstaining.

COUNCILMEMBER McCoy made a motion to authorize the Mayor to provide notice to the Lower Colorado River Authority of the termination of the wholesale power agreement to end on June 25, 2016. Second was made by Councilmember McMullen. Motion carried with Councilmember Faulkner abstaining.

There being no further business, the meeting closed at 5:03 p.m.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:
Theresa A. Bowe, City Clerk
June 7, 2011
Conference Room – 4:00 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

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

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and the meeting was opened to the public. Also present were Chuck Rohre with Waters-Oldani Executive Recruitment, Alan Taylor with Strategic Government Resources, and Chris Hartung, with Chris Hartung Consulting.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 4:03 p.m. to discuss the recruitment procedures for the position of City Manager (V.T.C.A., Gov. Code, Sec. 551.074).

THE meeting re-opened to the public at 5:35 p.m. with the following action resulting from Executive Session:

COUNCILMEMBER McCoy made a motion to authorize the Mayor to enter into an agreement with Strategic Government Resources of Keller, TX. to recruit for the position of City Manager. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously. Council extended their appreciation to each of the firms for their presentations.

There being no further business, the meeting closed at 5:36 p.m.

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

ATTEST:

\[Signature\]
Theresa A. Bowe, City Clerk
June 14, 2011
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
Calvin Cook ......................................................... City Manager
Charles J. Kvinta, Jr. ................................................ City Attorney
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.

MAYOR Rodriguez presented Certificates of Election for Councilmembers McCoy,
Faulkner, and Rodriguez followed by City Clerk Bowe administering the Statement of Elected
Officers and the Oaths of Office.

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

VISITORS were acknowledged and welcomed.

A motion was made by Councilmember McCoy to adopt the minutes from the meetings of
May 10, 2011, May 16, 2011, June 1, 2011, and June 7, 2011 as presented. Second was made
Mayor Pro-Tem Sitka. Motion carried unanimously.

UNDER Old Business, motion was made by Councilmember Faulkner to adopt an
ordinance (recorded as No. 1985) on second and final reading approving the establishment of a
Planned Unit Development (PUD) to allow the operation of a recreational vehicle park on property
described as Part of Abstract 34 (3.13 acres) in the John May Addition as shown on the official tax
roll (for location reference only: Ellen May Rd.). Motion was seconded by Councilmember McCoy
and carried unanimously.

COUNCILMEMBER McCoy made a motion to adopt an ordinance (recorded as No. 1986)
on second and final reading granting a Change in Zoning from Residential (R-3) to Business (B-1)
on property described as 0.330 acres of Block 1 in the Coldewey Addition as shown on the official
tax roll (for location reference only: 1107 W. Grand Ave.) Second was made by Councilmember
McMullen; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1987) on
second and final reading amending the City of Yoakum Code of Ordinances, specifically Chapter
13, Article III. Peddlers, Solicitors, and Itinerant Vendors, Section 13-51 as presented. Second was
made by Councilmember Faulkner; motion carried unanimously.
UNDER New Business, Mayor Rodriguez opened a public hearing to receive citizen comments on the following recommendations made by the Planning and Zoning Commission: 1) approval of a request for Change in Zoning from Residential (R-2) to Residential (R-4) at 408 Bingham St.; and 2) approval of a Specific Use Permit to operate a religious institution at 402 Lott St. The owner of the property located at 408 Bingham St. was not present. Mr. Daniel Naegle and Mr. Conrad Naegle were present representing the religious institution and Mr. and Mrs. Swaney were present as the property owners of 402 Lott St. to provide information and answer questions. Both requests are in compliance with the Future Land Use Plan. After receiving citizen comments and review of the information, the public hearing closed.

MOTION was made by Councilmember McCoy to adopt an ordinance (recorded as No. 1988) on first reading granting a Change in Zoning from Residential (R-2) to Residential (R-4) on property described as Lot 9 of Block 1133 in the Leo Tucker Addition as shown on the official tax roll (for location reference only: 408 Bingham St.) Councilmember McMullen seconded the motion; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1989) granting a Specific Use Permit to operate a religious institution for the property described as Part of Lots 11 & 12 of Block 1010 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 402 Lott St.) for a one-year period from the date of the first meeting. Motion was seconded by Councilmember Faulkner and carried unanimously.

CITY Manager Cook provided information to the Council regarding a proposed audit service for franchise payments. After discussion, Mayor Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2011-11) authorizing the City Manager to execute an agreement with Local Government Services, L.L.C. to conduct an audit of Time Warner Franchise payments. Second was made by Councilmember Faulkner. Motion carried unanimously.

DISCUSSION was held regarding the current Residential Brush Service policies and fees. The City Manager provided Council with information regarding the number of calls staff has received and the number of instances that fees have been charged since implementation of the new policy. Concerns were voiced regarding the increased stacks of limbs that are left from the wind storm in late May and the goal to keep Yoakum clean. After discussion, Council gave direction to City staff to pick up the small piles of limbs that are around the City that will take less than 15 minutes to complete, and contact the property owners where the piles are larger and fees may be an issue to provide them with the options available within our policies.

COUNCILMEMBER Faulkner made a motion to appoint members to the following City appointed Boards: Yoakum Heritage Museum Council Representative – Elorine Sitka for a one-year term; Planning and Zoning Commission for three-year terms – James Leist, Robert Zaruba, and Carol O’Neil; Library Board for two-year terms – Betty Borchers, Bob Putnam, Malissa Williams, and Patsy Kaiser; Construction Board of Adjustments and Appeals for three-year terms – E.L. Moore, Bill Natho, and Ken Kvinta. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

UNDER the City Manager’s report, in May the contractor for Phase II of the Sanitary Sewer Project installed approximately 1,082 linear feet of gravity sewer main. As of the end of May, approximately 33,221 linear feet of pipe has been installed, representing approximately 96% of the total bid quantities. The contractor is slightly behind on part of the required testing of lines and street repairs in some areas due to scheduling conflicts. The contractor has indicated that
additional employees will be brought in as soon as possible to complete the project. Completion dates on Phase II is estimated to be around the first week in August.

On Phase III of the Sanitary Sewer Project, the Environmental Assessment Document has been submitted to the Texas Water Development Board for their review and consideration. Staff has not received a response as of this date. The Environmental Assessment review by the Water Development Board is the final step in gaining approval for the environmental plan. Staff met with the engineers to review the draft plans for Phase III. The City will need to purchase a small portion of land for the lift station, secure easements from several property owners for line construction, and obtain permits from Union Pacific Railroad and the Texas Department of Transportation. Bid letting is anticipated for August. Bid documents will stipulate the City's right to increase or reduce the volume of work to keep the project within budget.

The City Manager informed the Council of the TML Region 11 Quarterly meeting scheduled for June 24, 2011 in Rockport, Texas.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:50 p.m. to discuss the possible appointment, or employment of a Fire/EMS Director and a Director of Public Works/Utilities (V.T.C.A, Gov. Code, Sec. 551.074). The meeting re-opened to the public at 7:10 PM with no action resulting from Executive Session.

There being no further business, the meeting closed at 7:10 PM.

