

December 20, 2017
City Council Regular Meeting
6:30pm



REGULAR COUNCIL MEETING

City of Falfurrias

David G. Longoria, Mayor
Frank Nevarez., Mayor Pro-Tem
Justo Ramirez, Alderman
Isaac Homer Salinas Jr., Alderman
Manuel Perez Jr., Alderman
Juan Domingo Perez, Alderman
Alan Ozuna, City Attorney

L. David Flores Jr., City Administrator
Melinda R. Garza, City Clerk
Alberto Gonzalez, Chief of Police
Adalberto B. Pena, City Foreman
Ricardo Soliz, Municipal Judge
Lamar Villarreal, Code Enforcement Officer

NOTICE is hereby given of a **REGULAR MEETING**, of the City Council, for the City of Falfurrias, County of Brooks, State of Texas, to be held on **WEDNESDAY, December 20, 2017** at **6:30 p.m.** at: Falfurrias Police Department Conference Room at 205 E. Allen St. Falfurrias, Texas 78355 for the purpose of considering the following numbered items.

If during the course of this Council Meeting, the City Council should determine that a Closed meeting or executive session of the Council is required, such closed meeting or Executive session will be conducted during or soon after the commencement of the meeting Covered by this notice. This closed meeting or executive session will follow the guidelines and subject matter as set forth under Title 5, Chapter 551, of Texas Government Code and any Amendments thereto.

ITEM 1.) CALL TO ORDER AND CERTIFICATION OF A QUORUM:

ITEM 2.) CITIZEN COMMENTS - This is the opportunity for visitors and guests to address the City Council on any issue. City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. Comments from the public should be limited to maximum of three (3) minutes per individual speaker. (*Attorney General Opinion – JC 0169*)

ITEM 3.) CONSIDERATION AND POSSIBLE ACTION CONCERNING - Approval of Regular Meeting Minutes for the November 28th, 2017.

ITEM 4.) CONSIDERATION AND POSSIBLE ACTION CONCERNING - Approval of Regular Meeting Minutes for the December 06th, 2017.

NEW BUSINESS

ITEM 5.) BRIEFING, DISCUSSION, AND DIRECTION CONCERNING – Discussion and update on the project of establishment of the Texas Community Federal Credit Union operations in the City, Land acquisition, Design, Timeline, Challenges.

ITEM 6.) CONSIDERATION AND POSSIBLE ACTION CONCERNING – Discussion and possible action on revising animal control fees.

ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING - To discuss and vote on accepting letter of resignation for Municipal Court Clerk Laura Salinas effective immediately.

ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING – Discussion and possible action on the implementation of incentive pay.

ITEM 9.) BRIEFING, DISCUSSION, AND DIRECTION CONCERNING – Discussion on Code Enforcement procedures on violations.

ITEM 10.) NEWS AND INFORMATION – (Non-Action Items)

Department Head Reports-

- a) Mayor
- b) Municipal Court
- c) Chief of Police
- d) Code Enforcement
- e) Director of Public Works
- f) Golf Course
- g) Utilities Department
- h) City Clerk
- i) City Administrator

ITEM 11.) EXECUTIVE SESSION – The Council will enter into closed executive session to discussion the following:

- (1) Personnel matter pursuant to Section 551.074, Texas Gov't Code, to deliberate the appointment, evaluation, reassignment, duties and/or discipline action against Public Utility Level 1 Brandon Vargas.
- (2) Attorney Consultation pursuant to Section 551.071, Texas Gov't Code, to seek legal advice and counsel from City Attorney concerning City's legal rights and obligations concerning employee Police Office Bonnie Santos.

ITEM 12.) RETURN TO OPEN SESSION- Consider and act upon item (1) listed under Executive Session.

ITEM 13.) ADJOURN

Persons with disabilities who plan to attend this meeting and who need assistance should contact Melinda Garza, City Clerk, at (361)-325-2420 two days prior to the meetings so appropriate arrangements may be made.

The undersigned officers certify that the foregoing notice was posted this 15th day of December 2017, on the Bulletin Board at the City Hall Building, and at the Falfurrias Police Department Conference Room at 205 E. Allen Street, Falfurrias, Texas.

David G. Longoria, Mayor City of Falfurrias

Attest:

Melinda Garza, City Clerk

POSTING CERTIFICATION:

This is to certify that this Agenda was posted on the front door of the City Hall office, and the Falfurrias Police Department Conference Room located at 205 E. Allen St. in Falfurrias, Texas on the 15th day of December 2017, @ 12:00 P.M.

Signed: _____

Title: *Accounts Receivable Specialist*

TAB 1

**Call to Order
And
Certification of a
Quorum**

TAB 2

Citizen Comments

TAB 3

Approval of Minutes

MINUTES
City of Falfurrias
CITY COUNCIL
Workshop FY18 Meeting

David G. Longoria, Mayor
Frank Nevarez, Mayor Pro-Tem
Justo Ramirez, Alderman
Isaac Homer Salinas Jr., Alderman
Manuel Perez Jr., Alderman
Juan Domingo Perez, Alderman
Rebecca Hayward, City Attorney

L. David Flores Jr., City Administrator/Utility Director
Melinda R. Garza, City Clerk
Alberto Gonzalez, Chief of Police
Adalberto B. Pena, Director of Public Works
Ricardo Soliz, Municipal Judge
Lamar Villarreal, Code Enforcement

November 28, 2017
6:00 P.M.

ITEM #1 - CALL TO ORDER AND CERTIFICATION OF A QUORUM:

Mayor D. Longoria called the meeting to order at 6:00pm, and welcomed the following visitors: Adalberto Pena, Rebecca P. Alvarado, Tesa Garza, Anna L. Martinez, Lamar Villarreal, Alberto Gonzalez, Ricky Soliz, and Jessica Salinas.

Present were: Mayor David Longoria, Mayor Pro-Tem Frank Nevarez, Alderman Justo Ramirez, Alderman Manuel Perez Jr., Alderman Juan D. Perez, Alderman Homer Salinas Jr., City Administrator David Flores, City Clerk Melinda R. Garza.

Absent: City Attorney.

Mayor David Longoria advised he would like to recognize some people before our meeting. Mayor thanked Alderman Ramirez Chief of Police, Police Department and staff, HEB, and Judge Ricky Soliz and his staff and the rest of the people that donated time and food for the needy as well as our City luncheon. Mayor would also like to thank Waste Connections for their donations. Mayor continued to say Thank You so much and GOD Bless you may he give you many more.

ITEM #2 - BRIEFING, DISCUSSION, AND DIRECTION CONCERNING –To discuss final revisions regarding to the City of Falfurrias Personnel Policy Manual.

City Administrator David Flores spoke on agenda item. He advised the City Council comp time and Military leave have already been amended. Mr. Flores advised there are 84 pages on the policy which he did not make copies, however he advised if anyone wanted a hard copy just to let him know. Alderman Ramirez asked if he could read the corrections that Mr. Flores would like changed, and explain reasons why.

Mr. Flores started with page 4 on the introduction would like to look at that.

The City is an at-will employer and employees should understand that, absent a written contract to the contrary, employment is not offered or promised for any specific length of time. Employees have the right to terminate employment at any time for any reason or no reason and with or without notice, and the City has the same right. This is just good business and legal practice for everyone.

Alderman J. Perez advised by omitting that section will that still be an at will employee.

Alderman Ramirez went on to say that is more explanatory on that page, and should be left on there.

Mr. Flores went on to the next item which was on page 17 section 8

If all other factors are equal, preference may be given to applicants in the following order:

a) Qualified regular full-time employees (seniority given first consideration),

b) All other qualified applicants.

Mr. Flores advised there has always been preference given to seniority, however Mr. Flores advised he thinks it should go to the best qualified candidate. Alderman Nevarez advised seniority should be given first consideration. He went on to say this will probably contradict with the CLEAT guidelines. Alderman Ramirez advised if you have an employee that has 15 years experience and if you have an employee that has a 5 year experience and they compare very closely. Mr. Flores advised maybe seniority can be reworded.

Chief Gonzalez advised if he has a patrolman that has a two year experience, and he hires a new Police Officer but this new officer has 8-10 years experience. Mr. Flores advised he can reword that section, and bring it back to the City Council for their approval.

Mr. Flores moved on to the next amendment on that same page 17 down at the bottom of the page, and the following page 18 on top.

4. Notification of the background screening requirements will be posted on bulletin boards and will be included in information provided to job candidates.

Mr. Flores advised this does not have to be posted on the bulletin board. The City Council looked over and said to go ahead and remove that section.

Alderman J. Perez asked about Page 16 Section B-1

B. Recruitment, Employment, and Preferences

1. The City Council has authority to establish or abolish positions or classes of positions within the organizational structure based on the recommendations by the City Administrator.

