

*City of Uvalde*  
**CITY COUNCIL  
AGENDA**

**REGULAR MEETING**  
*Tuesday, October 23, 2018*  
*6:00 p.m.*



**COUNCILMEMBERS:**

*Don McLaughlin, Jr. - Mayor*  
*Everardo "Lalo" Zamora - District 1*  
*John H. Flores, Jr. - District 2*  
*Rogelio M. Munoz - District 3*  
*Stephen E. Balke - District 4*  
*Ernest W. "Chip" King, III - District 5*

**CITY OF UVALDE, TEXAS  
REGULAR CITY COUNCIL MEETING  
6:00 P.M., TUESDAY, OCTOBER 23, 2018  
CITY HALL COUNCIL CHAMBERS**

**AGENDA**

- 1. CALL MEETING TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADMINISTER OATH OF OFFICE TO NEW POLICE OFFICERS**
  - 4A. Administer Oath of Office to new Police Officers:  
Aurelio Hernandez  
Joshua Perez  
Bruce Ramos  
Roger Vela
- 5. CITIZENS INPUT**
  - 5A. Citizens are requested to sign up prior to council meeting if requesting time to address council. Presentations will be limited to no more than three (3) minutes.
- 6. CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
  - 6A. Consider and act on the Minutes of the October 9, 2018 Regular City Council meeting. **Pg.4**
  - 6B. Consider and act on payment of bills over \$5,000.00 from October 5, 2018 through October 19, 2018. **Pg.7**
  - 6C. Consider and act on the confirmation and approval of the Mayor's reappointment of Dianne Treviño to the Historic Preservation Board pursuant to Article II, Section 13, of the City Charter.
- 7. NEW BUSINESS**
  - 7A. Consider and act on a resolution for the Award of Professional Engineering Services for 2019/2020 TxCDBG Community Development Fund Program. **Pg.8**
  - 7B. Consider and act on a resolution for the Award of Professional Engineering Services for 2018 TxCDBG Main Street Grant Program. **Pg.9**
  - 7C. Consider and act on a resolution authorizing the submission of the 2018 TxCDBG Main Street Grant Application and 2018 Texas Capital Fund Small and Microenterprise Revolving Loan Fund Grant Application to include agreement between the City of Uvalde and the Uvalde Area Chamber of Commerce. **Pg.10**
  - 7D. Consider and act on lease renewal and revisions between the City of Uvalde and Janelle Weller dba Two-J Welding, LLC. **Pg.13**

7E. Consider and act on rescheduling or cancelling the City Council Meeting for the date of December 25, 2018 to avoid conflict with the Christmas holiday.

**8. EXECUTIVE SESSION**

The City Council of the City of Uvalde, Texas, will convene into executive session in accordance with the purposes permitted by the Open Meetings Act.

8A. Convene into executive session pursuant to section 551.071, consult with attorney regarding the ongoing litigation involving the Edwards Aquifer Authority.

8B. Convene into executive session pursuant to section 551.087 regarding economic development negotiations.

**9. RECONVENE FROM EXECUTIVE SESSION**

9A. Reconvene into open session and take action as deemed appropriate in the City Council's discretion regarding the consultation with attorney in reference to the ongoing litigation involving the Edwards Aquifer Authority.

9B. Reconvene into open session and take action as deemed appropriate in the City Council's discretion regarding economic development negotiations.

**10. ADJOURNMENT**

Certificate: I certify that the above and foregoing notice was posted in compliance with 551.043, Texas Government Code at 11:00 A.M. on October 19, 2018.



Vince DiPiazza, City Manager

City Hall Municipal Building is wheelchair accessible with accessed and special parking available on the West Side of the Building. The Council Chamber is accessible by elevator to the second floor. Requests for special services must be received forty-eight (48) hours prior to meeting time by calling City Hall (830) 278-3315. In this Notice of Open Meeting, the posting of an agenda item as a matter to be discussed in open session is not intended to limit or require discussion of that matter in open session if it is otherwise appropriate to discuss the matter in executive session. If, during the discussion of any agenda item, a matter is raised that is appropriate for discussion in executive session the council may, as permitted by law, convene into executive session to deliberate on the matter.

The posting of an agenda item as a matter to be discussed in executive session is not intended to limit or require discussion of that matter in executive session. The council may discuss in open session any matter for which notice has been given in this notice of open meeting including an agenda item posted for executive session. In no event, however, will the council take action on any agenda item in executive session, whether it is posted for open or executive session discussion.

