

CITY OF SANDY OAKS, TX
COUNCIL MEETING MINUTES

November 12, 2015

INTRODUCTION

The meeting was called to order by Mayor Pro-tem Earnest Gay at 6:32 p.m. at the Lakeside Lodge Braunig RV Park. Present for the meeting were Aldermen David Tremblay, Doug Tomasini, and Alderwoman Micki Ball. Alderman Joel Ortega was absent. Also in attendance, City Attorney Casandra Ortiz and City Clerk Charlotte Rabe.

OPENING CEREMONIES

The Pledge of Allegiance was led by Mayor Pro-tem Gay.

Agenda Item 3 Oath of office and swearing in of Mayor and City Council positions 1, 3 and 5. Mayor Pro Tem Gay swore in Micki Ball as the new mayor. He then turned the meeting over to her. Mayor Ball then swore in Alderman Tremblay for Place 1, and B.J. Gillespie was sworn in as Alderwoman, Place 5. Karen Tanguma, was ill and not present, she will be sworn in later.

Agenda Item 4 Citizens to Be Heard: Earnest Gay spoke about the good work done by the council, he asked that the WPPOA issue continue to be addressed. He also stated that he thought agenda item 18 would set a bad precedent. Damon Gibbs spoke about developing his property next to the Dollar General. Javier Ramos, who owns the property behind the Valero across from the Dollar General, said he would like to be put on the agenda for the next meeting to submit his building plans, for possibly a restaurant. Cathleen Lamoureux-Recio spoke about changing the time of the meetings, and she says there are a lot of people who still don't know what's is going on out here. She asked the Council to look into better ways of communication with the citizens.

Agenda Item 5 Financial Report: The income and expenses will be reported by City Clerk Rabe. Ms. Rabe reported that the beginning balance was \$46,534.68, less expenses of \$5,106.65 and a deposit of \$1,888.19 from sales tax, leaving a balance of \$43,316.22. Financial report is attached.

Agenda Item 6 Consent Agenda:

1. Discuss and consider approval of the minutes of October 8, 2015.
2. Discuss and consider approval of Invoice 1088 of Kassahn & Ortiz, P.C. in the amount of \$3,391.20.
3. Discuss and consider approval a Resolution of the City Council of the City of Sandy Oaks, Texas Authorizing an Alderman to Retain his or her Position on the Council if he or she Becomes a Candidate for the Office of the Mayor.
4. Discuss and consider reimbursement to City Clerk for office supplies in the amount of \$89.40.
5. Discuss and consider approval of the purchase of the Texas Municipal Clerks Handbook in the amount of \$93.00 plus \$7.50 shipping and handling.
6. Discuss and consider approval of a Resolution of the City Council of the City of Sandy Oaks, Texas instructing the City Clerk to Open a Bank Account for the Purpose of the Reserve Fund and Authorizing the City Clerk and Mayor to Act as Signatories.

Alderman Tremblay made a motion to approve the consent agenda minus #1. Alderwoman Gillespie seconded. Vote (for) was unanimous. Alderwoman Gillespie made a motion to hold Consent Agenda Item #1 until the next meeting. Alderman Tremblay seconded. Motion passed unanimously.

Agenda Item 7 Discuss and consider a Records Management Plan for the City from the Records Management Officer regarding the policies and procedures for recordkeeping and preservation of records of the City. The City Clerk reported that she would get with the City Attorney and develop a Records Management Plan for the City.

Agenda Item 8 Discuss and consider an Ordinance of the City of Sandy Oaks, Texas approving a contract with Tiger Sanitation, Inc. for Solid Waste Collection and Disposal and Recycling Services within the City. Mayor Ball read parts of the contract. The contract is scheduled to start Jan 1, 2016. Tiger will notify the citizens. Alderman Tremblay made a motion to accept the contract with Tiger and Alderwoman Gillespie stated she had not read the contract and could not vote on approving it. At 7:10 it was decided to take a 10 minute recess to let Alderwoman Gillespie read the contract. Meeting was called back to order at 7:20 with the motion from Alderman Tremblay still on the table. Alderwoman Gillespie seconded. Motion passed unanimously.