Alderman J. Perez went on to say the City Council has the authority; however the way that it is worded they will have to go by what the City Administrator recommends. Alderman M. Perez advised he was taken that power away. Alderman Nevarez asked about creating new positions or abolishing positions. Mr. Flores advised the City Council they have the last word on any changes.

Mr. Flores went on to the next item on the Policy Manual he needed to point out on. **The driver's license check is a pre-employment condition and a continuing condition for employment by the City.** Mr. Flores went on to say we do have one employee that does not have a driver's license. He said it has not been a problem, however if he is needed to move a piece of equipment and he will not be able to. Mr. Flores advised we could possibly give him 6 months to get his license. Mayor Longoria asked what department this employee worked at and Mr. Flores advised he was with the Golf Course, and we should pay more attention to situations like that.

Mr. Flores went on to the next possible amendment on the Police Manual with the City Council which is located on the very bottom of page 22 and top of page 23.

Rather, an employee who successfully completes the training/evaluation period continues in the employment of the City as an at-will employee. City Council advised to keep this on the Policy.

The next possible amendment Mr. Flores pointed out to the City Council was located on page 25 Section 4. **A former regular full time employee who is reemployed within one calendar year from the date of separation may receive the following benefits, provided the separation was due to a reduction-in-force or authorized extended period of leave without pay, and provided the City's circumstances have not changed so substantially as to make rehire impossible or unreasonable.**

- a) Unused sick leave credits may be carried over from previous period of employment.**
- b) If a training/evaluation period was not completed during previous employment, it shall be shortened by allowing for previous time served, provided the employee is returning to a position of like classification and grade.**
- c) If an introductory period has been completed, the employee may not be required to serve another, provided he/she is being re-employed in a position of like classification and grade.**
- d) Time previously served toward a periodic salary increase may be credited, provided he/she returns to a position of like or lower classification and grade.**
- e) The assigned salary rate may be above entry level for the grade.**
- f) Tenure with the City may be considered continuous except in computation of seniority if applicable.**

Mr. Flores went on to say if we rehire what it states in this section is that they are able to get back their sick leave credits, and their training credits. If they quit and come back three months later they will be able to get everything back, however it would be up to the City Council. Mr. Flores advised his recommendation would be that they start at zero if they are getting rehired. The City Council advised to remove this section.

Mr. Flores went on to the next amendment on page 34 towards the bottom of the page. **However, an employee may, upon written request to the employee's manager, and upon authorization by the manager and/or the City Clerk have the employee's paycheck routed to another employee in the employee's absence. Mr. Flores advised this is called.** The City Council agreed to have that changed with written and verbal consent.

Mr. Flores next amendment was on page 35 section #8 for such items as uniforms. Mr. Flores advised the City Council the City pays for the uniforms. The City Council advised to remove this section.

Mr. Flores spoke on Holiday pay. He advised the City Council by law hours not worked can not be counted into overtime. Holiday pay plus time and half is called premium pay for working on holidays.

Mr. Flores went over the next amendment which is on lower part of page 37 section G i & ii and top of page 38.

- i. Meal costs must be reasonable for the locale.**
- ii In instances of overnight travel, meal reimbursement is limited to one-half (1/2) the daily per diem rate on the first and last days of travel.**

Mr. Flores advised the City Council that the City follows GSA which is the government. He explained that there is a section on that website where you are allowed to insert a zip code for the City you are going to be at. Alderman Salinas said in other words we are only paying them what they would actually pay. Mr. Flores advised we also make sure that the hotel that staff stays at is a reasonable price. The City Council discussed and decided to remove this section.

Mr. Flores advised on Page 39 the City no longer has Comp Time, and that will be removed from

the Policy Manual.

E. Compensable Time and Training

1. Attendance at lectures, meetings, training programs, and similar activities are not counted as work time when all of the following occur:

- a) Attendance is outside of the employee's regular working hours;**
 - b) Attendance is in fact voluntary;**
 - c) The course, lecture, or meeting is not directly related to the employee's job;**
- and**

d) The employee does not perform any productive work during such attendance.

2. Time spent in training in a course given by the City or through the City's agency that is directly related to the employee's job and designed to make the employee more effective at his or her current job (as distinguished from training for another job) is time worked.

3. Where a training course is instituted for the bona fide purpose of preparing the employee for advancement through upgrading the employee to a higher skill, the course is not considered directly related to the employee's current job and is, therefore, not considered time worked even though the course incidentally improves the employee's skill in doing his or her regular work.

4. Time spent voluntarily in taking a course, reading, studying, or planning outside of regular work hours or doing something that is desirable from an individual standpoint is not counted as work time.

Mr. Flores went on to the next amendment which is on page 41 TMRS Retirement.

The City may make participation in a Defined Benefit Plan available to employees subject to the terms and conditions of the plan and subject to appropriate law.

1. For details of the plan, see the summary of the plan's description.

2. Employees should contact the City Clerk or his/her designee for enrollment information, questions, and options.

3. The City reserves the right to modify, amend, or abolish benefits to the extent allowed by applicable law.

The City Council discussed and advised to remove section and add all information can be found on TMRS.COM

Mr. Flores went over the next amendment which can be found on page 42. Mr. Flores recommended crossing out Section D.

d) Vacation time that does not carry over will be forfeited and employees will not receive payment in lieu of vacation.

Mr. Flores advised he has a few employees that are having surgery, and if left on the Policy it states that it does not carry over use it or lose it. Chief Gonzalez advised he has not taken his vacation time, and did not want to lose it. The City Council discussed and decided to remove that section.

Mr. Flores went over the next amendment which is on page 43 number 3. & 3.

3. Part-time regular hourly employees will be paid at their regular rate of pay to the extent they would have worked, but for the holiday. If irregular hours are typically scheduled for the part-time employee, an average number of hours worked for the last three pay periods will be used to determine the amount of holiday pay. In order to receive holiday pay, the employee must work the scheduled day before and the scheduled day after the holiday.

3. Salaried employees who have advance approval from their manager to work a scheduled

holiday due to business requirements may be given another day off in lieu of the holiday. If applicable, such time off shall be granted within the thirty (30)-day period following completion of work that prevented observance of the holiday as scheduled.

Mr. Flores stated during the holidays used to be seniority has priority which will be reworded in the Policy. He continued to say they will have to work it out, or if they can't then the supervisor will decide who will be off. He went on to say if a person is off before the holiday they will not get paid for the holiday they will have to take a vacation day if needed. The City Council discussed and decided to remove those sections.

Mr. Flores went over the next amendment which is on the top of page 45 section 4.

4. Employees experiencing the loss of other loved ones should discuss the circumstances with their manager. Time off that is granted may be unpaid, but employees may use available vacation time.

Mr. Flores advised if it goes beyond typically family members, and there are also many different variables. Alderman Nevarez advised they would have to be case by case. The City Council discussed and decided to keep section 4 on the Policy.

Mr. Flores went over the next amendment for the Policy Manual which is found on page 51 section 3.

3. Those department heads in the employ of the City of Falfurrias as of December 18, 2002, are grandfathered and are not required to reside within the city limits.

Alderman J. Perez advised this had a date of December 18, 2002. Alderman M. Perez said this section had been changed a long time ago. Mr. Flores advised that section will be removed; however he will leave a section of it on there. 3. Department heads may be required to reside within the city limits of the City of Falfurrias.

Mr. Flores went on to the next amendment which is also on page 51 section C Timekeeping.

For timekeeping purposes, the City's workweek begins at 12:01 a.m. Friday and ends at midnight (12:00 a.m.) the following Friday.

Mr. Flores advised our work week is from Sunday through Saturday.

Mr. Flores went over the next amendment which is on page 53 Section G-5.

5. Breast-Feeding/Pumping Breaks: As a mother-friendly/family-friendly employer, the City recognizes the health, nutritional, immunological, developmental, and economic benefits of breast-feeding and believes it is an important and basic aspect of nurture to which every baby has a right. Therefore, the City will make reasonable efforts to provide unpaid breaks each day to an employee who needs to express breast milk for her infant. The City will comply with all state regulations concerning breast-feeding or storage of breast milk in the workplace.

The City Council discussed and decided to have this section removed from the Policy Manual.

Mr. Flores went over the next amendment which is on page 55 section I on previous page number 4, 5, 6, and 7.

4. Employees who have a question as to whether the information being requested applies under this policy must contact their manager for instructions. DO NOT VOLUNTEER, PROVIDE, OR OTHERWISE DISCLOSE ANY INFORMATION TO THIRD PARTIES.

5. Employees should be polite and exhibit professionalism, but refer the questions to their manager or to the City Clerk.