**CERTIFICATION**

I, the undersigned authority, do hereby certify that the attached agenda of meeting of the City of Uvalde City Council is a true and correct copy and that I posted a true and correct copy of said notice on two glass public notice cases at City Hall, readily accessible to the general public at all times, and said Notice was posted on the 19 day of October 2018 and will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

Sorayda A. Sanchez, City Secretary

I certify that the attached agenda of items to be considered by the City Council was removed by me from the City of Uvalde City Hall glass public notice cases on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Title: \_\_\_\_\_

STATE OF TEXAS            }  
COUNTY OF UVALDE       }  
CITY OF UVALDE           }

BE IT REMEMBERED, that the City Council of the City of Uvalde, Texas, met in a Regular Meeting at 6:00 p.m. on Tuesday, October 09, 2018, with the following members present:

|                        |                                       |
|------------------------|---------------------------------------|
| Don McLaughlin, Jr.    | Mayor                                 |
| Everardo “Lalo” Zamora | Councilmember                         |
| Stephen Balke          | Councilmember                         |
| Chip King              | Councilmember                         |
| Also present:          |                                       |
| Vince DiPiazza         | City Manager                          |
| Alex Wegrzyn           | Deputy City Attorney                  |
| Sorayda A. Sanchez     | City Secretary                        |
| Susan Anderson         | Director of Planning and Development  |
| Daniel Rodriguez       | Police Chief Uvalde Police Department |
| Juan Zamora            | Director of Public Works              |

**Agenda Item No. 1 - Call Meeting to Order**

*Mayor Don McLaughlin, Jr. called the meeting to order at 6:00 p.m.*

**Agenda Item No. 2 – Invocation**

*Councilman Stephen Balke performed the invocation.*

**Agenda Item No. 3 - Pledge of Allegiance**

**Agenda Item No. 4 – Citizens Input**

- 4A. Citizens are requested to sign up prior to council meeting if requesting time to address council. Presentations will be limited to no more than three (3) minutes.  
*No citizens spoke.*

**Agenda Item No. 5 – Presentations, Proclamations, and Recognitions**

- 5A. Proclamation for New Horizons Outreach Program declaring October Domestic Violence Awareness Month.

*Mayor McLaughlin, Jr. presented Katherine Garcia Case Manager-Advocate with New Horizons Outreach Program with a proclamation declaring October as Domestic Violence Awareness Month.*

- 5B. Presentation by Municipal Court Judge Andrew Hagen on Municipal Court Warrants and Magistrations.

*Municipal Court Judge Andrew Hagen presented Mayor and Council with statistics on Magistrate Activity.*

**Agenda Item No. 6 - Consent Agenda**

*(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*

- 6A. Consider and act on the Minutes of the September 25, 2018 Regular City Council meeting.
- 6B. Consider and act on payment of bills over \$5,000.00 from September 21, 2018 through October 5, 2018.
- 6C. Consider and act on Police Department related business:
  - 1. A proposed list of surplus property for destruction.
  - 2. Three light bars to be donated to Pleasanton CISD PD.

*Councilman Chip King motioned to accept all items on Consent Agenda, 6A-6C. Councilman Stephen Balke seconded the motion. Motion for approval of consent agenda 6A-6C carried 4-0.*

**Agenda Item No. 7 – New Business**

- 7A. Consider and act on nominating candidates to serve on the Board of Directors for the Uvalde County Appraisal District.
 

*Councilman Everardo Zamora suggested Agnes Quintanilla as the City's nominee to possibly serve on the Uvalde County Appraisal District Board of Directors. Mayor and Council agreed on the nomination and will submit the nomination to Uvalde County Appraisal District. Motion to approve item 7A made by Mayor Don McLaughlin, Jr. Motion seconded by Councilman Chip King. Motion carried 4-0.*
- 7B. Consider and act on the purchase and installation of SCADA equipment for the booster station located at the airport.
 

*City Manager Vince DiPiazza explained to Mayor and Council that this is an ongoing project. Motion to approve item 7B made by Councilman Chip King. Motion seconded by Councilman Everardo Zamora. Motion carried 4-0.*
- 7C. Consider and act on a resolution of the City Council of the City of Uvalde authorizing the award of a professional service provider contract for the 2018 Main Street fund and the 2019/2020 TXCDBG Community Development Fund.
 