CITY OF YOAKUM
TEXAS

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
June 27, 2011
Conference Room – 5:00 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

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

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

MAYOR Rodriguez called the City Council meeting to order and the meeting was opened to the public.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 5:00 p.m. to discuss the appointment, or employment of an Interim City Manager (V.T.C.A., Gov. Code, Sec. 551.074)

The meeting re-opened to the public at 5:35 p.m. Motion by Mayor Pro-Tem Sitka to appoint Mr. Al Veselka as Interim City Manager beginning July 18, 2011. Second was made by Councilmember McCoy and motion carried unanimously.

There being no further business, the meeting closed at 5:36 p.m.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:
Theresa A. Bowe, City Clerk

CITY OF YOAKUM
TEXAS
July 12, 2011
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
Calvin Cook ............................................................ City Manager
Charles J. Kvinta, Jr. ................................................ City Attorney
Theresa A. Bowe ........................................................ City Clerk

ABSENT: Timothy L. McCoy ........................................ Councilmember

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 and visitors were acknowledged and welcomed.

A motion was made by Councilmember Faulkner to adopt the minutes from the meeting of June 14, 2011 as presented. Second was made Mayor Pro-Tem Sitka. Motion carried unanimously.

UNDER Old Business, motion was made by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 1988) on second and final reading granting a Change in Zoning from Residential (R-2) to Residential (R-4) on property described as Lot 9 of Block 1133 in the Leo Tucker Addition as shown on the official tax roll (for location reference only: 408 Bingham St.). Motion was seconded by Councilmember Faulkner and carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 1989) on second and final reading granting a Specific Use Permit to operate a religious institution for property described as Part of Lots 11 & 12 of Block 1010 in the Yoakum Townsite Addition as shown on the official tax roll (for location reference only: 402 Lott St.). Second was made by Councilmember McMullen; motion carried unanimously.

UNDER New Business, Economic/Community Development Coordinator Patrick J. Kennedy was present to submit the Yoakum Economic Development Corporation's Annual Work Plan and Budget for Fiscal Year 2011-12 for review. After review and discussion, Councilmember McMullen made a motion to approve the Yoakum Economic Development Corporation Annual Work Plan and Budget for Fiscal Year 2011-12 as presented. Mayor Pro-Tem Sitka seconded the motion; motion carried unanimously.

THE Yoakum Rotary Club submitted a request to install a bench in the Front Street Railroad Park in honor of Earl Wyatt. After discussion, Councilmember Faulkner made a motion to approve the request made by the Yoakum Rotary Club. Second was made by Councilmember McMullen and motion carried unanimously.
MR. John Vogt submitted a request for a variance to the City of Yoakum Code of Ordinance and the Building Code to allow for columns to be placed in order to support an awning at 311 Front Street. Mr. Vogt was present to answer questions and provide information. The property owner stated that he is trying to renovate the building and wants to avoid anchoring the awning from above to the 100 year old bricks. All other building code and City Code stipulations will be met. After discussion, Mayor Pro-Tem Sitka made a motion to approve the request. Motion was seconded by Councilmember Faulkner and carried unanimously.

INFORMATION was provided to the Council regarding the new electric truck authorized for purchase in January. The vehicle has been purchased and delivered and staff requested authorization to advertise for the sale of the old unit to curtail the cost of the new unit. Motion by Councilmember Faulkner to authorize the City Manager to advertise for the sale of a TECO Aerial Unit as Electric Department surplus equipment. Second was made by Councilmember McMullen. Motion carried unanimously.

DISCUSSION was held regarding the Chisholm Trail Memorial Park topiaries repair and possible replacement. Director of Community Services Derrick Smith was present to provide suggestions and information for Council's review. Direction was given to staff to discontinue the refurbishing of the plant topiaries and research alternative displays. Research will be done and a recommendation be brought back to the Council at a later date.

MOTION was made by Councilmember Faulkner, seconded by Councilmember McMullen and carried unanimously to nominate the following individuals to the Golden Crescent Regional Planning Commission for the designated Advisory Committees for two-year terms:

Regional Economic Development Advisory Committee (REDAC)  
(DeWitt County) (Lavaca County)  
Tim Faulkner                Margie McMullen
Regional Environmental Communications Advisory Committee (RECAC)  
(DeWitt County) (Lavaca County)  
Arthur Rogers               Mark Herchek
Yvonne Rodriguez
Regional Environmental Resources Advisory Committee (RERAC)  
(DeWitt County)  
Jack Maloney
Gerard Novosad
Regional Health & Human Services Advisory Committee (RHHSAC)  
(DeWitt County)  
Zennith Stevens
Regional Homeland Security Advisory Committee (RHSAC)  
(Lavaca County)  
Mark Herchek
Regional Public Protection Advisory Committee (RPPC)  
(DeWitt County)  
Arthur Rogers

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 Faulkner; 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, Mayor Pro-Tem Sitka made a motion to nominate Joe Hermes, Mayor, City of Edna to the TML IEBP Board of Trustees. Second was made by Councilmember Faulkner. Motion carried unanimously.

UNDER the City Manager's report, all piping on Phase II of the Sanitary Sewer Project has been completed. The contractor is installing services at this time. Testing and videoing is continuing in a few areas. Staff anticipates completion in mid-to-late August. A response to the submitted environmental assessment for Phase III has not been received from the Texas Water Development Board as of this date. A request has been made to the engineers for a cost estimate on the final stage of the Sanitary Sewer Project. Staff will continue to work on gaining easements in the areas needed for Phase III and a small tract of land will be required to be purchased for another lift station. The goal is to bid Phase III out in September.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 6:32 p.m. to discuss the possible appointment, or employment of a City Manager (V.T.C.A, Gov. Code, Sec. 551.074). The meeting re-opened to the public at 7:15 PM with no action resulting from Executive Session.

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

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

Theresa A. Bowe, City Clerk

ATTEST:
BUDGET WORKSHOP 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: Charles J. Kvinta, Jr. ........................................... City Attorney

THE budget workshop meeting was called to order by Mayor Rodriguez with City Manager Calvin Cook, Fire/EMS Director Mark Herchek, Director of Public Works/Utilities 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 2011-2012 City of Yoakum Fiscal Year Budget.

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. Of note, rising fuel costs continue to be a factor in every department. Council gave direction to staff to present the proposed budget for Council consideration at the August meeting as explained.

THERE being no further business, the meeting closed at 6:40 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

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  
          A. J. Veselka .......................................................... Interim City Manager  
          Charles J. Kvinta, Jr. .............................................. City Attorney  
          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 was recited by all attending and visitors were acknowledged and welcomed.

A motion was made by Councilmember Faulkner to adopt the minutes from the meetings of June 27, 2011, July 12, 2011, and July 26, 2011 as presented. Second was made Councilmember McCoy. Motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to amend the minutes of the meeting of July 13, 2010 as follows: “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; Mayor Pro-Tem Sitka; motion carried unanimously.” Councilmember Faulkner seconded the motion; motion carried unanimously.

UNDER New Business, motion was made by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 1990) on first reading amending the City of Yoakum Code of Ordinances, specifically Chapter 15, Article II. Library as recommended by the Library Board. Motion was seconded by Councilmember McCoy and carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt a resolution (recorded as No. 2011-12) authorizing the Mayor to execute an agreement with the Texas Municipal League Intergovernmental Employee Benefits Pool for continuation of coverage administrative services. Second was made by Councilmember McMullen and motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to adopt an ordinance (recorded as No. 1991) on first reading amending the City of Yoakum’s 2011-2012 Fiscal Year Budget. Second was made by Councilmember Faulkner; motion carried unanimously.