6. Private pricing information and procedures, policies, and any other information regarding the City and its business is strictly confidential and proprietary and must not be

shared with third parties. Discussing City information in an indiscreet or careless manner, inside or outside City facilities, displays poor judgment and undermines the confidence the City has placed in its employees.

7. Nothing in this policy should be construed to interfere with the right of appropriate law enforcement or other government agencies to conduct investigations, or the cooperation of employees in investigations, within such agencies' jurisdiction. Upon request, the City will reasonably cooperate in investigations subject to the City's right to be represented by counsel in such circumstances.

Mr. Flores advised we follow the law on this section. He recommended removing this section. The City Council discussed and approved removal of this section.

Mr. Flores went over the next amendment which is on the bottom of page 56 and top of page 57 section K.

K. Copyrights/Patents/inventions

This policy is for the purpose of giving the City complete ownership rights of the patentable, copyright, discovery, or other creations developed by employees on or using the City's time, facilities, equipment, and data and for the purpose of ensuring that employees respect the intellectual property rights of others.

1. Any City articles, books, materials, systems, projects, software, products, or any other materials to which an employee contributes, in whole or in part, while receiving compensation from the City are the property of the City.

2. Any books, materials, systems, projects, software, products, or other information an employee writes or develops while receiving compensation from the City are the property of the City. Exceptions to this are written materials not related to City business for which an employee has received specific written permission from the City.

3. Both the copy and/or software and the idea contained in any writing prepared at the City, for the City, and/or on City time are the property of the City, and that current copyright law protects both the idea and the writing for the City.

4. An employee must respect the intellectual property rights of the City as well as those of entities and persons other than the City.

Mr. Flores advised he didn't think we should get into that. Alderman Salinas asked if an employee comes up with an idea the employee won't be able to come back to the entity and say they can not use it, and they won't try to sue the City. Municipal Judge Solis asked what if it was invented during working hours, however during City time. Mr. Flores advised that section will be reworded.

Mr. Flores went over the next amendment which is found on page 62 Section O-1.

1. No third parties are allowed on City premises for the purpose of soliciting.

Mr. Flores advised he didn't have time for a third party salesman. He recommended removing this section. Mr. Flores recommended removing this section. The City Council discussed and agreed to remove that section.

Mr. Flores went over the next amendment which is on page 65 & page 66 Section S.

The use of information systems is a privilege extended by the City, which may be withdrawn at any time. An employee's use of computer systems may be suspended immediately upon the discovery of a possible violation of the policies contained in this Manual, or other possible wrongful conduct.

4. Even though files, data, or messages may appear to be "deleted," procedures by the City to guard against data loss may preserve material for extended periods of time.

8. The City's information system is intended to serve all employees. Any activity initiated by an employee such as direct line Internet live feed that slows the server is prohibited.

T. Internet Use

The Internet can be described as a union of the telephone, mail, television, radio; in short, any type of remote communications can be carried out via the Internet. Even though there is no set of laws specifically regulating participation on the Internet (such as postal regulations), there is Netiquette. Netiquette describes the code of conduct all members of the Internet community expect from one another. Underlying all of them are three (3) primary tenets: don't break the law, be a good neighbor, and use good judgment.

2-a) Irresponsible use of system resources. Resources include bandwidth (the pipeline for the data both coming into the City and going out of the City) and storage (for downloaded files). A finite amount of data can travel across our network at any given time; downloading large files during business hours can compromise the performance of the entire system. Prior to working with large files, please consider the impact this will have on all other network users. Another major contributor to performance degradation is the constant use of "live feeds." The City discourages the use of "live feeds" during business hours. Live feeds include automatic news feeds, radio broadcasts, etc. A live feed is constantly streaming data into the pipeline and compromising resources including bandwidth.

Mr. Flores advised the City Council he was going to recommend on removing these sections because we can not do anything without our computers. He went on to say if he sees an employee shopping online he will say something, and if they are caught a second time he will write them up. The City Council discussed and decided to have that section removed.

Mr. Flores went on with the next amendment which is located on page 74 Section D.

D. Blood Borne Pathogens

The City will make every effort to provide its employees a workplace that is free from recognized hazards that may cause death or serious physical harm. In providing services to the general public, employees may come in contact with serious diseases that can be transmitted by blood-borne pathogens. It is important that both employees and the general public are protected from the transmission of such diseases.

The purpose of this policy is to comply with Federal regulations and to establish a comprehensive set of rules governing the prevention of potential occupational exposure to Hepatitis B Virus (HBV), Hepatitis C Virus (HCV), the Human Immunodeficiency Virus (HIV-Aids), and other blood-borne diseases.

The intent of this policy and related training program is not to alarm employees, but to make them responsibly aware of the risks they may encounter and to equip them to react professionally in the face of those risks.

1. Coverage

Occupational exposure to blood-borne pathogens may occur in many ways, including needle sticks, cut injuries, or blood spills. Although most City employees do not think of themselves as at risk for blood-borne diseases, there are many daily tasks that potentially place them at risk. These tasks include:

- a) Cleaning any area where blood is present;**
- b) Giving first aide to an injured person;**
- c) Picking up needles or trash containing needles;**
- d) Working sewage;**
- e) Transporting infectious clean-up supplies to be disposed of or laundered;**
- f) Cleaning public restroom areas;**

- g) Cleaning common areas in buildings and grounds where blood or other infectious material may be present;**
- h) Assisting in removal of a deceased individual from an accident or other site;**
- i) Being exposed by another infectious individual through hostile acts; or**
- j) Any work involving body fluid or blood contact.**

2. Administration

The City Clerk will appoint one of the City's employees as a part-time Safety Officer who will administer this policy. The Safety Officer will be responsible for the following tasks:

a) Developing, implementing, and maintaining an effective blood-borne disease plan subject to the provisions of Federal and State law relating to Occupational Safety and Health Administration (OSHA) regulations.

b) Permanently maintaining records of all employees and incidents subject to the provisions of this program.

c) Coordinating, monitoring, and documenting all training activities undertaken in support of this plan.

d) Compiling a list of all jobs in which employees have potential occupational exposure to blood-borne diseases.

e) Ensuring that there are complete health and immunization records for all employees.

f) Investigating all incidents of exposure, notifying all employees who were exposed and ensuring that all reports are completed and any necessary follow-up medical care is made available.

g) Providing exposed employees with access to post-exposure follow-up and

3. General Policies and Procedures

All blood and other body fluids are potentially infectious and can transmit several diseases. For this reason, all City employees should take particular care when there is potential exposure. These precautions have been termed "universal precautions" and stress that employees should behave as though there is the possibility of exposure at all encounters. The following general guidelines shall be adhered to by all employees:

a) Think carefully when responding to emergencies and exercise common sense when there is possible exposure to blood or other potentially infectious materials that require universal precautions.

b) Keep all open cuts and abrasions covered with adhesive bandages that repel liquids.

c) If hands are contaminated with blood or other potentially infectious materials wash immediately and thoroughly. Hands shall also be washed after gloves are removed even if the gloves appear to be intact. When soap and water or hand-washing facilities are not available, use a waterless antiseptic and cleaner according to the manufacturer's recommendation for the product.

d) All workers shall take precautions to prevent injuries caused by needles. To prevent needle stick injuries, needles shall not be recapped, purposely bent or broken by hand, or removed from disposable syringes. After they are found, disposable syringes and needles shall be placed in puncture resistant containers for disposal.

e) The puncture resistant container shall be located as close as practical to the use area.

f) The City will provide gloves, protective glasses, and other necessary equipment of appropriate material and quality for use when needed.

Mr. Flores stated that he will remove this section because it is also stated in page 83.

4. Training

a) Employees believed to be at risk for exposure shall receive training regarding the location and proper use of personal protective equipment. They shall be trained concerning proper work practices and understand the concept of "universal precautions" as it applies to their work situation.

b) New employees at risk of exposure will be trained on the risks of blood-borne diseases associated with their position during their orientation period.

5. Exposure Reporting

All employees who are exposed to blood or body fluids during the performance of work duties must report the incident to protect themselves and the public

Employees shall observe the following procedures for reporting a job exposure incident that may put them at risk for HIV or HBV infections (i.e. needle sticks, blood contact on broken skin, body fluid contact with eyes or mouth, etc.):

a) Notify the Safety Officer and immediate supervisor of the contact incident and details thereof.

b) Complete the appropriate on-the-job injury reports and exposure forms.

c) Using the information in the report, the Safety Officer will determine the best course of action to follow.

d) As with any job-related injury, the Safety Officer will make arrangements for the employee to be seen by a physician.

e) The City will make blood testing available to all workers who have had a documented on-the-job exposure and are concerned they may have been infected with HIV or Hepatitis. Testing should be done at a location where appropriate pretest counseling is available. Post-test counseling and referral for treatment should also be provided.

