



City of La Vernia  
**SPECIAL CITY COUNCIL MEETING**  
102 E. Chihuahua St., La Vernia, Texas 78121  
August 29, 2023  
6:00 PM

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## **AGENDA**

**1. Call to Order**

**2. Citizens to Be Heard**

*(At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention on the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to Be Heard section no council action may take place and no council discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the council may extend this time at their discretion.)*

**3. Resolutions**

**A.** Discuss and consider action on Resolution No. 082923-01 regarding extending the local disaster declaration regarding fire prevention provisions

**4. Discussion/Action**

**A.** Discuss and consider action on entering into a working relationship with Wayne Robbins of the La Venria Market Days to utilize potential grant funds to create improvements at the City Park

**B.** Discuss and consider action on an amendment to the interlocal agreement for police services between La Vernia Independent School District and the City of La Vernia

**5. Items Specific to Future Line Items on the Agenda**

**6. Adjourn**

### **DECORUM REQUIRED**

*Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order to the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.*

*The City Council for the City of La Vernia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), and §551.087 (Economic Development), and any other provisions under Texas law that permits a governmental body to discuss a matter in closed executive session.*

*The City of La Vernia Council meetings are available to all persons regardless of disability. The facility is wheelchair accessible parking spaces are available. Request for accommodations, should you require special assistance, must be made 48 hours prior to this meeting. Braille is not available. Please contact the City Secretary at (830) 779-4541 or email Lboyd@lavernia-tx.gov.*

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above-named La Vernia City Council is a true and correct copy of said Notice and that I posted true and correct copy of said Notice on the bulletin boards of the City Hall of said La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **August 23, 2023 at 5:00 pm** and remained so posted continuously for at least 72 Hours proceeding the scheduled time of said meeting.

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Lindsey Wheeler, City Secretary

**RESOLUTION NO. 082923-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNIA, TEXAS EXTENDING A DECLARATION OF LOCAL DISASTER; ESTABLISHING RULES AND REGULATIONS FOR THE DURATION OF THE DISASTER; RESTRICTING CERTAIN ACTIVITIES.**

**WHEREAS**, pursuant to Texas Government Code Section 418.108, the mayor of a municipality may declare a local state of disaster; and,

**WHEREAS**, La Vernia, Texas has not had an extensive amount of rainfall for an extended period of time; and

**WHEREAS**, these hot, dry conditions pose the threat of large, dangerous, and fast-moving wildfires: and,

**WHEREAS**, such fires have the potential of endangering lives and damaging property on a large scale; and

**WHEREAS**, the magnitude of the potential damage and the rapidity at which such a fire could escalate to major proportions constitute an imminent threat of disaster; and

**WHEREAS**, declaration of such disaster authorized the imposition of controls on activities that tend to increase the likelihood of fires;

**WHEREAS**, such controls, once implemented, have the potential to protect lives and property by mitigating the threat of dangerous fires; and

**WHEREAS**, on July 17, 2023, the Wilson County Commissioners Court approved a Burn Ban asserting that while the burn ban is in effect, all outdoor burning, except for agricultural purposes, is prohibited in all areas of Wilson County, Texas, which remains in effect and is incorporated by reference herein; and

**WHEREAS**, Wilson County has indicated that when a Declaration of Disaster regarding fire danger is in effect, no burning, for any reason may be conducted outdoors; and

**WHEREAS**, the City Council of the City of La Vernia feels that it is in the best interest of the city and its residents to declare this local Declaration of Disaster;

**WHEREAS**, on August 23, 2023, the Mayor of the City of La Vernia signed and published the initial Disaster Declaration; and,

**WHEREAS**, the City Council must, within seven days from the original declaration, determine whether or not such declaration should be extended.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA VERNIA:**

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such

recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

- Section 2. That the local state of disaster declaration enacted by Mayor Marin Poore of the City of La Vernia pursuant to §418.108(a) of the Texas Government Code is hereby renewed and extended until \_\_\_\_\_ with the consent of the La Vernia City Council pursuant to §418.108(b) of the Government Code, including all rules and regulation attached hereto as Exhibit A.
- Section 3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
- Section 4. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters herein.
- Section 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 6. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.
- Section 7. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.
- Section 8. This Resolution shall be in force and effect from and after its final passage.