*Director of Planning and Development Susan Anderson stated that at the last Council meeting there was a public hearing regarding the two grant opportunities. The City requested proposals from several companies and received one back. The one received was from Esser and Company. Staff recommends awarding Esser & Company. Motion to approve item 7C made by Councilman Stephen Balke. Motion seconded by Councilman Chip King and Mayor Don McLaughlin, Jr. Motion carried 4-0.*
- 7D. Consider and act on pay request #15 from A.E. Hiller & Sons, Inc. in the amount of \$241,753.04 for work performed through September 25, 2018 on Option 1 Phase 2 of the 2015 Street Improvement and Drainage project.
 

*City Manager Vince DiPiazza explained to Mayor and Council that this request was for work performed through September 25, 2018. Check will be released once work form is signed by the engineer. Staff recommends approval*

*Councilman Chip King motioned to approve item 7D. Motion seconded by Councilman Everardo Zamora. Motion carried 4-0.*

- 7E. Consider and act on a resolution confirming the sale of a 9+ acre tract of land located off of Lou Stroup Drive in the City of Uvalde Industrial Park and authorizing the City Manager to execute all documents related to the transaction. *City Manager Vince DiPiazza explained to Mayor and Council that this resolution Solidifies the transaction completed in February. Councilman Chip King motioned to approve item 7D. Motion seconded by Mayor Don McLaughlin, Jr.. Motion carried 4-0.*

**Agenda Item No. 8 – Executive Session**

The City Council of the City of Uvalde, Texas, will convene into executive session in accordance with the purposes permitted by the Open Meetings Act:

- 8A. Convene into executive session pursuant to section 551.071, consult with attorney regarding the ongoing litigation involving the Edwards Aquifer Authority.  
*Council convened into executive session at 6:18P.M.*
- 8B. Convene into executive session pursuant to section 551.087 regarding economic development negotiations.

**Agenda Item No. 9 – Reconvene from Executive Session**

- 9A. Reconvene into open session and take action as deemed appropriate in the City Council’s discretion regarding the consultation with attorney in reference to the ongoing litigation involving the Edwards Aquifer Authority.  
*Reconvened into open session at 6:43P.M.*  
*No action taken on consultation with attorney in reference to the ongoing litigation involving the Edwards Aquifer Authority.*
- 9B. Reconvene into open session and take action as deemed appropriate in the City Council’s discretion regarding economic development negotiations.  
*No action taken on economic development negotiations.*

**Agenda Item No. 10 – Adjournment**

*Councilman Chip King motioned for adjournment. Councilman Everardo Zamora and Councilman Stephen Balke seconded the motion. Motion carried 4-0. Meeting adjourned at 6:44 P.M.*

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Don McLaughlin, Jr., Mayor

Attest:

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Sorayda A. Sanchez, City Secretary

**Accounts Payable in Excess of \$5,000.00**  
**For Period Ending October 19, 2018**  
 Requesting Approval to Release Payment

| Name                                                                                    | Description           | Department     | Account Number<br>and Amount  | Authorized/Verified<br>By |
|-----------------------------------------------------------------------------------------|-----------------------|----------------|-------------------------------|---------------------------|
| <i>***The following items have already been mailed- due to their due dates.***</i>      |                       |                |                               |                           |
| Post Master                                                                             | Postage               | Utility        | 711-80-00-6330<br>\$10,000.00 | V Dipiazza                |
| Bickerstaff, Heath, Delgado,<br>Acosta                                                  | Professional Services | EAA            | 716-81-00-6300<br>\$5,020.00  | V Dipiazza                |
| Tandem Distributors                                                                     | Fuel                  | Service Center | 100-00-00-1413<br>\$6,780.00  | V Dipiazza                |
| Pollution Control Services                                                              | Professional Services | Sewer          | 711-83-00-6300<br>\$6,172.00  | V Dipiazza                |
| Southside Bancshares                                                                    | Vehicle Rentals       | Police         | 100-20-00-6440<br>\$46,447.15 | V Dipiazza                |
| Tandem Distributors                                                                     | Fuel                  | Service Center | 100-00-00-1413<br>\$7,315.00  | V Dipiazza                |
| Uvalde Area Development                                                                 | UADF                  | Gen Gov        | 100-12-00-6579<br>\$7,000.00  | V Dipiazza                |
|                                                                                         |                       |                |                               | V Dipiazza                |
|                                                                                         |                       |                |                               | V Dipiazza                |
|                                                                                         |                       |                |                               | V Dipiazza                |
| <i>*** The following payments are being held and will be released upon approval ***</i> |                       |                |                               |                           |
| <b>Tax Note Items</b>                                                                   |                       |                |                               |                           |
|                                                                                         |                       |                |                               | V Dipiazza                |
|                                                                                         |                       |                |                               |                           |