6. Management of Potential Exposure

The City shall offer all employees at risk of exposure a Hepatitis B vaccination free of charge and in amounts and at times prescribed by standard medical practices. The vaccination shall be voluntary. All employees have the option of being vaccinated by their own physician and using their personal physician for any post-exposure treatment and follow-up described in this policy. When a personal physician is used, the employee must submit records of all treatment or vaccinations received to the Safety Officer.

If an employee decides not to receive the vaccination, that refusal shall be documented in writing and placed in the employee's file. The refusal can be rescinded at any time.

7. Confidentiality

All medical information and records are confidential under State and Federal laws. Any employee who disseminates such confidential information in regard to a victim or suspected victim of communicable disease is in violation of such laws and could be subject to serious disciplinary and/or civil action.

Mr. Flores advised the City Council this whole section will be removed because on both the Public Works and Utility Department it's mandatory that they get immunized and follow state regulations. The City Council approved removal.

Alderman J. Perez asked if anywhere in the Policy Manual did it state about City vehicle use. Mr. Flores advised him it started on page 79 and went on through the middle of page 82. Mr. Flores went on to say it has to be an employee of the City to be in it.

The City Council also questioned if an employee has to have a GED or High School diploma. Mr. Flores advised on the Utility side they have to have either or because of the different trainings and certifications they will attend it is part of their application. Mr. Flores went on to say that he does have a few employees that do not have a GED or High School diploma, and they will be grandfathered in.

Mayor Longoria called for a 10 minute break at 7:15pm
Meeting back in session at 7:20pm

ITEM #3 - BRIEFING, DISCUSSION, AND DIRECTION CONCERNING – To discuss City goals, strategic planning, and FY18 budget for the City of Falfurrias.

City Administrator David Flores spoke on agenda. He advised the City Council all slide on the power point are were in their binders.

Mr. Flores went over the monthly calendar of the different activities the City would be hosting. He also went over the organizational chart for the City. He also advised the City Council the City has 50 full time employees and 4 part time employees. Mr. Flores also said that on the Utilities side the sewer plant renovation has begun.

Mr. Flores also mentioned that the water meters, and gas meters had been ordered. He explained to the City Council how some of the meters were not working properly. Mr. Flores also advised that the Utility Administration Department is going to be involved with the new reporting data, and making sure that it is given to the proper entity in that department. Mr. Flores went on to say the Utility Department will soon have a new sewer renovation, and they have gotten new computers up front.

Alderman Nevarez advised some of these employees will now have new responsibilities especially with all this new technology that is being implanted on the Utility side. The girls are going to have more work which doesn't include the work that they already have. Alderman Nevarez suggested the City Council should possibly look into wages since they will have more responsibilities. He also advised that they have addressed that before, and it's only logical that the City Council look into it.

Mr. Flores advised the City Council that we may need to amend the fees from the Animal Control Department. He went on to say the fees have not been updated for a long time now.

Mr. Flores also advised the City Council he would like to bring back the contract with TXDot. He said there are a few things that need to be addressed in the agreement. Mr. Flores also advised the cameras at the Municipal Public Works Department were in working conditions once again.

Mr. Flores spoke about the Police Department and advised the City Council they were there to protect and serve. He advised they had 13-14 full timers, and 2 part timers. Mr. Flores advised they needed one more sergeant, and a pat timer which had been approved by the City Council. Mr. Flores also advised the Police Department had new body cameras; however there was a private citizen that wanted to donate some cameras to the Police Department. He also mentioned that they had a young gentleman that had come to apply for the Part Time position and he had just graduated from the academy. A Council Member asked the Chief how it was going with the license plate reader Chief advised it was going good. The Chief went on to say his Department will have to go properly instructed on it. They will have to go through proper training. The Chief said the Sheriff from Kleberg County is trying to get them certified at no charge to the Police Department. Chief Gonzalez advised the City Council that citations have gone up. Chief also advised the moral in his department has gone up. Chief also wanted commend Officer Cano, and Officer Longoria for stepping up and going far and beyond. Public Works Director Adalberto Pena asked the Chief how many officers he had that were breathalyzer certified. The Chief advised he had no one that was certified at this time. Chief also advised he was going to go

through a grant to get a K-9 handler. Alderman Salinas asked where he would store the K-9, and Chief advised he would have to take the dog as if it was his own, and care for it. Mr. Flores went over a few of the numbers for the Police Department. He pointed out on the salaries it was only increased by \$5,000.00, and temporary help was removed from the budget. He went on to say overtime was set at \$45,000.00. Mr. Flores advised the City Council these were numbers that they had already gone over, and asked if they had any questions.

Officer Lamar Villarreal spoke on Code Enforcement. He advised the City Council digital is up and running. He advised since he took up the Emergency Management he wants to make sure all Department Heads are all on the same level. Mr. Flores advised him there is a form list you could follow, and you can use that same form to determine salaries. He advised not all Department Heads are valued the same. Alderman Nevarez said he likes the continuous education to the public. Officer Villarreal advised for tall grass you have to send out letters and by law there is a time frame of 10 days. He continued to say it is a process that needs to be taken in order to follow all procedures. Officer Villarreal advised its bout keeping the City clean, and the people educated on how to follow the proper Ordinances. Villarreal advised when he took the class of Code Enforcement he was told that was the one Department that was going to get the most complaints. He went on to explain that everything that he does the citizens will have to comply otherwise they will get a citation for it, and it doesn't matter if the citizen is elderly he was going to follow the same procedure for everyone. Officer Villarreal advised he took this class back in 2014, and was certified. He said as long as it's fair it would be up to the City Council if they would like to change the procedure on how to administer a citation. He spoke to the Code Enforcement Officer in the Valley and he only sends out two letters then issues a citation. He advised the City Council with him it's three steps he has to take then he will issue the citation. He also advised he would have to get further information on the two steps that Code Enforcement Officer does. Mr. Flores went over a few of his numbers for that Department. He also advised this Department's number have stayed the same since the last time it was reviewed with the City Council. He asked the City Council if they had any questions.

Judge Ricky Soliz spoke about his Department. He has 2 full time employees, and will budget for 1 part time employee. Judge Soliz advised he would like to do more with less people. He went on to explain to the City Council when they have court they do not have a credit card machine so it's hard when people want to pay and the Municipal Court is not equipped with items to make it more convenient for the citizens. Judge Soliz also said they close the office now during court because one girl can not do all the paperwork, and handle payments during court. Alderman Ramirez asked how long the office was closed, and senior deputy clerk Jessica Salinas advised usually it's all day but sometimes it depends on the number of cases. Judge Soliz advised the City Council that Code Enforcement Officer Lamar Villarreal was their bailiff for the courts. Mr. Flores went over some of their numbers in their department. He advised the City Council since they only had two full time employees salaries was decreased as well as all the fringe benefits that follow a full timer. He asked the City Council if they had any questions.

Mr. Flores went over the Administration Department. He advised that Department had 4 full time employees, and 1 part timer. He discussed how the Finance Department was in need for new accounting software, and a new server. He advised the City Council on the Utility Admin. That they are using right now they have to input everything manually. Mr. Flores went over some numbers for the General Fund Account. He advised the City Council next fiscal year 18 we will be done with two of our Certificate of Obligation. He said we should be done with them in March of next year.

Mr. Flores also spoke on the Utility Department. He advised the General Utility Fund proposed FY18 revenues is at \$3,016,990.00. Mr. Flores also advised they were losing a lot of money through the gas and water meters. Mr. Flores advised they had just purchased 100 meters, and they are replacing 5-10 meters a week. Judge Soliz asked if the Water Department was still having the problem with people stealing water. The Judge advised they didn't know how much to charge the people if it ever made it to court. Anna Martinez Office Manager with the Utility Department advised they charge the people a \$75.00 tampering fee. She also advised they have anywhere from 3-4 people a month that they catch tampering with the meters. Judge Soliz advised if we could catch one and press charges against them that one case would be the example to everyone else. Mr. Flores added if a meter is being tampered with only the new meters will detect it and red flag it, and it will send out the data so that it can be looked at, and it will notify an employee of the situation. Mr. Flores went over a few numbers but this also has not been changed since they brought it to the City Council. He asked if the City Council had any questions concerning this Department.

Mr. Flores went on to the garbage collections. He advised the City Council it is about \$700,000.00 and now it is rolled up under Administration as revenue. Mr. Flores said Certificate of Obligation all total to \$300,000.00. Mr. Flores advised a few years ago there was an issue with LNV on the material that was used to do a street project. The City had to redo certain streets because it was not done properly. He advised the City Council he was going to try to get that money back since it was fault on their end. He would just have to look up the statute of limitation.