Agenda Item 9 Discuss and consider the opting out of the Texas Municipal League Small Municipality Program and upgrade to the level necessary to allow for insuring city-owned vehicles. A discussion was held on the proposal presented. Mayor Ball said she would call and check into this. Alderman Tremblay made a motion to postpone this item until the next meeting. Seconded by Alderwoman Gillespie. Motion passed unanimously.

Agenda Item 10 Discuss and consider the bonding and insurance requirements for city officials handling City monies. The City Clerk said she needed more time to look into this. Mayor Ball said she would help. No action taken.

Agenda Item 11 Discuss and consider WPPOA assets and properties offered to the City of Sandy Oaks and the status of the investigation by the Texas Commission on Environmental Quality (TCEQ). Alderman Tomasini spoke on the possible need for a soil analysis required by the TCEQ. We do not have a report from the WPPOA. Alderman Tremblay made a motion to table this item. Seconded by Alderman Tomasini. Motion passed unanimously.

Mayor Ball asked that Item #12 be moved to after #17 on the agenda.

Agenda Item 13 Discuss and consider City Council participation in the Incident Command System Class #402 in order for Texas elected and appointed officials to comply with Chapter 418 of the Texas Government Code. The training has been set for November 18 at 6:00 p.m. at the Emergency Operation Center on Brooks City Base. No action taken.

Agenda Item 14 Discuss and consider the Bexar County Hazard Mitigation Plan (HMP) and Letter of Intent for City's participation in plan. The county encourages all cities to participate in this plan. Bexar County is beginning a two year process to develop the HMP encouraging all municipalities in the county to participate in this plan. The county will fund the development of the plan, we must fully participate in the planning process in order to be a part of the HMP. There is no charge to the city to participate but we have to appoint a representative to provide input in the planning and to schedule public meetings. We need a representative and an alternate. They do not need to be on the council. Jesse Gutierrez, the city marshal, volunteered to be the representative and for the alternate to look to the public. The paperwork needs to be turned in by Dec 1. Mayor Ball suggested we name Jesse Gutierrez and the representative and Alderman Tomasini as the alternate, which he had volunteered

to do. Alderman Tremblay made a motion to participate in the HMP as requested by the county and to send the Letter of Intent by the deadline. Seconded by Alderwoman Gillespie. Motion passed unanimously.

Agenda Item 15 Discuss and consider an ordinance banning the sale of fireworks within the city limits of Sandy Oaks. Alderman Tremblay stated that Senate Bill 1593 gives the city the right to ban firework sales within 5000 feet of the outer limits of the city. The bill was passed on July 15, 2015, effective Sept 1, 2015. Alderman Tremblay made a motion to instruct the city attorney to prepare an ordinance banning the sale of fireworks within 5,000 feet of the outer limits of the city based on Senate Bill 1593. Alderwoman Gillespie seconded. Motion passed unanimously.

Alderman Tremblay asked to revisit Item # 11 concerning the WPPOA assets. He would like to make a motion to make a counter proposal to the WPPOA to accept all properties they have offered, except the park (until the environmental issue has been resolved) which would allow the city to move forward with a contractor to maintain the streets and right-of-ways. He would like to amend the motion made on Item 11 and make the proposal. This will also affect Agenda Item 16. He asked the city attorney to meet with Jim Clement about the proposal. Mayor Ball asked if we knew exactly what that would include and the city attorney said she had a list of the assets and properties now belonging to the WPPOA. Alderman Tremblay stated he did not want to take on the liabilities of the WPPOA. Alderwoman Gillespie seconded. Motion passed unanimously.