ON motion by Councilmember McCoy, Council approved the 2011 Certified Tax Appraisal Roll for the City of Yoakum as certified by the DeWitt County Chief Appraiser. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.
A motion was made by Mayor Pro-Tem Sitka to establish the amount of debt service to be supported by the ad valorem tax levy at $110,000 and to establish the amount to be supported by utility revenue at $347,970 for Fiscal Year 2011-2012 for the payment of principal, interest and administrative fees, the 2004 General Obligation Bond Issue debt in the amount of $267,570, the 2006 Texas Water Development Board Certificates of Obligation debt in the amount of $75,400, and the 2008 Texas Water Development Board Certificates of Obligation debt in the amount of $115,000 for a total debt service of $457,970. Motion was seconded by Councilmember Faulkner and carried unanimously.

COUNCILMEMBER Faulkner made a motion that the property tax rate be increased by adopting an ordinance (recorded as No. 1992) on first reading adopting a tax rate of $.09278, which is effectively a 1.01% increase in the tax rate, allowing $.03207 for maintenance and operation and $.06071 for the payment of principal and interest on debt service. The proposed tax rate includes a 3% increase in Maintenance and Operation and an increase of $5,000 for debt service. Councilmember McCoy seconded the motion. Motion carried unanimously.

FOUR members of the Yoakum Economic Development Corporation Board of Directors were due for appointment. Annie Rodriguez, Tim Faulkner, and Arthur Hermann, III agreed to serve if re-appointed; Dr. Louis Boening declined re-appointment. Two names were provided as suggestions to replace Dr. Boening. A ballot was distributed to the Council, collected and tabulated by the City Attorney and City Clerk. With the results of the vote, Councilmember McCoy made a motion to appoint Annie Rodriguez, Tim Faulkner, Arthur Hermann, III, and Dave Talbott as Directors to the YEDC for two-year terms. Second was made by Councilmember McMullen and motion carried unanimously.

COUNCIL was presented with proposed new rates for the per-ton Solid Waste charges. The increase in charges reflects the increase in the solid waste transfer contract between the City of Yoakum and Texas Disposal Systems, Inc. The rate changes do not affect regular city residential and commercial customers. After review and discussion, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1993) on first reading amending the City of Yoakum Manual of Fees and Service Charges, Utilities, specifically Subsection VIII. Solid Waste Rates and Fees, Item F. Roll-Off Container Service Fee, and Subsection IX. Solid Waste Management Facility, Item F. Solid Waste Management Facility Rates. Motion was seconded by Councilmember Faulkner and carried unanimously.

MOTION was made by Councilmember McCoy and seconded by Councilmember McMullen to adopt a resolution (recorded as No. 2011-13) adopting a new Official Zoning Map which shall supersede all previous Official Zoning Maps. Motion carried unanimously.

IN accordance with Charter provisions, Interim City Manager Veselka made a recommendation to appoint City Clerk Theresa A. Bowe as Acting City Manager in his absence. Mayor Pro-Tem Sitka made a motion to approve the recommendation as presented. Second was made by Councilmember Faulkner and motion carried unanimously.

UNDER the City Manager’s report, City Clerk Bowe will be attending a meeting on August 11th with area election representatives and the Lavaca County Clerk regarding possible election procedure changes resulting from S. B. 100. The manholes for Phase II of the Sanitary Sewer Project are being installed. The contractor is concentrating on the streets included in the Street Improvement Project in order to be prepared for the Street contractor. Staff is still waiting on a response to the environmental assessment for Phase III that was sent to the Texas Water Development Board several months ago. The preliminary set of plans should be provided to staff next week and possibly go out for bid in September. ERCOT has requested assistance from the
public to lower electricity usage in order to alleviate power shortages. A CodeRED notification was sent out by City staff on August 8, 2011 informing citizens of the importance of conserving electricity. Lavaca County has issued a burn ban. The second Clean-Up Day is scheduled for October 1st. A planning meeting has been scheduled for 6:00 PM on August 23rd at the Yoakum Community Center. The Clean-Up Day held in March was a success and we hope to have as much participation in the October event. Limbs will be included in the clean up drive. A question was raised by Mayor Pro-Tem Sitka regarding the cleaning of alleys. Council was informed that volunteers may sign up to concentrate on certain locations, including alleys, if they choose. Council was informed of the Golden Crescent Regional Planning Commission’s 44th Annual General Assembly to be held on August 30, 2011 in Victoria, Texas, and the TML Annual Conference to be held in Houston, Texas this year from October 12 – 14, 2011. A “Thank You” card was presented to the Council from the family of Retiree Raymond Caballero who passed away in August. A letter was received from the Golden Crescent Regional Planning Commission informing Council of an informational meeting regarding Eagle Ford Shale. The meeting will be held on August 31st in Devine, Texas between 10:00 AM and 2:00 PM if Council would like to attend. Director of Public Works/Utilities Jack Maloney and Interim City Manager Veselka will be attending a meeting with GFS Electric Coop on August 10th. Mayor Rodriguez announced that the Yoakum Community Health Center did not get funded; however the organizers will continue to work on the project for the Yoakum area. Council was reminded of the Special Meeting scheduled for August 31, 2011 at 4:30 PM to be held at the City Hall Conference Room.

There being no further business, the meeting closed at 6:38 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

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

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

ABSENT: Margie McMullen ................................................... Councilmember
        A. J. Veselka ....................................................... Interim City Manager
        Charles J. Kvinta, Jr .............................................. City Attorney

THE Special Meeting was called to order by Mayor Rodriguez with Director of Public Works/Utilities Jack Maloney, Code Enforcement Officer Adam Findenisen, and Deputy City Clerk Gena Jiral in attendance. Visitors were acknowledged and welcomed.

MAYOR Rodriguez expressed the gratitude of the Council to the Yoakum Area Chamber of Commerce for the use of the facility, introduced the Councilmembers present and acknowledged City staff. Mayor Rodriguez touched on the foundation and design of the Clean Up Yoakum Program.

COUNCILMEMBER Faulkner was asked to speak in support of the Program. Councilmember Faulkner expressed the sense of unity and sense of pride that the Program instills. He encouraged limbs to be called in to be picked up on the October 1st Clean Up Day in order to continue to polish the community’s appearance. City Clerk Bowe was asked to speak on the logistics of the program.

INFORMATION was provided by City Clerk Bowe regarding the registering of volunteers, receipt of pick up requests, and the division of the work on Clean Up Day. Requests will be received by City staff between September 1st and September 23rd, giving staff the week of September 26th to coordinate the addresses with the appropriate volunteer groups according to the equipment and number of helpers. Certain contractors will be allowed to pick up items such as refrigerators and other metal items. City staff will be organizing and directing the volunteers that bring items to the Transfer Station to ensure that debris is placed in the appropriate locations. Questions were received, specifically whether tires will be accepted. Vehicle tires will be accepted again this year. Volunteer groups that would like to assist property owners in cleaning up on private property were informed of the “right-of-entry” agreements that will be available should they choose to have the property owner sign one.

MAYOR Rodriguez announced that refreshments will be available at the Yoakum Community Center at 8:00 on the morning of October 1st and all volunteers are asked to report to that location to receive instructions.

MAYOR Pro-Tem Sitka was asked to address the meeting. She encouraged the attendees to promote the program through word of mouth and continue to work toward bettering our community.
MAYOR Rodriguez reminded everyone that this program is City wide, not just for the downtown area, and that items will not be accepted from outside the City limits.