Alderman M. Perez asked if Mr. Flores could look into our interlocal agreements with the County. He wanted to know what the City pays the County for. Mr. Flores advised the Tax collection is one we pay for, and the 911 dispatcher. Alderman M. Perez asked about the Veterans if we paid into that Department. City Clerk Melinda Garza advised we are not paying into that Department because they had a part timer working, and the County wanted the City to pay for a Full Timer with benefits so the City stopped paying because they didn't have a full time employee.

Mr. Flores continued to speak about the different Departments. He advised the City Council based on salaries with proper coding. Administration levels are as 1, 2 and 3, everyone has a range. He went on to say the Police Department also has PD1, PD 2 and in the Public Works and Utility Department it is set at Operator 1, and 2. Mr. Flores said those levels were created based on the number of years an employee has been employed. He said starting salary is set at \$10.75, and can change to \$12.00 depending on experience at the date of hire. Alderman Nevarez asked if City Sales Tax and property taxes were coming in. Mr. Flores advised yes both are but the property taxes are not as high as anticipated. He advised we may add more categories to the chart of accounts. Mr. Flores spoke on the incentive, and education pay how the Police Department receives this pay for those Officers that are certified. He continued to say that in the Police Department they have intermediate, advanced, master. Mr. Flores advised the Utility Department gets a 3% pay increase when they pass one of their test which they have to get certified within 2 years of being employed. He explained how in the Utility Department they have levels 1, 2, 3, and 4. Mr. Flores advised that each employee that has a certification pay has to maintain their license and attend continued education classes in order to keep their license active. He also said in the Animal Control Department they also have to attend continued education classes in order to keep their license valid to do their job as animal control.

Mr. Flores advised he worked with every Department Head and their staff members on working the budget, and everyone was in agreement of the numbers.

Mr. Flores advised the City Council that in the Streets Department he added certification pay of \$2080.00, and salaries went from \$64,228.00 to \$107,000.00. He also advised that they split up the employees so now Public Works consists of Adalberto Pena, Veronica Vela, and Isabel Garza. Mr. Flores advised the City Council he wanted to do a quick shout out to Isabel Garza. He said she is the Go to Gal. He went on to say that she has filled in for the Police Department as well as the Public Works Department. Mr. Flores feels she is a very good employee. Mr. Flores asked if the City Council had any questions for this Department.

Mr. Flores spoke about the Golf Course and how he added \$25,000.00 under machinery for the irrigation system.

Mr. Flores said that editorials for the Falfurrias Facts are free, but he believes that Code Enforcement Officer Villarreal goes through Social Media. Alderman Nevarez said we will have to look at the clerk's salaries for the different Departments. Mr. Flores said if it's recommended by the staff. Alderman Nevarez went on to say that the Municipal Court generates a lot of money, and Mr. Flores advised they would not generate that without the Police Department.

Mr. Flores said account number 823001 has been renamed. He went on to say they have a lot of redundant line items. He would like for it to be easy to read, and there is money on one and not on the other.

Code Enforcement Officer Lamar Villarreal advised the City Council they had ordered a drone, however he would have to go get a license in order to operate this gadget.

ITEM #4 - ADJOURN

Alderman M Perez made a motion to adjourn at 8:32pm. Alderman Ramirez seconded motion.

The foregoing minutes were approved at a Regular Meeting held on December 20, 2017.

ATTEST:

David G. Longoria, Mayor

Melinda R. Garza, City Clerk

TAB 4

Approval of Minutes

MINUTES
City of Falfurrias
CITY COUNCIL
Regular Meeting

David G. Longoria, Mayor
Frank Nevarez, Mayor Pro-Tem
Justo Ramirez, Alderman
Isaac Homer Salinas Jr., Alderman
Manuel Perez Jr., Alderman
Juan Domingo Perez, Alderman
Rebecca Hayward, City Attorney

L. David Flores Jr., City Administrator/Utility Director
Melinda R. Garza, City Clerk
Alberto Gonzalez, Chief of Police
Adalberto B. Pena, Director of Public Works
Ricardo Soliz, Municipal Judge
Lamar Villarreal, Code Enforcement

December 06, 2017
6:30 P.M.

ITEM #1 - CALL TO ORDER AND CERTIFICATION OF A QUORUM:

Mayor D. Longoria called the meeting to order at 6:30pm, and welcomed the following visitors: Tony Trad, Usbaldo Cantu, Rebecca P. Alvarado, Tesa Garza, Alberto Gonzalez, Ricky Soliz, and Jessica Salinas.

Present were: Mayor David Longoria, Mayor Pro-Tem Frank Nevarez, Alderman Justo Ramirez, Alderman Manuel Perez Jr., Alderman Juan D. Perez, Alderman Homer Salinas Jr., City Administrator David Flores, City Clerk Melinda R. Garza.

Absent: City Attorney.

ITEM #2 - CITIZEN COMMENTS - This is the opportunity for visitors and guests to address the City Council on any city related issue. City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. Comments from the public should be limited to maximum of three (3) minutes per individual speaker. *(Attorney General Opinion – JC 0169)*

No Comments made at this time.

ITEM #3 - CONSIDERATION AND POSSIBLE ACTION CONCERNING - Approval of Regular Meeting Minutes for the November 15th, 2017.

Alderman M. Perez made a motion to approve Regular Meeting Minutes for the November 15th, 2017. Alderman Ramirez seconded motion.

VOTES:

5-AYES- (Nevarez, M. Perez, J. Perez, Ramirez, Salinas)

0-NAYS

MOTION PASSED

NEW BUSINESS

ITEM #4 - CONSIDERATION AND POSSIBLE ACTION CONCERNING – To discuss and vote on accepting the Audit Engagement Letter for the City of Falfurrias Annual Financial Report for the Year Ended December 31, 2017 from John Womack & Co., P.C.

City Administrator David Flores spoke on agenda item. He advised the City Council a whole year has gone by already and we need to get ready to select for our FY17 audit. Mr. Flores advised Mr. Womack was unable to make it to our meeting tonight.

Alderman Nevarez advised the City Council they had discussed to get a new set of eyes to look at our books. Mr. Flores advised it was a little late in the game and he recommended to go ahead and engage with these Auditors for this year, and he could bring it back sometime in March of next year to decide whether the City Council would want to keep them for the following year.

Mayor D. Longoria advised the City Council when he was a Board Member with the ISD they decided to change Auditors, and that was the biggest mistake the ISD ever made. Mayor recommended they keep Mr. Womack and his staff because they have been doing this for many years, and they are good at what they do.

Alderman M. Perez made a motion to accept the Audit Engagement Letter for the City of Falfurrias Annual Financial Report for the Year Ended December 31, 2017 from John Womack & Co., P.C. Alderman Nevarez seconded motion.

VOTES:

5-AYES- (Nevarez, M. Perez, J. Perez, Ramirez, Salinas)

0-NAYS

MOTION PASSED

ITEM #5 - CONSIDERATION AND POSSIBLE ACTION CONCERNING - To discuss and vote on Advertising for Request for Proposals (RFP) on the Softball Field Lighting.

City Administrator David Flores spoke on agenda item. He advised the City Council that Falfurrias Baseball is one of the only activities that we can provide our youth. He went on to say this affects whole families in a positive way, and further we look forward to capitalize on our facilities to continue improvements and expand in the future. Mr. Flores went on to say it would not cost anything to advertise for RFP.

Alderman Nevarez advised this is long over due. He said there are so many possibilities for them to be able to host softball games here in the City. He said they could even use the fields for practicing in the evenings if approved by the Council since it would have lighting.

Alderman Salinas made a motion to approve on Advertising for Request for Proposals (RFP) on the Softball Field Lighting. Alderman M. Perez seconded motion.

VOTES:

5-AYES- (Nevarez, M. Perez, J. Perez, Ramirez, Salinas)

0-NAYS

MOTION PASSED

ITEM #6 - CONSIDERATION AND POSSIBLE ACTION CONCERNING – To discuss and vote on accepting the revised Personnel Policy Manual.

City Administrator David Flores spoke on agenda item. He advised the City Council on November 28th the City Council met and discussed proposed changes to the Employee/Personnel Policy Manual (EPM). He went on to say based on the discussion and proposed changes, staff

recommends adopting the new EPM with an effective date on December 6, 2017. Mr. Flores also advised that all the changes have been submitted and are in place. Alderman Ramirez asked when he had completed these changes, and Mr. Flores advised he had printed four booklets for the Council. He also added that he had emailed the new policy to all of the Council Members. Mayor Longoria advised all the changes were made, and Alderman Ramirez advised he only wanted to make sure that they were all there. He went on to say once we approve it can it be amended if needed. Mr. Flores advised yes, all Policies can be amended and revised with proper legal advice if needed. Mr. Flores also added we can do an addendum very easy to do.

