



City of La Vernia
REGULAR CITY COUNCIL MEETING
City Council Chambers of La Vernia City Hall
102 E. Chihuahua Street, La Vernia, Texas 78121

March 8, 2018
6:30 PM

AGENDA

1. Call to Order

2. Invocation, Pledge of Allegiance, and Texas Pledge (*Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*)

3. 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 of 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)

4. Consent Agenda

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

- A. Minutes from the January 17, 2018 City Council Workshop
- B. Minutes from the February 8, 2018 Regular City Council Meeting
- C. La Vernia Police Department – Reports, Traffic Violations & Arrests; and Number of Occurrences by Offense for the month of February 2018;
- D. Check Register and financial report for the month of February 2018
- E. 2017 Racial Profiling Report

5. Presentations

- A. Presentation by Mayor Gregory to the La Vernia Garden Club in appreciation for the donation of the bench.
- B. Presentation by Mayor Gregory to LVISD Students for Mayor and Mayor Pro Tem for the day contest.

6. Discussion/Action

- A. Discuss and consider approving the release of a 15-foot utility easement along the northeast side of the property line located at 129 Woodcreek, La Vernia Texas.
- B. Discuss and consider the release of an easement along the backside of property located at 139 Industrial Drive, La Vernia Texas.
- C. Discuss and consider action on FY 2018 Street Maintenance Projects.

7. Ordinances

- A. Discuss and consider an ordinance to cancel the May 5, 2018 General Election.

8. Resolutions

- A. Discuss and consider approval of a resolution to contribute matching funds to the Floresville Electric Light and Power System for the 2018 Summer Youth Program.
- B. Discuss and consider approving a resolution authorizing an Interlocal Agreement with Wilson County concerning the development of a Training Gun Range.

9. Items Specific to Future Line Items on the Agenda

10. Adjourn

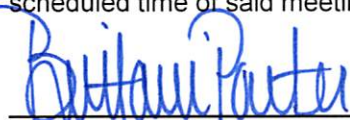
DECORUM REQUIRED

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by 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 §551.086 (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 City Council meetings are available to all persons regardless of disability. This facility is wheelchair accessible parking spaces are available. Requests 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 bporter@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 City of La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **March 5, 2018 at 4:30 P.M.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.



Brittani Porter, City Secretary



City of La Vernia
CITY COUNCIL WORKSHOP

City Council Chambers of La Vernia City Hall
102 E. Chihuahua Street, La Vernia, Texas 78121

January 17, 2018
6:00 PM

MINUTES

- 1. Call to Order** – Mayor Gregory called the meeting to order at 6:00 PM and declare a quorum. All members were present.
- 2. Invocation, Pledge of Allegiance, and Texas Pledge** Invocation was given by Councilman Poore, all in attendance recited the pledges.
- 3. Citizens to be Heard-** There were no citizens to be heard.
- 4. Discussion/Action**
 - A. Discuss and possible action on creating an agreement with the La Vernia Little League.**
 - B. Discuss and possible action on updating the Park Ordinance.**

Mayor Gregory stated he wanted to bring everyone up to speed on the previous meeting with the La Vernia Little League board. He stated the City Administrator and himself met with Mr. Cox and a couple other members. He stated the concerns from the Little League were the fields being in terrible shape and the bathroom conditions. Mayor Gregory stated the field quality needs to come up to one day host tournaments. He stated start off by taking one or two of the fields and rehab them which could potentially lead us to taking over the fields. Mayor Gregory stated taking over the fields would cause expensive and lots of time. He stated the reason for hiring a park guy was to help offset some of the park position. He stated prior to hiring Danny, the Public Works Department was helping out on top of working the daily water leaks and needs. Mayor Gregory stated that we are going to meet with Little League and let them have the floor and hear them out.

- 5. Adjourn** – Councilwoman Recker made a motion to adjourn the meeting, seconded by Councilman Hennette. The meeting was adjourned at 8:18 PM.

Robert Gregory, Mayor

Brittani Porter, City Secretary



City of La Vernia
REGULAR CITY COUNCIL MEETING
City Council Chambers of La Vernia City Hall
102 E. Chihuahua Street, La Vernia, Texas 78121

February 8, 2018
6:30 PM

MINUTES

1. Call to Order- Mayor Gregory called the meeting to order at 6:30 PM and declared a quorum. Members Absent: Councilman Doege.

2. Invocation, Pledge of Allegiance, and Texas Pledge-Invocation was given by Mayor Gregory, all in attendance recited the pledges.

3. Citizens to be Heard – Elaine Stephens came and spoke in regards to Virtual cloud based online citizen engagement. With the City holding Town Hall meetings in may be something we could look into to assist the community that cannot attend sometimes.

4. Consent Agenda

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

- A. Minutes from the January 11, 2018 Regular City Council Meeting
- B. Minutes from the January 17, 2018 City Council Workshop
- C. La Vernia Police Department – Reports, Traffic Violations & Arrests; and Number of Occurrences by Offense for the month of January 2018;
- D. Check Register and financial report for the month of January 2018

MOTION: A motion was made by Councilwoman Recker to approve the consent agenda, pulling the January 17 minutes for next regular meeting, seconded by Councilman Hennette. **Motion passes: 4-0.**

5. Presentation

A. Presentation from Armstrong, Vaughn & Associates regarding FY 2017 Audit

Mr. Phil Vaughn presented the FY Audit for 2017. He stated we are in good shape. He stated Yvonne has done a great job the past two years.