THERE being no further business, the meeting closed at 6:11 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
August 31, 2011
Conference Room – 4:30 PM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

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

ABSENT: None

MAYOR Rodriguez called the City Council meeting to order and the meeting was opened to the public.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 4:30 p.m. to discuss the appointment, or employment of a City Manager (V.T.C.A., Gov. Code, Sec. 551.074 – Personnel Matters).

The meeting re-opened to the public at 6:40 p.m. No action resulted from Executive Session.

There being no further business, the meeting closed at 6:40 p.m.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

CITY OF YOAKUM
TEXAS
REGULAR MEETING OF THE CITY COUNCIL

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

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

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

A motion was made by Mayor Pro-Tem Sitka to adopt the minutes from the meetings of August 9, 2011, August 23, 2011, and August 31, 2011 as presented. Second was made Councilmember Faulkner. Motion carried unanimously.

UNDER Old Business, Councilmember Faulkner made a motion to adopt an ordinance (recorded as No. 1990) on second and final reading amending the City of Yoakum Code of Ordinances, specifically Chapter 15, Article II. Library as recommended by the Library Board. Councilmember McCoy seconded the motion. Motion carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments on the proposed 2011-2012 City Budget. Interim City Manager Veselka provided information to the Council regarding the budget. The General Fund Budget as presented is $5,714,630, the Utility Fund Budget is $10,668,870 and the Airport Budget is $11,200 for a total 2011-2012 Fiscal Year Budget in the amount of $16,394,700. Hearing no citizen comments, the public hearing was closed. Councilmember McCoy made a motion to adopt an ordinance (recorded as No. 1991) on second and final reading adopting the 2011-2012 City Budget. Second was made by Councilmember Faulkner; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion that the property tax rate be increased by the adoption of an ordinance (recorded as No. 1992) on second and final reading setting the 2011 Tax Rate for the City of Yoakum of $0.09278, which is effectively a 1.01% increase in the tax rate. Second was made by Councilmember Faulkner and motion carried unanimously.

MOTION was made by Councilmember McCoy to adopt an ordinance (recorded as No. 1993) on second and final reading amending the City of Yoakum Manual of Fees and Service Charges, specifically the Utilities section, Subsection VIII. Solid Waste Rates and Fees, Item F. Roll-Off Container Service Fee, and Subsection IX. Solid Waste Management Facility, Item F. Solid Waste Management Facility Rates. Second was made by Councilmember Faulkner. Motion carried unanimously.
UNDER New Business, Mayor Rodriguez opened a public hearing to receive citizen comments on a recommendation made by the Planning and Zoning Commission to approve a request to establish a Planned Unit Development (PUD) to allow the operation of a recreational vehicle and manufactured home park and a public laundry at 900 Old Shiner Road. Representatives were not present. Interim City Manager Veselka provided information regarding the request. The request is in compliance with the Future Land Use Plan. After review of the information and receiving no citizen comments, the public hearing closed.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1994) on first reading approving the establishment of a Planned Unit Development (PUD) to allow the operation of a recreational vehicle and manufactured home park and a public laundry on property described as 13.85 acres of Abstract 29 in the John May Addition as shown on the official tax roll (for location reference only: 900 Old Shiner Road). Motion was seconded by Councilmember Faulkner and carried unanimously.

RYAN Cunningham with Southwest Securities was present to provide information to the Council regarding a possible refinancing of the 2004 Series General Obligation Bonds. Currently the City is paying 3.34% interest on the bonds; if refinanced at this time, the interest rate will drop to 1.31%. Ryan also suggested reducing the number of months that the bonds are financed for by six (6) months, which will also lower the amount of interest paid. If approved the closing will be held on October 13, 2011. After review and discussion, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1995) on first and final reading authorizing the issuance of "CITY OF YOAKUM, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011", levying an annual ad valorem tax, within the limitation prescribed by law, for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds; authorizing the execution of a paying agent/registrar agreement, a purchase and investment letter, and an escrow deposit letter; complying with the provisions of the depository trust company's letter of representations; and providing an effective date. Second was made by Councilmember McCoy. Motion carried unanimously.

AFTER review and discussion, Councilmember Faulkner made a motion to approve a revised Crisis Management Plan for the City of Yoakum Municipal Swimming Pool as recommended by staff. Mayor Pro-Tem Sitka seconded the motion; motion carried unanimously.

DISCUSSION was held regarding a Texas Department of Transportation Routine Airport Maintenance Program grant agreement. As presented, the agreement provides that the cost of routine weed control will be split between TxDOT and the City of Yoakum. It also indicates that an additional $5,000 may be available for other maintenance issues. Staff spoke with Jim Pohl of TxDOT District 13, who recommended executing the agreement as it has been presented and if funds become available for the additional maintenance, another agreement would not be necessary. Councilmember McCoy made a motion to authorize the City Manager to execute a Texas Department of Transportation Routine Airport Maintenance grant agreement. Motion was seconded by Councilmember Faulkner and carried unanimously.

COUNCILMEMBER Faulkner made a motion to authorize the charge-off of listed ambulance and utility account receivables: ambulance accounts in the amount of $52,351, and utility accounts in the amount of $34,139. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2011-14) nominating Conyetta Gaus-Swaney for the DeWitt County Appraisal District’s Board of Directors. Councilmember Faulkner seconded the motion; motion carried unanimously.
A ballot was considered for the Texas Municipal League Intergovernmental Employee Benefits Pool of Region 11 Board of Trustees. Councilmember Faulkner made a motion to authorize the Mayor to execute a certificate casting a vote for the Incumbent, Mayor Joe Hermes of Edna, Texas. Second was made by Councilmember McCoy. Motion carried unanimously.

MOTION was made by Mayor Pro-Tem Sitka to execute an Interlocal Agreement for E9-1-1 Service with the Golden Crescent Regional Planning Commission as presented. Motion was seconded by Councilmember Faulkner and carried unanimously.

UNDER the City Manager’s report, Phase II of the Sanitary Sewer Replacement Project is coming along nicely. The target completion date at this time is mid-October. The engineers have advised that the environmental assessment has been received from the Texas Water Development Board for Phase III of the Sanitary Sewer Replacement Project, and the surveying has been completed, as well. Moving forward well on Phase III. No target date has been determined at this time; however, staff and the City Attorney will proceed with acquiring needed easements and property. The City’s 2nd Clean Up Day is scheduled for October 1st. Flyers were provided for the Council. Staff will be coordinating volunteers; tires and tree limbs will be included in the pick up. Mr. Veselka provided information to the Council regarding the TML Region 11 meeting scheduled for September 29, 2011 in Port Lavaca, Texas. The City’s Annual Service Awards Barbeque is scheduled for September 22, 2011 at the Yoakum Community Center. The Bi-Annual Accident/Incident Analysis was reviewed. The Analysis helps to identify safety issues and trends that help staff make corrective action to help ensure the safety of employees. The Annual Street Seal Coat Project is currently in progress. A map and a list of the streets to be included were provided for review. The contractor intends to be in Yoakum on Wednesday, Thursday, and Friday of next week to complete the project. Staff attempted to concentrate on the streets included in the Sanitary Sewer Project; however, those streets that have not been finalized in the Sewer project will not be seal coated at this time. The Police and Fire Departments have been made aware of the streets that will be affected by the street improvement project. Information was sent to the newspaper to notify the public, and flyers have been placed on vehicles along the affected streets. Wendel Motors, Inc. will hold an Open House on Friday, September 16, 2011 from 10:00 AM to 12:00 PM in celebration of a newly re-modeled facility.