Mayor Longoria advised he had a concern that he had seen a few employees on their cell phones while driving, and he felt that was very dangerous. Mayor advised he knows the different offices do call the employees but he feels they should pull over while on their phones. Mr. Flores added that there is a section on the Policy Manual that prohibits them to drive while talking on their cell phones, and also they will not be able to smoke in the City Vehicles.

Alderman Ramirez made a motion to approve on accepting the revised Personnel Policy Manual. Alderman Nevarez seconded motion.

VOTES:

5-AYES- (Nevarez, M. Perez, J. Perez, Ramirez, Salinas)

0-NAYS

MOTION PASSED

ITEM #7 - CONSIDERATION AND POSSIBLE ACTION CONCERNING – Discussion and possible action on Adoption of the FY18 Budget.

City Administrator spoke on agenda item. He advised the City Council on November 28th the City Council met and discussed the proposed FY18 Operating budget for the City of Falfurrias. The proposed FY18 Operating Budget in your packet. Mr. Flores advised staff recommends adopting the proposed FY18 Operating Budget to be effective January 1, 2018.

Mr. Flores provided the City Council with a copy to each Council member. Mr. Flores also pointed out that he corrected on one of the line items from \$25,000.00 to \$30,000.00, and renamed it to Special Project reimbursement expense. Mr. Flores also added that in Department 26 Golf Course their FY2017 wages was set at \$70,000.00 and he bumped it up to \$72,000.00. He said the reason he added this was because he added certification pay and values were rounded off.

Alderman Ramirez asked on the revenues line 2 on the sales tax. Alderman Ramirez wanted to know how it got projected to make \$200,000.00 for FY18 for sales tax. Mr. Flores explained how that should not have been projected that way. He said it should have read \$508,589.00 for the FY18. Alderman Ramirez advised even with the new store coming in they would not make that much more on sales tax. He went on to say when we had a Wal-Mart it was a totally different business from a convenience store. Alderman Nevarez advised the City lost \$150,000.00 from sales tax when that business was closed.

Alderman Ramirez advised people that stop at the Pilot will not stop at Stripes as well unless they are looking for something specific that they didn't have at the other store.

Alderman M. Perez also advised maybe the trailer sale will also help with the sales tax. He went on to say this will be a new business coming into the City. Mr. Flores also said we need to concentrate on our City's Economic Development on the downtown area. He went on to say we need to get things in place to get the mechanisms going.

Alderman Nevarez asked about the salary increases if they will be taking them item by item. Mr. Flores advised yes we will, and everything will be brought to the City Council for their approval. Mr. Flores advised they will be brought case by case department by department, and he went on to say just because the money is in the budget doesn't mean it will have to be used.

Alderman Ramirez asked about maintenance and supplies in Mr. Pena's Department; it went from \$57,000.00 to \$20,000.00. He went on to ask isn't that where we get the coal mix for the streets. Mr. Flores said that Mr. Pena was very much involved in the budget meetings. Alderman Ramirez asked about professional other went from \$20,000.00 to \$5,000.00, and he wanted Mr. Flores to explain. Mr. Flores went on to explain this only covers administration in the Public Works Department Veronica, Mr. Pena, and Isabel. Alderman Ramirez went on to small tools and minor equipment. He said that line item also went down. Mr. Flores went on to say there were thousands and thousands of dollars in each line item, and none was really used. Alderman Ramirez went on to page 28 on operating supplies it was at \$9,500.00 and went to \$4,000.00 he asked if that was going to be sufficient. Mr. Flores advised yes that is what Mr. Pena is telling me that he needs in that Department.

Alderman Ramirez went on to the Police Department on the budget. He advised their overtime went from \$48,000.00 to \$45,000.00 and \$6,000.00 was amended but brought back. Mr. Flores added that did not include Stone Garden. Chief Gonzalez added we are still short a full force. Mr. Flores said 1 full time, and 1 part time. Chief Gonzalez also advised with your blessings we have one individual who applied for a Police Officer, but they are waiting on this individual.

Mr. Flores advised he had several meetings with all department Heads to discuss the budget, and everyone seemed to be on the same page.

Alderman M. Perez made a motion to adopt the FY18 Budget. Alderman J. Perez seconded motion.

VOTES:

5-AYES- (Nevarez, M. Perez, J. Perez, Ramirez, Salinas)

0-NAYS

MOTION PASSED

ITEM #8 - CONSIDERATION AND POSSIBLE ACTION CONCERNING – To discuss and vote on accepting letter of resignation for Municipal Court Clerk Laura Salinas effective immediately.

Mayor Longoria read the letter of resignation from Ms. Salinas. Municipal Judge asked if he could speak on the agenda item. Mr. Flores asked if this pertained to the agenda item and he advised yes it did. Judge Soliz went on to say that Ms. Salinas was going to go work at the dialysis clinic, but as it turned out it wasn't for her and she is hinting of coming back to the City. Judge also said that she has not come by his office to ask to be instated in her position again. He also advised she wasn't working there, and he went on to say that was a very different job from what she was doing at the Municipal Court. The Judge advised she had quit on Monday, however

she has not come by to talk to him about her position but she had called the office and spoke to the girls there. Mr. Flores advised we can easily amend the budget, but just as a precaution he did allocate some money for a part timer. Alderman Ramirez advised she had already turned in her letter of resignation and she will have to reapply for the position if it becomes available.

Alderman M. Perez made a motion to **TABLE** on accepting letter of resignation for Municipal Court Clerk Laura Salinas effective immediately. Alderman Salinas seconded motion.

VOTES:

5-AYES- (Nevarez, M. Perez, J. Perez, Ramirez, Salinas)

0-NAYS

MOTION PASSED

ITEM #9 - ADJOURN

Alderman Ramirez made a motion to adjourn at 7:05pm. Alderman Salinas seconded motion.

The foregoing minutes were approved at a Regular Meeting held on December 20, 2017.

David G. Longoria, Mayor

ATTEST:

Melinda R. Garza, City Clerk

NEW BUSINESS

TAB 5



605 E. CAESAR AVE. • KINGSVILLE, TEXAS 78363
(361)595-5538 • FAX (361)595-5530
E-mail: tcfcu@texasfcu.org Web: www.texasfcu.org

December 12, 2017

Mr. David Flores
City of Falfurias
City Administrator
215 E. Allen St.
Falfurias, TX 78355

Subject: Request placement on the December 20, 2017 agenda to discuss update to City of Falfurrias Resolution R-2015-018 Texas Community Federal Credit Union formally Kingsville Community Federal Credit Union

Mr. Flores:

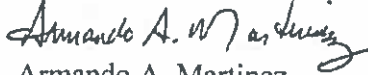
The Texas Community Federal Credit Union is requesting placement on the agenda at the next commission meeting for the purpose of providing the Mayor, Commissioners, staff, and general public an update on the project of establishment of credit union operations in the City:

Items to be discussed include:

- Land acquisition
- Design
- Timeline
- Challenges

Please let us know if you have any questions or other information needs.

Respectfully submitted,


Armando A. Martinez
President/CEO

TAB 6



CITY OF FALFURRIAS

PUBLIC WORKS DEPARTMENT

625 N. ST. Mary's St.

Phone: 361-325-2420 FAX: 361-325-9784

12/18/17

For at least fifteen years the fees for picking up a dog/cat has always been \$10.00 for pick and \$4.00 for housing per day after that. Due to inflation and cost of living, and the amount of calls and complaints of animals running at large, I believe that by increasing the amount per pick up / per day will lessen the amount of animals that are not being restrained properly by their owners.

Current Pick-up Fees	Proposed Pick-up Fees
\$10.00	\$20.00

Current Housing Fees per day	Proposed Housing Fees per day
\$ 4.00	\$10.00

In the future, I would recommend the fees gradually increase until we feel we have more control over this situation.

Thank you.

Adalberto Pena
Public Works Director

TAB 7

Letter of Resignation

TAB 8

TAB 9

ORDINANCE NO. 192

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH AND PROMOTE THE PUBLIC WELFARE OF THE CITY OF FALFURRIAS, TEXAS, BY PROVIDING FOR THE FILLING UP AND DRAINAGE OF LOTS THAT SHALL HAVE UNWHOLESOME PLACE OR PLACES WHERE STAGNANT WATER MAY ACCUMULATE THEREON; THE CLEANING OF ANY BUILDING OR PREMISES OF FILTH, CARRION OR OTHER IMPURE AND UNWHOLESOME MATTER; REQUIRING OWNERS OR OCCUPANTS OF LOTS IN THE CITY OF FALFURRIAS TO KEEP SAID LOTS FREE FROM WEEDS, RUBBISH, BRUSH AND OTHER UNSIGHTLY OR INSANITARY MATTER; PROVIDING FOR NOTICE TO BE GIVEN TO OWNERS OF PREMISES IN CASE OF FAILURE OF OWNER TO MAKE LOTS AND/OR PREMISES SANITARY AND SIGHTLY THAT THE SAME MAY BE DONE AT THE EXPENSE OF THE CITY OF FALFURRIAS; PROVIDING FOR THE FIXING OF A LIEN AGAINST SUCH LOTS FOR SUCH IMPROVEMENT; AND DECLARING AN EMERGENCY.