**RESOLUTION 2018-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UVALDE, TEXAS AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE PROVIDER CONTRACT FOR TXCDBG PROFESSIONAL ENGINEERING SERVICES FOR THE 2019/2020 TEXAS COMMUNITY DEVELOPMENT PROGRAM FUND**

WHEREAS, TxCDBG grant application preparation and project implementation requires professionals experienced and certified in the implementation of federal funds from the Texas Department of Agriculture;

WHEREAS, in order to identify the most qualified provider for these services a Request for Qualifications (RFQ) process for professional engineering services has been completed in accordance with Texas Community Development Block Grant requirements;

WHEREAS, the proposals received by the due date of October 16<sup>th</sup>, 2018 have been reviewed and evaluated resulting in the identification of the most qualified, responsive provider for this service;

**NOW, THEREFORE, BE IT RESOLVED:**

- Section 1. That \_\_\_\_\_ be awarded a contract to provide Texas Community Development Block Grant project-related **professional engineering services** for the 2019/2020 Community Development Program Fund;
- Section 2. That any and all contracts or commitments made with the above-named service provider are dependent on the successful negotiation of a contract with the service provider, and contingent upon the availability of funding from the Texas Department of Agriculture.

**READ, PASSED, AND APPROVED** on this the 23rd day of October 2018.

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Don McLaughlin Jr., Mayor  
City of Uvalde

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Sorayda Sanchez  
City Secretary



**RESOLUTION 2018-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UVALDE, TEXAS  
AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE PROVIDER  
CONTRACT FOR TXCDBG PROFESSIONAL ENGINEERING SERVICES FOR THE  
2018 MAIN STREET GRANT PROGRAM FUND**

WHEREAS, TxCDBG grant application preparation and project implementation requires professionals experienced and certified in the implementation of federal funds from the Texas Department of Agriculture;

WHEREAS, in order to identify the most qualified provider for these services a Request for Qualifications (RFQ) process for professional engineering services has been completed in accordance with Texas Community Development Block Grant requirements;

WHEREAS, the proposals received by the due date of October 16<sup>th</sup>, 2018 have been reviewed and evaluated resulting in the identification of the most qualified, responsive provider for this service;

**NOW, THEREFORE, BE IT RESOLVED:**

Section 1. That \_\_\_\_\_ be awarded a contract to provide Texas Community Development Block Grant project-related **professional engineering services** for the 2018 Main Street Grant Program Fund;

Section 2. That any and all contracts or commitments made with the above-named service provider are dependent on the successful negotiation of a contract with the service provider, and contingent upon the availability of funding from the Texas Department of Agriculture.

**READ, PASSED, AND APPROVED** on this the 23rd day of October 2018.

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Don McLaughlin Jr., Mayor  
City of Uvalde

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Sorayda Sanchez  
City Secretary

## **RESOLUTION 2018-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UVALDE TEXAS AUTHORIZING THE SUBMISSION OF A TEXAS CAPITAL FUND PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE 2018 MAIN STREET PROGRAM AND THE 2018 TEXAS CAPITAL FUND SMALL AND MICROENTERPRISE REVOLVING LOAN FUND (SMRF) AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

WHEREAS, the City Council of Uvalde, Texas desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interest of the City of Uvalde to apply for funding under the Texas Capital Fund Main Street (MS) Program and Small and Microenterprise Revolving Loan Fund (SMRF);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF UVALDE TEXAS:

1. That a Texas Capital Fund Program application for the 2018 Main Street Program and 2018 Texas Capital Fund Small and Microenterprise Revolving Loan Fund (SMRF) is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture.
2. That the City's application be placed in competition for funding under the Texas Capital Fund.
3. That the application be for \$250,000.00 of Main Street grant funds to provide for Sidewalk and ADA Compliance Activities, and \$100,000.00 of Revolving Loan Funds to support job creation/retention.
4. That the City Council directs, and designates the City Manager as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the City's participation in the Texas Capital Fund Program.
5. That all funds will be used in accordance with all applicable federal, state, local, and programmatic requirements including but not limited to procurement,

environmental review, labor standards, real property acquisition, civil rights and administrative requirements.