There being no further business, the meeting closed at 6:40 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
         Tim Faulkner ............................................................ Councilmember
         Timothy L. McCoy ...................................................... Councilmember
         A. J. Veselka .............................................................. Interim City Manager
         Theresa A. Bowe ......................................................... City Clerk
         Charles J. Kvinta, Jr. ..................................................... City Attorney

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

MAYOR Rodriguez called the City Council meeting to order and the meeting was opened to the public.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 4:33 p.m. to discuss the appointment, or employment of a City Manager (V.T.C.A., Gov. Code, Sec. 551.074 – Personnel Matters), and to discuss an electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086).

The meeting re-opened to the public at 5:55 p.m. The following action resulted from Executive Session: Motion by Councilmember Faulkner to distribute a refund from Lower Colorado River Authority wholesale power as follows: 80% shall be credited to the current electrical customers equally; and 20% shall be placed in the capital reserve fund for the meter replacement project. Motion was seconded by Councilmember McCoy and carried unanimously.

There being no further business, the meeting closed at 5:56 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
          Tim Faulkner ................................................. Councilmember
          Margie McMullen .............................................. Councilmember
          A. J. Veselka .................................................. Interim City Manager
          Charles J. Kvinta, Jr. ......................................... City Attorney
          Theresa A. Bowe .............................................. City Clerk

ABSENT: Timothy L. McCoy ........................................... Councilmember

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. No visitors were present.

A motion was made by Councilmember Faulkner to adopt the minutes from the meetings of September 13, 2011, and September 27, 2011 as presented. Second was made Councilmember McMullen. Motion carried unanimously.

UNDER Old Business, Mayor Rodriguez opened a public hearing to receive citizen comments on the Planning and Zoning Commission’s recommendation for approval to establish a Planned Unit Development (PUD) to allow the operation of a recreational vehicle and manufactured home park and a public laundry at 900 Old Shiner Road. Representatives were not present. There being no comments from the public, the public hearing closed.

MAYOR Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1994) on second and final reading approving the establishment of a Planned Unit Development (PUD) to allow the operation of a recreational vehicle and manufactured home park and a public laundry on property described as 13.85 acres of Abstract 29 in the John May Addition as shown on the official tax roll (for location reference only: 900 Old Shiner Road). Second was made by Councilmember Faulkner and motion carried unanimously.

UNDER New Business, after review of the recommendations for the Yoakum Community and the early warning alert systems that are currently utilized by the City of Yoakum, Councilmember Faulkner made a motion to adopt a resolution (recorded as No. 2011-15) acknowledging participation in a Hazard Mitigation Plan Update for the Guadalupe-Blanco River Authority (GBRA) and approving and adopting GBRA’s Hazard Mitigation Plan as approved by the State of Texas (Texas Division of Emergency Management) and the Federal Emergency Management Agency (FEMA). Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

DETAILS were provided regarding the October 1st Clean Up Day activities as stipulated in the City’s Strategic Plan. Approximately 20.12 tons of various types of debris, 70.24 cubic yards of brush, 44.86 cubic yards of lumber and 1,076 tires were removed from the community. The organizations that participated brought hardworking volunteers; pick up and disposal of the items went very smoothly. Discussion was held regarding brush and tires being included in the pick up process. After discussion, Mayor Rodriguez appointed Councilmembers Faulkner and McCoy to a committee to review the Clean Up activities and report back to Council at the December 2011 Council meeting.

BIDS for the rodeo grounds bleachers were reviewed. Two (2) bids were received: Sturdisteele Company of Waco, Texas submitted a bid in the amount of $92,674.00; and Miracle Park Place Recreation Designs, Inc. of San Antonio, Texas in the amount of $136,578.53. After review and discussion,
Councilmember Faulkner made a motion to award the bid to Sturdisteele Company of Waco, Texas in the amount of $92,674. Motion was seconded by Councilmember McMullen and carried unanimously.

BID tabulation for a backhoe for the Water/Wastewater Department was presented. Information was also provided regarding a damaged backhoe. A backhoe had been budgeted for the 2011-2012 Fiscal Year, and the current backhoe was to be transferred to the Solid Waste Department. After the damage, the current backhoe is unusable and the cost of repair would actually be more than the value of the machine. Staff recommended purchase of the budgeted backhoe. After discussion, Mayor Pro-Tem Sitka made a motion to authorize the City Manager to purchase a Case 580N Loader/Backhoe from the low bidder, HGAC of Victoria, Texas through the BuyBoard contract, in the amount of $56,671 as approved in the 2011-2012 Fiscal Year Budget for the Water/Wastewater Department. Second was made by Councilmember Faulkner. Motion carried unanimously. Council directed staff to investigate other avenues of repair on the damaged backhoe.

DISCUSSION was held regarding policy and fees for the hanging of banners by City Crews for individuals/organizations. Information was provided concerning the conflicting information in the City's Code of Ordinances. Issues discussed included: certain ordinances that are in conflict with each other; fees charged for organizations that are not public entities; and placement of the signs for public entities. Mayor Rodriguez gave direction to the Council to provide any suggestions regarding this issue to be directed to the City Clerk for compilation and presentation to be considered at the November 2011 Council meeting.

AFTER review, Mayor Pro-Tem Sitka made a motion to adopt an ordinance (recorded as No. 1996) on first reading amending the Fiscal Year 2010-2011 Budget Ordinance No. 1973. Councilmember McMullen seconded the motion. Motion carried unanimously.

COUNCIL was provided information regarding a telephone system upgrade to better serve the public and maintain a high level of employee productivity. The system upgrade could provide for voice mail, automated answering services for customers to select their desired department, remote access to switch to emergency utility services on holidays, and additional phone lines and telephones for access by staff when the employees are away from their desks. After discussion, staff was given direction to research the possibility of accessing only the remote access and additional phone lines.

AFTER a review of the City’s Investment Policy, motion was made by Mayor Pro-Tem Sitka to adopt a resolution (recorded as No. 2011-16) adopting a current Investment Policy for the City of Yoakum. Second was made by Councilmember Faulkner. Motion carried unanimously.

DISCUSSION was held regarding the annual review of the City's current Identity Theft Program/Policy. New laws were implemented limiting the application of the rules to “creditors that use or report information to consumer reporting agencies.” A city department that does not use consumer reports and does not report information to consumer reporting agencies is no longer required by Federal law and rule to have an identity theft policy. Staff recommended continuing the Identity Theft Prevention Program/Policy and requested direction from Council regarding reporting delinquent accounts to the consumer credit reporting agencies in an effort to assist in bad debt collection. After discussion, Councilmember McMullen made a motion to approve the City of Yoakum Identity Theft Prevention Program/Policy and gave direction to staff to have the collection agency report bad debts to the credit bureaus. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

THE Yoakum Area Chamber of Commerce submitted a request for the closing of certain portions of West Grand Avenue for Christmas activities on December 2, 2011. Council was informed of a tentative schedule including the lighting of Centennial Park on November 18, 2011, and the placement of the Christmas Tree at the end of West Grand Avenue by City crews on November 28, 2011. The cost to the City will be approximately $1,380 for personnel and equipment for the December 2nd event, and approximately $1,643 for the placement of the tree. After review of the requested street closures, Councilmember Faulkner made a motion to approve the request from the Yoakum Area Chamber of Commerce to close certain portions of West Grand Avenue for Christmas activities on December 2, 2011 as requested. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.
INFORMATION on the City of Yoakum 2011 Tax Roll with a calculated tax levy of $168,100.42 was presented as submitted by DeWitt County Tax Appraisal District. After review, Councilmember McMullen made a motion to accept the City of Yoakum 2011 Tax Roll as presented by the DeWitt County Tax Appraisal District. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

ON motion by Councilmember Faulkner and second by Mayor Pro-Tem Sitka a resolution (recorded as No. 2011-17) was adopted nominating John Fling for the Lavaca County Appraisal District's Board of Directors. Motion carried unanimously.