**PASSED, ADOPTED, and APPROVED the 29th day of August, 2023.**

\_\_\_\_\_  
Martin Poore, Mayor

ATTEST:

\_\_\_\_\_  
Lindsey Wheeler, City Secretary

**Exhibit A**

**CITY OF LA VERNIA**  
**DECLARATION OF LOCAL DISASTER**

**WHEREAS**, pursuant to Texas Government Code Section 418.108, the mayor of a municipality may declare a local state of disaster; and,

**WHEREAS**, La Vernia, Texas has not had an extensive amount of rainfall for an extended period of time; and

**WHEREAS**, these hot, dry conditions pose the threat of large, dangerous, and fast-moving wildfires: and,

**WHEREAS**, such fires have the potential of endangering lives and damaging property on a large scale; and

**WHEREAS**, the magnitude of the potential damage and the rapidity at which such a fire could escalate to major proportions constitute an imminent threat of disaster; and

**WHEREAS**, declaration of such disaster authorized the imposition of controls on activities that tend to increase the likelihood of fires;

**WHEREAS**, such controls, once implemented, have the potential to protect lives and property by mitigating the threat of dangerous fires; and

**WHEREAS**, on July 17, 2023, the Wilson County Commissioners Court approved a Burn Ban asserting that while the burn ban is in effect, all outdoor burning, except for agricultural purposes, is prohibited in all areas of Wilson County, Texas, which remains in effect and is incorporated by reference herein; and

**WHEREAS**, Wilson County has indicated that when a Declaration of Disaster regarding fire danger is in effect, no burning, for any reason may be conducted outdoors; and

**WHEREAS**, the City Council of the City of La Vernia feels that it is in the best interest of the city and its residents to declare this local Declaration of Disaster;

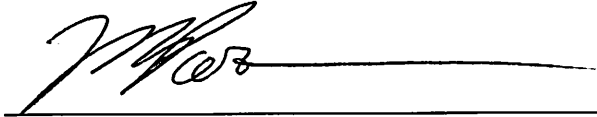
**NOW, THEREFORE, A LOCAL DISASTER DECLARATION IS HEREBY DECLARED BY THE MAYOR OF THE CITY OF LA VERNIA:** pursuant to the authority granted in the Texas Disaster Act of Chapter 418 Texas Government

Code, the following regulations shall take effect immediately upon issuance of this Order and shall remain in effect until the state of disaster is terminated or extended:

1. The exercise and use of outdoor welding and/or other activities utilizing explosives or combustible materials is prohibited unless prior approval of a fire safety plan for the said welding or other activities is obtained from the city of la Vernia and its designated fire inspector prior to engaging in such activity. Said fire safety plan may include but is not limited to the following fire safety measures: saturation of the surrounding ground area with adequate moisture, utilization of adequate personnel to observe and handle the resulting effects from the use of explosive or combustible material, preparation of the ground area to prevent and remove large amounts of cured grass, and fire suppression devices. The fire marshal shall have the final determination as to the necessary fire safety measures for the said welding or other activities. The exercise of outdoor cooking with open flame is prohibited unless using a barbeque pit or similar device, which is manufactured with a lid that when closed will contain all open flame and with legs to keep it off the ground. Said barbeque pit or similar device must be used only for cooking purposes. The following fire safety measures should be implemented for outdoor cooking with open flame, including, but not limited to: saturation of the surrounding ground area with adequate moisture, constant supervision and observation of the barbeque pit or similar device, and fire suppression devices.
2. Pursuant to §418.108(b) of the Government Code, the state of disaster Declaration shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City Council.
3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. The City Secretary is directed to give prompt and general publicity of the issuance of this DECLARATION and place same before the City Council for consideration for continuation at its next regular meeting.

5. This proclamation shall take effect immediately from and after its issuance.
  
6. As Mayor, I further reserve all other authority and powers conferred by state law to respond as necessary to this situation.

**ORDERED** this 23rd day of August 2023.

A handwritten signature in black ink, appearing to read 'M. Poore', is written over a horizontal line. The signature is cursive and extends to the right of the line.

**MAYOR MARTIN POORE**  
City of La Vernia, Texas



**SECOND AMENDMENT TO INTERLOCAL AGREEMENT FOR POLICE SERVICES  
BETWEEN LA VERNIA INDEPENDENT SCHOOL DISTRICT AND CITY OF LA  
VERNIA**

This Second Amendment (“Second Amendment”) amends the Interlocal Agreement (“Agreement”) for Police Services entered into between La Vernia Independent School District (“District”) and the City of La Vernia (“City”) in 2022 for a term that began September 1, 2022.

This Amendment amends Sections 3.1 and 3.10 of the Agreement as follows:

3.1 The City agrees to provide four (4) uniformed Commissioned Officers (“Officer” or “Officers”) to the District under the terms provided in the Agreement for purposes of police protection on property owned or operated by the District.