6. That it further be stated that the City of Uvalde is committing a cash match in the amount of \$30,000.00 from the General Fund for the Main Street Program.
7. That it further be stated the City of Uvalde is committing an In-Kind Match of \$45,000.00 towards the Main Street Program construction activity.
8. That it further be stated that the City of Uvalde is committing a cash match in the amount of \$10,000.00 from the General Fund towards Administrative activities for the Small and Microenterprise Revolving Loan Fund Project.

Passed and approved this 23<sup>rd</sup> day of October 2018.

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Don McLaughlin Jr., Mayor

ATTEST:

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Sorayda Sanchez, City Secretary

**TEXAS CAPITAL FUND  
SMALL MICRO ENTERPRISE REVOLVING FUND  
AGREEMENT BETWEEN**

**CITY OF UVALDE & UVALDE CHAMBER OF COMMERCE**

This is an agreement between the City of Uvalde, Texas a political subdivision of the State of Texas acting by its duly City Council, herein called City and the Uvalde Chamber of Commerce.

The purpose of this agreement as required by the funding agency the Texas Department of Agriculture is to set forth the terms between the parties. The City of Uvalde agrees to submit the Texas Community Development Block Grant Program Texas Capital Fund Small and Micro Enterprise Revolving Fund (SMRF) 2018 Supplemental Form grant application for a Revolving Loan Fund in the amount of \$100,000.00. In cooperation with the non-profit development corporation, the Uvalde Chamber of Commerce, SMRF monies are loaned to local small businesses and microenterprises to support job creation/retention activity for predominantly low to moderate income persons.

Those terms are:

1. The City of Uvalde will submit a complete 2018 Main Street Fund (MS) Grant Application with SMRF Supplemental Form to TDA.
2. Through the Uvalde Chamber of Commerce loaned SMRF funds are available to provide “general support” to establish, stabilize, and expand eligible businesses and microenterprises. Loaned funds may be used for Lease Space, Purchase Inventory, Working Capital, Machinery & Equipment and Raw Materials.
3. The definition of a Microenterprise is a commercial enterprise that has five or fewer employees, one or more of whom owns the enterprise. The definition of a small business or small enterprise is a commercial enterprise that has 25 or fewer employees, one or more whom owns the enterprise.
4. The City of Uvalde will match \$10,000.00 cash towards the administrative Services of the SMRF Project.
6. The Uvalde Chamber of Commerce shall be responsible for servicing all SMRF loans and reporting job creation/retention activity by the small and micro Businesses.

**Signed by the City of Uvalde this**

\_\_\_\_\_, day of October, 2018

\_\_\_\_\_  
Don McLaughlin Jr., Mayor

\_\_\_\_\_  
Sorayda Sanchez, City Secretary

**Signed by the Uvalde Chamber of  
Commerce**

this \_\_\_, day of October, 2018

\_\_\_\_\_  
Gabe Gonzales, President Uvalde  
Chamber of Commerce

\_\_\_\_\_  
Joe Cardenas, City Liaison Officer



**CITY OF UVALDE**  
*Uvalde Texas*

P.O. BOX 799, 78802-0799

(830) 278-3315

FAX: (830) 591-2685

**BUSINESS OF THE CITY COUNCIL**

SUBJECT: Lease renewal with Two-J Welding, Inc. (formerly Crossfire Feeders & Supply)

AGENDA DATE: October 23, 2018 Submittal Date: October 19, 2018

SUBMITTED BY: Asst. City Manager REVIEWED BY: Paul Tarski

ATTACHMENTS: Lease agreement (handout)

**Budget Information**

Expenditure amount:

Budget amount:

**BACKGROUND INFORMATION**

This is a renewal of a lease agreement we assumed at the recently purchased Kirk Farm just west of town. This agreement was formerly under the name of Crossfire Feeders & Supply Company. The company remains under our current owner/tenant Ms. Janelle Weller.

**RECOMMENDED ACTION**

Staff's recommendation is to approve the lease as presented:

With change of name and address

Terms two years starting November 1, 2018 thru October 31, 2020

Total lease due \$15,600 (\$650 per month)