APPOINTMENT of Maggie Jahn and Wayne Rudolph to the Yoakum Oak Grove Cemetery Association Board was made on motion by Mayor Pro-Tem Sitka and second by Councilmember Faulkner. Motion carried unanimously.

UNDER the City Manager's report, a letter was provided for Council's review from Time Warner informing the City that the company will be adding additional programming and improving internet speed effective November 14, 2011.

The closing on the General Obligation Refunding Bonds in the amount of $995,000 which Council approved last meeting will be held on October 13, 2011.

Staff continues to work on closing out Phase II of the Sanitary Sewer Project. Final payment on the project is anticipated in October. Approval has been received by all of the appropriate State agencies and the City's engineers.

On Phase III of the Sanitary Sewer Project the City is in receipt of all the needed easement information. Staff will begin the easement acquisition process. There are actually five (5) parcels of property that staff will be working toward gaining easements on. Questions were received and answered.

Mayor Joe Hermes of Edna, Texas was elected to the Texas Municipal League Intergovernmental Employee Benefits Pool Board of Trustees representing Region 11.

News item and photos of the Clean Up Day from October 1st were provided for the Council's information.

Construction will begin within the next two (2) weeks on the Fire Department's new building on Nelson Street. McKee Construction has been retained as a contractor on that project, and City staff has completed the preliminary ground work.

Information was provided regarding damage to an electric pole and transformer in the 700 block of Cecilia Street. On October 4, 2011 a freight delivery truck driving down Cecelia Street apparently caught a low hanging television cable tearing down the pole and transformer. Witnesses state that the truck left the scene; police are investigating. Cost of damages is currently approximately $5,500.

EXECUTIVE Session was not entered into. There being no further business, the meeting closed at 7:20 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
          Tim Faulkner  Councilmember
          Timothy L. McCoy  Councilmember
          Margie McMullen  Councilmember
          A. J. Veselka  Interim City Manager
          Theresa A. Bowe  City Clerk
          Charles J. Kvinta, Jr.  City Attorney

ABSENT:  None

MAYOR Rodriguez called the City Council meeting to order and the meeting was opened to the public.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 4:30 PM to discuss the appointment, or employment of a City Manager (V.T.C.A., Gov. Code, Sec. 551.074 – Personnel Matters), and to discuss an electric utility-related matter (V.T.C.A., Gov. Code, Sec. 551.086).

THE meeting re-opened to the public at 6:20 PM. No action resulted from Executive Session. There being no further business, the meeting closed at 6:20 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
            Tim Faulkner ........................................................... Councilmember
            Timothy L. McCoy ....................................................... Councilmember
            Margie McMullen ......................................................... Councilmember
            A. J. Veselka ................................................................. Interim City Manager
            Theresa A. Bowe ........................................................... City Clerk

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

MAYOR Rodriguez called the City Council meeting to order and the meeting was opened to the public.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 8:30 AM to discuss the appointment, employment, or evaluation of a City Manager (V.T.C.A., Gov. Code, Sec. 551.074 – Personnel Matters).

THE meeting re-opened to the public at 4:50 PM. No action resulted from Executive Session. There being no further business, the meeting closed at 4:50 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk

October 22, 2011
Conference Room – 8:30 AM
City Hall
SPECIAL MEETING OF THE CITY COUNCIL

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

ABSENT:       None

MAYOR Rodriguez called the City Council meeting to order and the meeting was opened to the public.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 8:30 AM to discuss the appointment, employment, or evaluation of a City Manager (V.T.C.A., Gov. Code, Sec. 551.074 – Personnel Matters).

THE meeting re-opened to the public at 4:30 PM. No action resulted from Executive Session. There being no further business, the meeting closed at 5:15 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  
Tim Faulkner .......................................................... Councilmember  
Timothy L. McCoy .................................................. Councilmember  
Margie McMullen .................................................. Councilmember  
A. J. Veselka .......................................................... Interim City Manager  
Charles J. Kvinta, Jr. ........................................... City Attorney  
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.

COUNCIL entered into Executive Session at 6:00 PM to discuss the appointment, employment, or evaluation of candidates for the position of City Manager (V.T.C.A., Gov. Code, Sec. 551.074). The meeting reopened to the public at 6:50 PM.

VISITORS were acknowledged and welcomed.

MOTION was made by Councilmember Faulkner to adopt the minutes from the meetings of October 11, October 19, October 22 and November 1, 2011 as presented. Second was made Mayor Pro-Tem Sitka. Motion carried unanimously.

UNDER Old Business, Councilmember McMullen made a motion to adopt an ordinance (recorded as No. 1996) on second and final reading amending Fiscal Year 2010-2011 Budget Ordinance No. 1973. Motion was seconded by Councilmember McCoy and carried unanimously.

STAFF provided an update regarding the research on Chapter 5 of the Code of Ordinances referring to the hanging of banners. During the review process, staff became aware additional items within that Chapter that may need to be addressed. Staff recommended that the items be researched further. Council gave direction to continue the research and provide information at the December meeting.

AS directed at the October Council meeting, City Clerk Bowe contacted James Teleco regarding utilization of the remote access to the telephone system oppose to the complete system that would allow for automated answering of the City phone lines. The representative from James Teleco indicated that there is not a separate system that only allows for remote access; however did state that the system quoted is programmable to enable or disable features as needed. After discussion, Councilmember McCoy made a motion to approve the purchase of a telephone system upgrade and additional equipment in an amount not to exceed $3,500. Second was made by Councilmember McMullen; motion carried unanimously.

UNDER New Business, Mr. Carrol W. Lake representing TD Water Resource Management, LLC was present to propose the purchase of effluent wastewater from the City's
Wastewater Treatment Plant. Details were discussed. TD Water Resource is requesting a 5 year contract for 500,000 gallons per day and will be responsible for paying for any infrastructure, and all permits through TCEQ. Mayor Rodriguez informed Mr. Lake that the City is currently in negotiations with Longbranch Energy for effluent wastewater, and no action would be taken until all negotiations were complete.

CITIZENS were present to discuss disposal wells being drilled in the Yoakum area. Dr. Sandra Bergey addressed the Council regarding the concerns of those present; specifically the increase in truck traffic, the possibility of spills from the tankers carrying the chemicals to be disposed of, damage to the roads, diesel exhaust, and possible contamination of drinking water by the chemicals disposed of. Suggestions included re-routing truck traffic around the City, designating hours of permissible operation, or researching emerging recycling technologies that may alleviate the need to dispose of the material being placed in the wells. Council directed staff to research possibilities and provide options regarding the issues discussed.