Agenda Item 16 Discuss and consider an ordinance related to trash and debris, such as the burning of household waste and establishing guidelines for the placement /retrieval of trash receptacles. This is intended to define what is acceptable now that we have the contract with Tiger. We have passed an ordinance (2015-12) that deals with part of the issue, Alderman Tremblay said he thought we should start sending out violation letters to make residents aware of the violations. He suggested they instruct the city clerk to send certified letters informing the residents and the owners. It was suggested to amend ordinance 2015-12 to include the length of time the receptacles can remain on the streets. And also the placement of the containers cannot be on the right-of-way. Alderman Tremblay made a motion to amend Ordinance 2015-12 to include the time frame of 24 hours before pick-up to 24 hours after pickup for trash receptacles to remain on the right-of-way. And no dumpsters to remain placed on the right-of-way. Also to include the burning of household waste will not be permitted. Alderwoman Gillespie seconded. Motion passed unanimously.

Agenda Item 17 Discuss and consider entering into the Interlocal Government Agreement with Bexar county for the purposes of purchasing services by Bexar County to the City of Sandy Oaks and the City's participation, pursuant to Local Government Code Section 271.101, in a cooperative purchasing program with Bexar County wherein City is allowed to ride contracts with participating vendors. The county will allow the city to use the county purchasing office. The cost is 1% to the county and \$100 per invoice. The minimum purchase is \$5,000.00. It cost nothing to participate. The agreement will run through Sept 30, 2018. It can be terminated with 30 day notice. Alderman Tremblay made a motion to inter into the agreement. Alderman Tomasini seconded. Motion passed unanimously.

Agenda Item 12 Discuss and consider soliciting bids for a contractor to clean and maintain the public right -of-way and have the city attorney prepare contractor requirements (including bonding and insurance). Alderman

Tremblay made a motion to postpone this item until we hear back from Mr. Clement about the proposal made in Item 11. Alderwoman Gillespie seconded. Motion passed unanimously.

Agenda Item 18 Discuss and consider providing limited authority to the Mayor to pursue land/building acquisition on behalf of the City. Mayor Ball has been looking into acquiring a building and has found several at a very low cost. Most of these are time sensitive, and bringing it before the council would delay bidding on the purchase. Mayor Ball has discussed this with the city attorney. It would be a very limited authority but would allow the mayor to act on behalf of the city. Dealing with the federal surplus, there are deadlines. Alderman Tremblay said he felt the mayor already has this authority to negotiate but not commit to a final amount. Alderman Tremblay made a motion to table this item. Alderwoman Gillespie seconded. Motion passed unanimously.

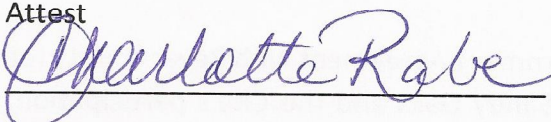
Agenda Item 19 Discuss and consider declaring a vacancy of the position for Alderman-Place 4 and the process an procedures for filling the vacancy either by appointment or special election and ordering a special election for the unexpired term of Alderman-Place 4, if necessary. Mayor Ball asked the council how they would like to handle this item. It was decided to do it through an appointment, after requesting applications and hold interviews at the Jan 14 meeting. Alderman Tremblay made a motion to use the appointment method to fill the vacancy. A deadline of Dec 31 was selected as last day for the city clerk to accept applications. Alderwoman Gillespie seconded. Motion passed unanimously.

Agenda Item 20 Discuss and consider selection of Mayor Pro Tem for a term of one year. Mayor Ball nominated Alderman Tremblay for Mayor Pro Tem. Alderwoman Gillespie made a motion to accept David Tremblay as Mayor Pro Tem for a term of one year. Seconded by Alderman Tomasini. Motion passed unanimously.

Motion to adjourn at 8:22 made by Alderwoman Gillespie. Seconded by Alderman Tremblay.

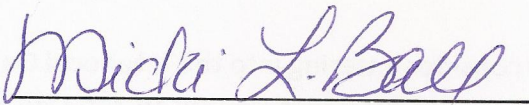
PASSED AND APPROVED ON THIS 10th Day of December, 2015

Attest



City Clerk

Charlotte Rabe



Mayor

Micki L. Ball

1 Attach- November Financial Report