



**CITY OF THREE RIVERS, TEXAS
CITY COUNCIL REGULAR MEETING AGENDA
FEBRUARY 12, 2018
CITY HALL – 105 N. HARBORTH AVE.
6:00 P.M.**

In accordance with Section 551.041 of the Government Code, notice is hereby given that a Regular Meeting of the City Council of the City of Three Rivers, Texas will be held on the **12th day of February 2018, at 6:00 p.m. at City Hall, 105 N. Harborth Ave., Three Rivers, Texas 78071.** The City Council may consider these agenda items up to 9:00 p.m. Any items not discussed may be tabled and brought back to the next City Council meeting for consideration and action, if any.

1. Call to order and quorum check.
2. Opening Prayer and Pledge of Allegiance to the Flag.
3. Citizens' request on items to be placed on a future agenda with time limit of two (2) minutes per item.
4. Consider, discuss and take action to approve minutes for the City Council regular meeting held on January 8, 2018.
5. Consider, discuss and take action to approve accounts payable for January 2018.
6. Consider, discuss and take action to approve Resolution No. 6127 to enter into a financing agreement with Government Capital to procure three police patrol units and a police camera system. **(Ray De Los Santos, Interim City Administrator)**
7. Consider, discuss and take action to select and enter into a contract or contract negotiations with a new mobile phone and air card wireless provider. **(Ray De Los Santos, Interim City Administrator)**
8. Consider, discuss and take action to provide mobile phone allowances to city employees. **(Mayor Pro Tem Sally Rodriguez)**
9. Consider, discuss and take action to authorize road closures and provide other city support for the Live Oak County Fair Parade 2018. **(Ray De Los Santos, Interim City Administrator)**
10. Consider, discuss and take action to approve Resolution No. 6128 to authorize approval of the building contractor award for the Home Program through the Texas Department of Housing and Community Affairs. **(Ray De Los Santos, Interim City Administrator)**
11. Consider, discuss and take action to approve a budget for the 2018 Big Bang Salsa Festival. **(Sam Garcia, Mayor)**
12. Update on capital equipment purchases authorized by the City Council during their December 12, 2017 Regular Meeting. **(Ray De Los Santos, Interim City Administrator)**
13. Consider, discuss and take action to purchase equipment known as a Skid Steer and commonly referred to as a bobcat to be used by the Streets Department. **(Rocky Mendez, Public Works Director)**
14. Consider, discuss and take action, if any, regarding next steps to proceed with and execute auction of certain non-real estate personal property as surplus property (i.e. auto auction). **(Ray De Los Santos, Interim City Administrator)**

15. Consider, discuss and take action, if any, to authorize the Interim City Administrator to proceed with the project to install lighting at the City's Little League fields. **(Ray De Los Santos, Interim City Administrator)**
16. Discuss, consider and take action to adopt an Ordinance annexing the hereinafter described territory known as Live Oak County Appraisal District Account No. 0390-3300-0530-00 (4492-1/4784), commonly known as 1717 45th Street, being a tract of land out of land being a part of William O'Docharty Survey containing 2.28 acres of land, more or less, in three tracts of the following sizes, to wit: a First Tract containing one-half (½) acre of land, more or less; a Second Tract containing 1.1 acres of land, more or less; and a Third Tract 0.68 acres of land, more or less and being the same land conveyed by Deed, dated January 1, 2004, from Claudia Evelyn Huebotter to Three Rivers Nursing Home, L.L.C., a Texas limited liability company, said deed being recorded in Volume 617, Page 369, Deed Records of Live Oak County, Texas, to which deed reference is hereby made for all purposes; into the City of Three Rivers, Texas and extending the boundary limits of said City so as to include the described property within the City Limits, and granting to all the inhabitants of the property all the rights and privileges of other citizens and binding the inhabitants by all of the Ordinances, Resolutions, Acts and Regulations of the City; Adopting a Service Plan; Finding and determining that all requirements for annexation include public hearings, notices and open meeting have been met according to law; Providing instructions for filing this Ordinance and for correcting the Official Map and boundaries of said City; Providing severability and cumulative clauses; and providing an effective date.
17. Discuss, consider and take action to adopt an Ordinance annexing the hereinafter described territory known as Live Oak County Appraisal District Account No. 0390-3300-0540-00 (4493-1/4784), commonly known as 45th Street (South side), Field notes of a 0.218 acre tract of land, being the same called 0.21 acre tract conveyed from Thomas H. Brosig, Jr. and wife, Linda E. Brosig, by Warranty Deed dated July 25, 2002, recorded in Volume 598, page 129 of the Deed Records of Live Oak County, Texas. Said 0.218 acre tract, which is comprised of a portion of the Wm. O'Docharty Survey, Abstract 33, is situated at 403 N. Caves Avenue (now called/named 45th Street), Three Rivers, Texas; into the City of Three Rivers, Texas and extending the boundary limits of said City so as to include the described property within the City Limits, and granting to all the inhabitants of the property all the rights and privileges of other citizens and binding the inhabitants by all of the Ordinances, Resolutions, Acts and Regulations of the City; Adopting a Service Plan; Finding and determining that all requirements for annexation include public hearings, notices and open meeting have been met according to law; Providing instructions for filing this Ordinance and for correcting the Official Map and boundaries of said City; Providing severability and cumulative clauses; and providing an effective date.
18. Discuss, consider and take action to adopt an Ordinance annexing the hereinafter described territory known as Live Oak County Appraisal District Account No. 0390-3300-0545-00 (4494-1/4784), commonly known as 1519 45th Street (South side) and consisting of two tracts of land, to wit:
 - Tract 1: being 0.235 acres of land, more or less, out of the Wm. O'Docharty Survey, Abstract No. 33, and being a part of that certain 70.1 acres "First Tract" more fully described in deed from Lee Wiebusch, et ux, to George Smith, dated November 1, 1944, and recorded in Vol. 105, Page 310 of the Deed Records of Live Oak County, Texas, and being the South half of 0.47 acres of land, more or less described in and conveyed by a deed from George Larry Custer and wife, Joyce Custer, to Charles F. Huegler dated July 25, 1974, and recorded in Volume 256, Page 34 of the Deed Records of Live Oak County, Texas to which deed and its record reference is here made for all purposes; and
 - Tract 2: 0.47 acres of land, more or less, and out of the Wm. O'Docharty Survey, Abstract No. 33, and being a part of that certain 70.1 acres "First Tract" more fully described in Deed from Lee Wiebusch, et ux, to George Smith, dated November 1, 1944, and recorded in Volume 105, page 310, Deed Records of Live Oak County, Texas, said 0.47 acres of land, more or less. Save and Except: 0.235 acres of land, more or less, being the South half of the above described 0.47 acres of land, more or less, and being the same property conveyed by Warranty Deed dated June 10, 1981, from Robert Herring and wife, Gracie