MAYOR Pro-Tem Sitka made a motion to adopt a resolution (recorded as No. 2011-18) casting the City of Yoakum's 25 available votes to John Fling for the Lavaca County Appraisal District's Board of Directors. Second was made by Councilmember Faulkner. Motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt a resolution (recorded as No. 2011-19) casting the City of Yoakum’s 15 votes to Conyetta Gaus-Swaney for the DeWitt County Appraisal District's Board of Directors. Motion was seconded by Councilmember McCoy and carried unanimously.

INFORMATION was provided and a motion was made by Councilmember McCoy to authorize the Mayor to sign a Property Permanent Loan Form for the transfer of an Emergency Evacuation Tracking Management System to Lavaca County Emergency Management. Second was made by Councilmember McMullen; motion carried unanimously. Since the City of Yoakum is included in Lavaca County's Emergency Management Plan and an Interlocal Agreement is in place between the two entities, the Tracking System would be available for use by the City, should the need arise.

REVIEW was held of a revised City of Yoakum Personnel Manual. After discussion, Mayor Rodriguez expressed appreciation to staff for the work that went into the document. Councilmember Faulkner made a motion to approve the revised City of Yoakum Personnel Manual as presented. Councilmember McCoy seconded the motion. Motion carried unanimously.

COUNCIL was provided information regarding a membership/license agreement with the Texas Department of Agriculture for the GO TEXAN Program which has allowed the City of Yoakum to utilize the GO TEXAN logo and catch phrases over the last few years, and also made the City eligible for grant funds through the Program. In the past, the Program has provided the agreement free of charge. Recently, the Department of Agriculture has changed its policy and a fee has been attached for use of the logo and catch phrases. Also funding has been curtailed for grant funds that had previously been available. After discussion, Mayor Pro-Tem Sitka made a motion to decline the membership license. Second was made by Councilmember Faulkner; motion carried unanimously.

UNDER the City Manager's report, three bids were received for the 2011 Brush/Lumber Grinding contract: S&M Businesses, Inc. dba Austin Land Service dba Austin Wood Recycling of Cedar Park, Texas was the low bidder and was awarded the contract. The National Emergency
Alert System will be tested tomorrow, November 9, 2011 at 1:00 PM to be broadcast over all radio and television stations. The Fire Department has responded to spills of drilling mud on City streets from large trucks hauling unsecured loads through town. Fire Department personnel washed and swept down the streets in order to alleviate the smell and traffic hazards. Staff is requesting citizen assistance to identify these vehicles; anyone witnessing spills of this nature is asked to contact the Police Department and give the direction and description of the vehicle. McKee Construction was to begin construction of the new Fire Department Training Facility last month; unfortunately there were scheduling issues and the construction should begin next week. Copies of “thank you” letters to City employees (Kathy Peoples – Police Department, Steven Stary – Fire Department, and other Fire Department Personnel) were provided for Council review. The letters indicated appreciation from a citizen who had been trapped under a piece of farm equipment and wanted to express her gratitude to each of them for their part in her rescue. The City received notice that LCRA will be filing for a rate increase through the Public Utility Commission. Copies of the letter were presented for Council review. Texas Gas Service also provided verbal notice of a rate increase request to the Railroad Commission. Interim City Manager Veselka informed the Council that information was being gathered by Director of Public Works/Utilities Jack Maloney regarding the damaged backhoe. Staff is not prepared to make a recommendation on that piece of equipment at this time; however, the older backhoe that had been utilized at the Transfer Station is being repaired. Council was informed that City offices will be closed on Friday, November 11, 2011 in observance of Veteran’s Day.

MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:33 PM to discuss the appointment, employment, or evaluation of a City Manager (V.T.C.A., Gov. Code, Sec. 551.074 – Personnel Matters).

THE meeting re-opened to the public at 7:50 PM. Action resulting from Executive Session: Councilmember McCoy made a motion to hire Kevin Coleman for the position of City Manager effective December 12, 2011. Motion was seconded by Councilmember Faulkner and carried unanimously. There being no further business, the meeting closed at 7:50 PM.

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

ATTEST:

Theresa A. Bowe, City Clerk
December 13, 2011
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
A. J. Veselka .............................................................. Interim City Manager
Kevin Coleman .......................................................... City Manager
Charles J. Kvinta, Jr. ................................................... City Attorney
Theresa A. Bowe .......................................................... City Clerk

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

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.

OATH of office was administered to the Kevin Coleman as the new City Manager by the City Clerk.

MOTION was made by Councilmember Faulkner to adopt the minutes from the meeting of November 8, 2011 as presented. Second was made Mayor Pro-Tem Sitka. Motion carried unanimously.

UNDER Old Business, a motion was made by Councilmember McCoy to adopt an ordinance (recorded as No. 1997) on first reading amending Chapter 5 of the Yoakum Code of Ordinances regarding Article I; in General; Specifically Sections 5-3. Billboards and Signs-Projecting Over Streets; 5-7. Temporary For Public Events; and 5-10. Parabolic or Dish-Type Antennae, as presented. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

RICK Bishop with the local HEB Pantry presented the Annual Christmas Cake to the Council as a token of appreciation to the City; on behalf of HEB, Mr. Bishop wished the Council and City staff a Merry Christmas.

AS directed, Staff provided information regarding action that may be taken concerning disposal injection wells to be drilled in the Yoakum area. According to the Texas Department of Transportation, the City can only designate a truck route if the entire route is inside City limits. Staff also contacted Charlotte Krause with the Pecan Valley Water District for insight on procedures utilized by that organization. PWVD addresses these types of wells on a case-by-case basis and sends letters of opposition as deemed necessary to the Railroad Commission. A resolution was presented for Council’s consideration in opposition of disposal injection wells. After discussion, Council concurred that there is not enough information to justify opposing the injection wells, no evidence that the wells affect the drinking water, and that the Council does not want to discourage industry. No action was taken.
COUNCIL received information from the committee appointed to the Strategic Plan Clean-Up Day Initiative. As a result of the meetings with staff, volunteers and between the two appointees, a recommendation was made to continue on the same schedule as last year. A draft letter was presented by Councilmember McCoy to be sent out to volunteers. Possible changes may be considered regarding the acceptance of commercial tires, and the committee is suggesting opening the services for brush collection. A suggestion was made to review and revise the brush policy to reverse the requirement for citizens to call in for brush pick-up. Council gave direction to staff to provide an action item for the January agenda. After discussion, Mayor Pro-Tem Sitka made a motion to appoint Councilmembers McCoy and Faulkner as co-chairpersons of the City Wide Clean Up Program. Second was made by Mayor Rodriguez. Motion carried unanimously.

UNDER New Business, information was provided by Director of Public Works/Utilities Jack Maloney regarding the need for an additional employee at the Transfer Station. Questions were presented and addressed. After discussion, Mayor Pro-Tem Sitka made a motion to authorize an additional employee in the Solid Waste Department for the operation of the Transfer Station. Second was made by Councilmember McCoy. Motion carried unanimously.

AFTER review of a recommendation made by City staff, Councilmember Faulkner made a motion to authorize the City Manager to utilize Equipment Reserve funds to purchase an unbudgeted backhoe to replace a backhoe for the Public Works Department in the amount of $27,042 after trade-in from Nueces Power Equipment of Victoria, Texas. Motion was seconded by Councilmember McCoy and carried unanimously.