WHEREAS, it is deemed by the Board of Commissioners of the City of Falfurrias, Texas, that it is dangerous to the public health for lots in the City of Falfurrias to have places thereon where stagnant water may accumulate and for filth, carrion or other impure and unwholesome matter to accumulate on lots in said city and that it is dangerous to public health and constitutes a fire hazard to have weeds, brush, rubbish, and other unsightly and insanitary matter on lots in the City of Falfurrias; and

WHEREAS, it is expressly provided by the provisions of Article 4436, Revised Civil Statutes of Texas, that cities of a population of more than 5,000 people shall have the power to correct the evils hereinbefore recited and the City of Falfurrias, Texas is a city of more than 5,000 population.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FALFURRIAS, TEXAS:

SECTION I.

That it shall be unlawful for any person, firm or corporation who shall own or occupy any lot or lots, grounds or yards, or other real estate in the City of Falfurrias, Texas, to permit or allow holes or places on said lots where water may accumulate and become stagnant, or to permit same to remain.

SECTION II.

It shall be unlawful for any person, firm or corporation who shall own or occupy any lot or lots, grounds or yards, or other real estate in the City of Falfurrias, Texas to permit or allow the accumulation of stagnant water thereon, or to permit same to remain.

✓ SECTION III.

It shall be unlawful for any person, firm or corporation who shall own or occupy any house, buildings, establishment, lot, yard, or ground in the City of Falfurrias to permit or allow any carrion, filth or other impure or unwholesome matter to accumulate or remain thereon.

SECTION IV.

It shall be unlawful for any person, firm or corporation who shall own or occupy any lot or lots in the City of Falfurrias, Texas, to allow weeds, rubbish, brush or any other unsightly, objectionable or insanitary matter to accumulate or grow on said lot or lots.

SECTION V.

Should any owner of such lot or lots or real estate that have places thereon where stagnant water may accumulate and/or which are not properly drained, or the owner of any premises or building upon which carrion, filth or other impure or unwholesome matter may be, fail and/or refuse to drain and/or fill the same lot or lots, or fail to remove such filth, carrion or other impure or unwholesome matter, as the case may be, within ten days after (1) written notice to said owner to do so, or (2) letter addressed to such owner at his postoffice address, or (3) notice by publication as many as two times within ten consecutive days in any newspaper in Texas (if personal service may not be had as aforesaid or if the owner's address be not known), then, in that event, the City of Falfurrias, Texas, may do such filling, or draining, or may remove such filth, carrion, etc., or any other unsightly, objectionable or insanitary matter, or cause the same to be done and pay therefor and charge the expenses incurred in doing such work, or in having such work done, or in making such improvements, to the owner of such lot or lots or real estate and if such expense or expenses are not immediately paid by such owner then such expense or expenses shall be assessed against the real estate or lot or lots upon which such expense was incurred.

SECTION VI.

Should any owner of any lot or lots within the City of Falfurrias, Texas, who shall allow weeds, rubbish, brush or any other unsightly, objectionable or insanitary matter to grow or accumulate thereon, fail and/or refuse to cut down and/or to remove such weeds, rubbish, brush or other unsightly, objectionable or insanitary matter, as the case may be, within ten days after (1) written notice to said owner to do so, or (2) letter addressed to such owner at his postoffice address, or (3) notice by publication as many as two times within ten consecutive days in any newspaper in Texas (if personal service may not be had as aforesaid or if the owner's address be not known), then, in that event, the City of Falfurrias may do such cutting down and/or removing of such weeds, rubbish, brush or any other unsightly, objectionable or insanitary matter, or cause the same to be done and pay therefor, and charge the expenses incurred in doing such work, or in having such work done, or in making such improvements, to the owner of such lot or lots or real estate and if such expense or expenses are not immediately paid by such owner then such expenses shall be assessed against the real estate or lot or lots upon which such expense was incurred.

SECTION VII.

The Mayor or City Health Officer of the City of Falfurrias shall file a written statement of such expenses incurred by the City of Falfurrias under Section 5 or under Section 6 of this ordinance, as the case may be, in the office of the County Clerk of Brooks County, Texas, giving the amount of such expenses, the date

on which said work was done or such improvements made. Thereupon, the City of Falfurrias, Texas, shall have a privileged lien on such lot or lots or real estate upon which said work was done or improvements made to secure the expenditures so made, in accordance with the provisions of said Article 4436, Revised Civil Statutes of Texas, which said lien shall be second only to tax liens and liens for street improvements; and said amount shall bear ten per cent interest from the date said statement was filed. It is further provided that for any such expenditures, and interest, as aforesaid, suit may be instituted and recovery and foreclosure of said lien may be had in the name of the City of Falfurrias, Texas; and the statement of expenses so made, as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended for such work or improvements.

✓ SECTION VIII.

Any person, firm or corporation who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and, upon conviction, shall be fined (in any sum not exceeding) Two Hundred Dollars (\$200.00), and each and every day's violation shall constitute a separate and distinct offense.

SECTION IX.

Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

SECTION X.

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PASSED, APPROVED and ADOPTED this the 21 day of May, 1965.

CITY OF FALFURRIAS, TEXAS

APPROVED:

M. B. Swick
Mayor

ATTEST:

John Lind
City Secretary

Tab

ORDINANCE 473

AN ORDINANCE REPLACING ORDINANCE 192 AND 401 AUTHORIZING THE GOVERNING BODY OF THE CITY OF FALFURRIAS, TEXAS TO REQUIRE PROPERTY OWNERS WITHIN THE CITY TO KEEP THE PROPERTY FREE FROM WEEDS, RUBBISH, BRUSH AND OTHER OBJECTIONABLE, UNSIGHTLY OR UNSANITARY MATTER; ESTABLISH PROCEDURES FOR NOTICE TO OWNERS AND REMEDIATION; AUTHORIZE THE FIRE MARSHALL TO GIVE WRITTEN NOTICE FOR SUCH VIOLATIONS; PROVIDE A PENALTY CLAUSE; PROVIDE A PRIORITIZATION CLAUSE, PROVIDE A SEVERABILITY CLAUSE; AND PROVIDE AN EFFECTIVE DATE.

WHEREAS, it is deemed by the City Council of the City of Falfurrias, Texas, that it is dangerous to the public health for lots in the City of Falfurrias to have places thereon where weeds, rubbish, brush, stagnant water and other objectionable, unsightly or unsanitary matter accumulate in said city and that it is dangerous to public health and constitutes a fire hazard to have weeds, brush, rubbish and other unsightly and unsanitary matter on lots in the City of Falfurrias; and

WHEREAS, it is expressly provided by the provisions of Article 4436, Revised Civil Statutes of Texas, that cities of a population of more than 5,000 people shall have the power to correct the evils herein before recited and the City of Falfurrias, Texas is a city of more than 5,000 population.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FALFURRIAS, TEXAS:

SECTION I. PROHIBITED WEEDS AND RUBBISH

That it shall be unlawful for any person, firm or corporation who shall own or occupy any lot or lots, grounds or yards, or other real estate in the City of Falfurrias, Texas, to permit or allow weeds, rubbish, brush or any other unsightly, objectionable or unsanitary matter to accumulate or grow on said lot or lots.

SECTION II. PROHIBITED HOLES WITH STAGNANT WATER

That it shall be unlawful for any person, firm or corporation who shall own or occupy any lot or lots, grounds or yards, or other real estate in the City of Falfurrias, Texas, to permit or allow holes or places on said lots where water may accumulate and become stagnant, or to permit same to remain.

SECTION III. PROHIBITED STAGNANT WATER ACCUMULATION

That it shall be unlawful for any person, firm or corporation who shall own or occupy any lot or lots, grounds or yards, or other real estate in the City of Falfurrias, Texas to permit or allow the accumulation of stagnant water thereon, or to permit same to remain.

SECTION IV. PROHIBITED FILTH, CARRION ETC.

That it shall be unlawful for any person, firm or corporation who shall own or occupy any house, building, establishment, lot, yard or ground in the City of Falfurrias to permit or allow any carrion, filth or other impure or unwholesome matter to accumulate or remain thereon.