Herring, to Ray Briscoe and wife, Lura Briscoe, and recorded in the office of the County Clerk of Live Oak County, Texas, under Clerk's File No. 69768;

into the City of Three Rivers, Texas and extending the boundary limits of said City so as to include the described property within the City Limits, and granting to all the inhabitants of the property all the rights and privileges of other citizens and binding the inhabitants by all of the Ordinances, Resolutions, Acts and Regulations of the City; Adopting a Service Plan; Finding and determining that all requirements for annexation include public hearings, notices and open meeting have been met according to law; Providing instructions for filing this Ordinance and for correcting the Official Map and boundaries of said City; Providing severability and cumulative clauses; and providing an effective date.

19. Consider, discuss and take action to adopt Ordinance No. 2295 to: (1) Call and order a General Election to be held on Saturday May 5, 2018 for the purpose of electing one Alderperson for Place 1, one Alderperson for Place 2, and one Alderperson for Place 3; (2) Authorize the execution of a contract with Live Oak County Clerk to provide election services, if necessary; (3) Establish Wednesday, January 17, 2018, as the first day to file for a place on the official ballot and Friday, February 16, 2018, at 5:00 p.m. Central Standard Time as being the last day to file for a place on the ballot; (4) Direct the City Secretary to prepare the official ballot form; (5) Adopt a voting system for use in the General Election on Saturday, May 5, 2018, and for early voting by personal appearance beginning Monday, April 23, 2018 and ending Tuesday, May 1, 2018, which includes two twelve-hour days of voting as required by state law; (6) Order publication and posting of the Notice for the General Election; (7) Appoint an early voting clerk; (8) Provide for early voting dates, times and polling places; (8) Provide for early voting by mail; (9) Provide for appointment of a presiding judge, alternate presiding judge and clerks; (9) Create an early voting ballot board; (10) Provide for General Election Day polling places; (11) Provide for canvassing of the General Election results and other matters related to the foregoing. **(Roxann Pais Cotroneo, City Attorney)**
20. CLOSED/EXECUTIVE SESSION: Meet in executive session pursuant to Section 551.071 of the Texas Open Meetings Act to meet with its attorney to seek legal advice on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act and pursuant to Section 551.074 to discuss personnel matter regarding the employment of a City school resource police officer. **(Ray De Los Santos, Interim City Administrator)**
21. CLOSED/EXECUTIVE SESSION: Meet in executive session pursuant to Section 551.071 of the Texas Open Meetings Act to meet with its attorney to seek legal advice on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act relating to City employee classification and timekeeping policy. **(Ray De Los Santos, Interim City Administrator)**
22. CLOSED/EXECUTIVE SESSION: Meet in executive session pursuant to Section 551.074 of the Texas Open Meetings Act to discuss personnel matters regarding the appointment and employment of a City Administrator. **(Ray De Los Santos, Interim City Administrator)**
23. OPEN SESSION: Consider, discuss and take action, if any, on any item discussed in Closed/Executive Session.
24. Adjournment

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Texas Open Meetings Act - Section 551.071 Contemplated or pending litigation or matters where **legal advice** is requested of the City Attorney.

- | | | |
|----|---|--|
| 2. | Texas Open Meetings Act - Section 551.072 | The <i>purchase, exchange, lease or value or real property</i> , if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. |
| 3. | Texas Open Meetings Act - Section 551.073 | A <i>contract for a prospective gift or donation</i> to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. |
| 4. | Texas Open Meetings Act - Section 551.074 | <i>Personnel matters</i> involving the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint against an officer or employee. |
| 5. | Texas Open Meetings Act - Section 551.076 | The deployment or specific occasion for the implementation of <i>security personnel or devices</i> . |
| 6. | Texas Open Meetings Act - Section 551.087 | Deliberations regarding <i>economic development negotiations</i> . |

NOTICE

Persons with disabilities planning to attend this meeting who may need auxiliary aids or services are asked to contact the City offices at (361) 786-2528 by Monday noon.

DATED and **POSTED** this the _____ day of February, 2018, at _____.

Ray De Los Santos, Interim City Administrator