COUNCILMEMBER Faulkner made a motion to accept the Yoakum Economic Development Corporation Annual Report as presented. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

DISCUSSION was held regarding the Hub City RV Park fees and procedures. After review, Councilmember Faulkner made a motion to adopt an ordinance (recorded as No. 1998) on emergency reading amending the City of Yoakum Manual of Fees and Service Charges specifically Subsection IV. Parks/Recreation Policies and Fees, Item H. Recreational Vehicle Regulations and Fees of the General Section. Motion was seconded by Councilmember McCoy and carried unanimously.

AN ordinance was presented for consideration amending the City of Yoakum Manual of Fees and Service Charges for various sections. After review and discussion, Councilmember Faulkner made a motion to adopt an ordinance (recorded as No. 1999) on first reading amending the City of Yoakum Manual of Fees and Service Charges specifically Subsections IX. Solid Waste Management Facility, Item C. Materials Not Accepted in Facility, V. Miscellaneous, Items 8), 26), and 27a) of the General Section except that the fee for hanging of the banners and signs should be reduced from $400 as recommended by staff to $200. Second was made by Mayor Pro-Tem Sitka and motion carried unanimously.

COUNCILMEMBER Faulkner made a motion to adopt an ordinance (recorded as No. 2000) on first reading continuing a Records Management Program to be administered by a Records Management Officer. Mayor Pro-Tem Sitka seconded the motion. Motion carried unanimously.

INFORMATION was provided regarding the purchase of the COPsync Program as budgeted. Police Chief Arthur Rogers was present to provide information and answer questions. After discussion, Councilmember McCoy made a motion to authorize the City Manager to purchase
the COPsync Program as budgeted and to enter into a services agreement with COPsync, Inc. of Dallas Texas. Second was made by Mayor Pro-Tem Sitka; motion carried unanimously.

A letter from Rachel Rodriguez, President of the Helping Hands and Hearts of Yoakum was provided for Council's consideration offering a donation of two (2) live oak trees to be planted in the Front Street Railroad Park in memory of Delores Sengelmann and Earl Wyatt. After discussion, Mayor Pro-Tem Sitka made a motion to approve receipt of the donated trees in memory of the individuals subject to the trees and flat markers being placed at the discretion of City staff and the approved concept drawing of Front Street Railroad Park in order to maintain the appropriate landscape for both parks. Motion was seconded by Councilmember McCoy and carried unanimously.

COUNCIL received a request from citizens for approval of a hayride to be held on December 17, 2011. After review of the information and recommendation provided by staff, Mayor Pro-Tem Sitka made a motion to authorize a hayride to be held on December 17, 2011 contingent upon a safety vehicle following the open-bed vehicle. Second was made by Councilmember Faulkner and motion carried unanimously.

MAYOR Rodriguez opened a public hearing to receive citizen comments on Tex. Tax Code. §11.253 regarding the local option to tax goods-in-transit. Information was provided by Interim City Manager Veselka. The goods-in-transit tax does not apply to Yoakum at this time, however, the option to utilize this tax must be taken before December 31, 2011. If the Council chooses not to adopt this tax, there will not be an opportunity at a later date to revisit the option. Should the Council adopt the tax option and at a later date feel it should be waived, it may be rescinded or waived. There being no comments received from the public, the public hearing closed.

MOTION by Mayor Pro-Tem Sitka to adopt a resolution (recorded as No. 2011-20) approving the taxation of goods-in-transit. Second was made by Councilmember McCoy. Motion carried unanimously.

COUNCILMEMBER McCoy made a motion proclaiming the month of January as School Board Recognition Month. Councilmember Faulkner seconded the motion; motion carried unanimously. Mayor Pro-Tem Sitka will present to the Yoakum ISD School Board at their January meeting.

UNDER the City Manager's report, Interim City Manager Veselka introduced Mr. Mark Heidaker, Mr. Steven Bonjunic, and Mr. Sean Kennedy with NuWater Solutions, LLC of The Woodlands, Texas who asked to make a presentation to the Council at their January 2012 meeting regarding the purchase of the City's effluent water. McKee Construction has poured the foundation for the new Volunteer Fire Department building behind the Fire Station. Completion is scheduled for the end of 2011. The Blue Santa Program is underway. Delivery is scheduled for Saturday, December 17, 2011. Information and agency schedules were provided for the Council's information and review. Mr. Veselka provided information regarding a potential rate increase from Texas Gas Service. The information will be provided to the Council for consideration at the January 2012 Council meeting. New City Manager Kevin Coleman attended the meeting held with Texas Gas Service and indicated that no specifics were available at this time; however, should the Council choose to deny the rate increase in January, this will give the City a 90 day window to determine a plan of action. The Council was provided an invitation to a welcome reception for City Manager Coleman to be held on December 16th from 3:00 PM to 4:30 PM. It will be a come and go affair for City employees to come by and meet Mr. Coleman.
MAYOR Rodriguez announced that the meeting would be closed to the public and Council entered into Executive Session at 7:10 PM to discuss electric utility related matters (V.T.C.A., Gov. Code, Sec. 551.086), to deliberate the appointment to fill an un-expired term of office for Councilmember Place 5 (V.T.C.A., Gov. Code, Sec. 551.074), and to deliberate the employment of a temporary governmental accounting specialist that is familiar with the software utilized by the City (V.T.C.A., Gov. Code, Sec. 551.074).

THE meeting re-opened to the public at 8:00 PM. Actions resulting from Executive Session: Councilmember McCoy made a motion to adopt a revised Utility Line Extension Policy as presented. Second was made by Councilmember Faulkner and motion carried unanimously.

MOTION was made by Councilmember Faulkner to accept the resignation of Councilmember Place 5, Margie McMullen. Motion was seconded by Mayor Pro-Tem Sitka and carried unanimously.

MAYOR Pro-Tem Sitka made a motion to authorize the City Manager to contract with a temporary accounting specialist that is familiar with the City's accounting software. Councilmember Faulkner seconded the motion; motion carried unanimously.

THERE being no further business, the meeting closed at 8:02 PM.

ATTEST:

Theresa A. Bowe, City Clerk

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

Elorine Sitka
Mayor Pro-Tem
December 22, 2011
Conference Room – 7:30 AM
City Hall

SPECIAL MEETING OF THE CITY COUNCIL

PRESENT:  
Anita R. Rodriguez .................................................... Mayor
Elorine Sitka .......................................................... Mayor Pro-Tem
Tim Faulkner .......................................................... Councilmember
Timothy L. McCoy .................................................. Councilmember
Vacant ................................................................. Councilmember
A. J. Veselka .......................................................... Interim City Manager
Kevin Coleman ....................................................... City Manager
Charles J. Kvinta, Jr. ............................................... City Attorney
Theresa A. Bowe ..................................................... City Clerk

ABSENT:

MAYOR Rodriguez called the Special City Council meeting to order for the purpose of considering an appointment to fill an un-expired term for City Council Place 5.

MOTION was made by Mayor Pro-Tem Sitka to appoint Rodney Jahn to fill the un-expired term for City Council Place 5. Second was made by Councilmember Faulkner and motion carried unanimously.

THERE being no further business, the meeting closed at 7:31 AM.

ATTEST:

Theresa A. Bowe, City Clerk

Anita R. Rodriguez, Mayor
City of Yoakum, Texas

Elorine Sitka
Mayor Pro-Tem