3.10 Except as otherwise scheduled by the District as herein provided, the regular working hours of the Officer’s shall be two Officers from 6:45 A.M. to 4:45 P.M. on school days and the other two Officers from 7:00 A.M. to 5:00 P.M. The District shall have the right to direct the specific scheduling of the Officers, such as to assign a classroom or other facility, to assign additional meetings or instructional times, and to assign the Officers to extracurricular functions. The District will use its best efforts to establish the Officers’ weekly schedule on or before the last day of the week preceding the week scheduled. Should the District total hours worked by the Officers surpass the District regular working hours described above, the Officers shall be compensated for such overtime work based in District overtime compensation policy. District work beyond regular working hours will be determined by the District based on security needs and will not be available on a regular or routine basis. The District will provide all schedules to the City’s Chief of Police. The District recognizes that working hours during the school year, particularly during the winter, summer, and spring school breaks, may not require the Officers to be on duty at the hours listed above. The District shall work in cooperation with the City Police Department to provide the District work schedule for the Officers during the non-regular work hour times such that the Officers may schedule City Police Department work at the discretion of the City and Officers.

IN WITNESS OF WHICH this AMENDMENT is executed in duplicate originals this 21<sup>st</sup> day of August 2023.

**CITY OF LA VERNIA, TEXAS**

\_\_\_\_\_  
Mayor, City of La Vernia

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Chief of Police, City of La Vernia

**LA VERNIA INDEPENDENT  
SCHOOL DISTRICT**

  
\_\_\_\_\_  
LVISD Board President

  
\_\_\_\_\_  
LVISD Board Secretary

**THIRD AMENDMENT TO INTERLOCAL AGREEMENT FOR POLICE SERVICES  
BETWEEN LA VERNIA INDEPENDENT SCHOOL DISTRICT AND CITY OF LA  
VERNIA**

This Third Amendment (“Third Amendment”) amends the Interlocal Agreement (“Agreement”) for Police Services entered into between La Vernia Independent School District (“District”) and the City of La Vernia (“City”) in 2022 for a term that began September 1, 2022.

WHEREAS, the City is willing to provide four (4) Officers to assist and provide the police protection desired by the District; and

WHEREAS, District is willing to reimburse City for Officer salary and a 10% admin fee, of the officers assigned to provide the services as set out herein; additionally, the District is willing to pay benefits for two Officers, and the City is willing to pay benefits for the other two Officers;

This Amendment further amends Section 3.1 and 3.8 of the Agreement as follows:

3.1 The City agrees to provide four (4) uniformed Commissioned Officers (“Officer” or “Officers”) to the District under the terms provided in the Agreement for purposes of police protection on property owned or operated by the District. It is expressly understood and acknowledged by the Parties that the Officers, in performing the law enforcement services under this Agreement, shall only enforce the laws of the State of Texas and the City of La Vernia, and not the rules of the District and its campuses.

3.8 During the term of this Agreement, the Officers’ salary and holiday pay shall be paid by the District. Additionally, the District will pay the benefits for two of the Officers; the City will be responsible for paying the benefits of the other two Officers. Salary for the Officers will be determined by level of certification (Basic/Intermediate/Advanced/Masters). The City shall provide the District with thirty (30) days’ notice of a proposed increase in the Officer’s salary. An agreed-to increase shall become effective on the following quarter invoice. Beyond the salary provided for the Officers related to the District regular working hours described above and in provision 3.10 below, overtime hours shall be paid by the District for District requested time and District related duties. If or when the City Police Chief requires the services of the Officer for police duty described in provision 3.4 above, and such duty requires working hours beyond those described herein under provision 3.10, such non-District police duty overtime shall be paid for by the City. If or when the Officer and police Department schedule the Officer for non-District police duty hours as described in provision 3.5 above, and such duty requires working hours that are beyond the working hours described herein under provision 3.10, such non-District police duty overtime work shall be paid for by the City. The District shall provide the Officer use of an office located at the high school to include a telephone, land line, file cabinet, and table or desk as available from District furniture and equipment inventory.

*[Signature page follows]*

IN WITNESS OF WHICH this AMENDMENT is executed in duplicate originals this \_\_\_\_\_ day of August 2023.

**CITY OF LA VERNIA, TEXAS**

**LA VERNIA INDEPENDENT SCHOOL DISTRICT**

\_\_\_\_\_  
Mayor, City of La Vernia

\_\_\_\_\_  
LVISD Board President

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
LVISD Board Secretary

\_\_\_\_\_  
Chief of Police, City of La Vernia