SECTION V. REMEDIATION WEEDS AND RUBBISH

Should any owner of any lot or lots within the City of Falfurrias, Texas, who shall allow weeds, rubbish, brush or any other unsightly, objectionable or unsanitary matter to grow or accumulate thereon, fail and/or refuse to cut down and/or to remove such weeds, rubbish, brush or other unsightly, objectionable or unsanitary matter, as the case may be, within ten days after:

(1) Personal or written notice to said owner to do so, or (2) letter addressed to such owner at the owner's post office address, or (3) if personal service cannot be obtained or the owner's post office address is unknown: by notice by publication as many as two times within ten consecutive days in any newspaper in Texas (if personal service may not be had as aforesaid or if the owner's address be not known), or (4) by posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings. Then, in that event, the City of Falfurrias may do such cutting down and/or removing such weeds, rubbish, brush or any other unsightly, objectionable or unsanitary matter, or cause the same to be done and pay therefor and charge the expenses incurred in doing such work, or in having such work done, or in making such improvements, to the owner of such lot or lots or real estate and if such expense or expenses are not immediately paid by such owner, then such expense or expenses shall be assessed against the real estate or lot or lots upon which such expense was incurred and a lien shall attach to said realty.

Statutory reference:

Texas Health and Safety Code, Section 342.004 and Section 342.006

SECTION VI. REMEDIATION FILTH, CARRION AND STAGNANT WATER

Should any owner of such lot or lots or real estate that have places thereon where stagnant water may accumulate and/or which are not properly drained, or the owner of any premises or building upon which carrion or filth or other impure, or unwholesome matter may be, fail and/or refuse to drain and/or fill the same lot or lots, or fail to remove such filth, carrion or other impure or unwholesome matter, as the case may be, within thirty days after (1) Written notice to said owner to do so, or (2) letter addressed to such owner at the owner's post office address, or (3) notice by publication as many as two times within ten consecutive days in any newspaper in Texas (if personal service may not be had as aforesaid or if the owner's address be not known), or (4) by posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings. Then, in that event, the City of Falfurrias, Texas, may do such filling, or draining, or may remove such filth, carrion, etc., or any other unsightly, objectionable or unsanitary matter, or cause the same to be done and pay therefore and charge the expenses incurred in doing such work, or in having such work done, or in making such improvements, to the owner of such lot or lots or real estate and if such expense or expenses are not immediately paid by such owner, then such expense or expenses shall be assessed against the real estate or lot or lots upon which such expense was incurred and a lien shall attach to said realty.

Statutory reference:

Texas Health and Safety Code, Section 342.001

SECTION VII. ASSESSMENT OF EXPENSES; LIEN

The Mayor or City Foreman of the City of Falfurrias shall file a written statement of such expenses incurred by the City of Falfurrias under Section 5 or under Section 6 of this ordinance, as the case may be, in the office of the County Clerk of Brooks County, Texas, giving the amount of such expenses, the date on which said work was done or such improvements made. Thereupon, the City of Falfurrias, Texas, shall have a privileged lien on such lot or lots or real estate upon which said work was done or improvements made to secure the expenditures so made, in accordance with the provisions of said Article 4436, Revised Civil Statutes of Texas, which said lien shall be second only to tax liens and liens for street improvements; and said amount shall bear ten per cent interest from the date said statement was filed.

It is further provided that for any such expenditures, and interest, as aforesaid, suit may be instituted and recovery and foreclosure of said lien may be had in the name of the City of Falfurrias, Texas; and the statement of expenses so made, as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended for such work or improvements.

SECTION VIII. PENALTY

Any person, firm or corporation who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction, shall be punished by:

1. A fine not to exceed \$500.
2. A fine not to exceed \$2,000 in all cases arising under public health and sanitation other than vegetation and litter violations.

Each day any violation of this ordinance shall continue shall constitute a separate offense.

Statutory reference:

Texas Local Government Code Section 54.001

SECTION IX. PROCEDURE

The Fire Marshall of the City of Falfurrias, Texas shall give notice to any property owner setting forth the violation which exists on the property and give said owners ten days to comply with the particular provisions of the ordinance. Notice shall be given by:

- (1) Personal service, or
- (2) A letter addressed to such owner at the owner's post office address, or
- (3) Notice by publication as many as two times within ten consecutive days in any newspaper in Texas (if personal service may not be had as aforesaid or if the owner's address be not known), or
- (4) By posting the notice on a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings.

Said notice shall contain a statement of the amount of fine which could be assessed for each day of any violation.

Statutory reference:

Texas Health and Safety Code Section 342.006

SECTION X. ENFORCEMENT

The Fire Marshall of the City of Falfurrias is hereby authorized to issue citations to any property owner who violates any provision of this ordinance. Said citations shall be filed with the Municipal Court Judge as complaints and prosecuted according to law.

SECTION XI. PRIORITIZATION BY FIRE MARSHALL

In the event more than one property owner fails to comply with the particular provisions of this ordinance within ten days after receiving notice, it will be at the discretion of the Fire Marshall to prioritize which lot or lots should first be cleared by the City. His determination should be made on which lot or lots, in his opinion, (1) deem the greatest hazard to the public health and safety of citizens and/or (2) is the most unsightly and objectionable to the sensitivities of the residents of the City of Falfurrias.

SECTION XII. PENDING ACTION

The repeal of any ordinance or parts of any ordinance effectuated by the enactment of this ordinance shall not be construed as abating any actions now pending under or by virtue of such ordinance or as discontinuance, abating, modifying or altering

any penalty accruing or to accrue or as effecting the liability of any person, firm or corporation or as waiving any right of the municipality under any section or provision existing at the time of the passage of this ordinance.

SECTION XIII. SEVERABILITY

It is the intention of the City Council that this ordinance and every provision thereof, shall be considered separable and the invalidity of any section, clause, provision, or part or portion of any section or clause of this ordinance shall not affect the validity of any other portion of this ordinance.

SECTION XIV. EFFECTIVE DATE:

This Ordinance shall become effective on the 1st day of October, 2002 following publication of such ordinance.

The motion to adopt said ordinance was made by Alderman Jaime seconded by Alderman Garza and upon roll call, the following voted.

AYES: 5

NAYS: 0

PASSED AND APPROVED this 11 th day of September, 2002.

CITY OF FALFURRIAS, TEXAS

BY: J Wesley Jacobs
J WESLEY JACOBS, MAYOR

ATTEST:

Idolina Perez
IDOLINA PEREZ, INTERIM CITY CLERK



**Lamar Villarreal
Code Enforcement
P.O. Drawer E
Falfurrias, Texas 78355**

Date:

Property I.D. #:

Name of Owner

Address:

City, State, Zip

RE: Violation Ordinance #473 Chapter?? - Nuisances-High Grass / Weeds

Dear Property Owner/Occupant:

A visual inspection was conducted at the property known as **Vacant Lots on , Falfurrias, Texas, bearing a legal description FALFURRIAS –Lasater Sub Div BLKS 5 & 6 LOT 7 & 8 , and it was noted that there is overgrown grass on the entire property (includes the alleys/easements, fence lines & right-of-ways).** According to the real property records of Brooks County, you own the real property described in this notice. If you no longer own the property, you may execute an affidavit stating that you no longer own the property and stating the name and the last known address of the person who acquired the property from you.

City Ordinance #

Section 00.00 states that a person is in violation if they permit weeds or grass located on the premises to grow to a height greater than 12 inches.

Section 00.00 states that every owner, occupant, or person in control of any occupied or unoccupied premises in the city shall use every precaution to prevent weeds, grass or other vegetation from growing on the premises so as to become a nuisance or fire hazard.

The Ordinance also states if the owner or occupant of the property does not comply within seven (10) days of the notice of violation and in the event that it becomes necessary for the City to do, or cause to be done the mowing on the property, a charge will be made including an administrative fee of one hundred dollars (\$100.00), in addition to any other cost incurred by the city, a lien levied against your property until this amount is paid and/or a citation being issued to City Municipal Court with possible fines.

Sec. 00.00(?) Subsequent violations within one year. If the owner commits another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the notice, the city without further notice may correct the violation at the owner's expense and assess the expense against the property. If a violation covered by a notice under this subsection occurs within the one year period, and the city has not been informed in writing by the owner of an ownership change, then the city without notice may take any action permitted by Subsections (a) or (b) and assess expenses as provided in Section 00.00.

Thank you in advance for your cooperation in this matter and if you have any questions regarding this notice, please call (361) 474-0488.

Sincerely,

Lamar Villarreal

Code Enforcement Department

TAB 10

News and Information

Department Head Reports

a) MAYOR

b) Municipal Court

c) Chief of Police

d) Code Enforcement

**e) Director of Public
Works**

f) Golf Course

g) Utility Department

h) City Clerk

i) City Administrator

TAB 11

Executive Session

TAB 12

Return To Open Session

TAB 13

ADJOURN