**B. Presentation of Public Safety Award for National Night Out
Chief Ritchey**

Mayor Gregory stated they did an outstanding job in the efforts. Chief Ritchey presented the award to the Council to go along with the 4 others plaques received through the years.

6. Public Hearing

- A. Public Hearing to receive comments regarding the granting of a Specific Use Permit to HK La Vernia Associates, LTD for the purposes of allowing a hotel in the space specifically known as: 100 S FM 1346, City of La Vernia, Block 1, Lot 3, La Vernia Crossing Subdivision zoned C-1 Retail.**

The Public Hearing was opened up at 6:45 PM. Bill Osborne, with Osborne Properties, represented Mr. Sinojia on behalf of the request of the SUP for the proposed hotel. Mr. Osborne provided a colored rendition to the City Councilmembers. Nannette Kilbey-Smith asked if it was going to be 3 stories, and if so, do we have a ladder truck. Mayor Gregory confirmed it was going to be a 3 story hotel and would adequately support the current apparatus ESD #1 has. He stated city ordinances were changed a few years back approving a 3 story building.

- B. Public Hearing to receive public comments regarding the proposed change of zoning district classification from present classification of R-1 (Single Family Residence) to C-1 (Commercial Retail) for City of La Vernia, Lot 429, located at 203 San Antonio Rd., La Vernia, Texas 78121.**

The Public Hearing was opened up at 6:49 PM and was closed at 6:50 PM.

- C. Public Hearing to receive public comments regarding amending Chapter 38 Section 302. – Permitted Use Chart to include Outdoor Physical Fitness.**

The Public Hearing was opened up at 6:50 PM and was closed at 6:50 PM.

7. Ordinances

- A. Discuss and consider approving an Ordinance No. 020818-01 granting a Specific Use Permit to HK La Vernia Associates, LTD for the purposes of allowing a hotel in the space specifically known as: 100 S FM 1346, City of La Vernia, Block 1, Lot 3, La Vernia Crossing Subdivision zoned C-1 Retail.**

MOTION: Councilman Hennette made a motion to approve an ordinance granting a Specific Use Permit for the purpose of allowing a hotel in the space specifically known as: 100 S. FM 1346, seconded by Councilman Cormier. **Motion passes: 4-0.**

- B. Discuss and consider approving Ordinance No. 020818-02 to change zoning district classification request from present classification of R-1 (Single Family Residence) to C-1 (Commercial Retail) for City of La Vernia, Lot 429, located at 203 San Antonio Rd., La Vernia, Texas 78121.**

MOTION: Councilman Poore made a motion to approve an ordinance to change zoning district classification R-1 Single Family to C-1 Commercial Retail at 203 San Antonio Rd., seconded by Councilwoman Recker. **Motion passes: 4-0.**

- C. Discuss and consider approving Ordinance No. 020818-03 amending the City of La Vernia Code of Ordinances Chapter 38 Article II Section 302 Permitted Uses Chart to include Physical Fitness outdoors in C-1, C-2, CB, and Industrial Zoning Districts.**

MOTION: Councilman Cormier makes a motion to approve an ordinance amending the Permitted Uses Chart, seconded by Councilman Hennette. **Motion passes: 4-0.**

- D. Discuss and consider approving Ordinance No. 020818-04 to call a General Election for the City of La Vernia on May 5th 2018 for the purpose of electing one (1) Mayor and two (two) councilmembers.**

MOTION: Councilman Hennette made a motion to approve an ordinance to call a General Election for the City of La Vernia on May 5th 2018, seconded by Councilman Cormier. **Motion passes: 4-0.**

- E. Discuss and consider approval on Ordinance No. 020818-05 for designating the City's official newspaper.**

MOTION: Councilman Hennette made a motion to approve designating the City's Official Newspaper, seconded by Councilwoman Recker. **Motion passes: 4-0.**

- F. Discuss and consider approval on Ordinance No. 020818-06 requesting an amendment to the FY 2018 Budget.**

MOTION: Councilwoman Recker made a motion to approve an amendment to the FY 2018 budget, seconded by Councilman Cormier. **Motion passes: 4-0.**

8. Resolutions

- A. Discuss and consider approving a resolution to appoint Councilman Martin Poore to the Board of Trustees of the Canyon Regional Water Authority (CRWA).**

MOTION: Councilman Hennette made a motion to approve appointing Martin Poore to the CRWA Board of Trustees, seconded by Councilman Cormier. **Motion passes: 4-0.**

- B. Discuss and consider approving a resolution to appoint David Mahula to the Board of Managers of the Canyon Regional Water Authority (CRWA).**

MOTION: Councilman Poore made a motion to approve a resolution appointing David Mahula to the Board of Managers of the CRWA, seconded by Councilwoman Recker. **Motion passes: 4-0.**

- C. Discuss and consider approving a resolution to adopt the City's Investment Policy.**

MOTION: Councilwoman Recker approves a resolution to adopt the City's Investment Policy, seconded by Councilman Poore. **Motion passes: 4-0.**

- D. Discuss and consider approving a resolution in support of the La Vernia PD equipment grant with Governor's office through AACOG.**

MOTION: Councilman Poore made a motion to approve a resolution in support of the La Vernia PD equipment grant with Governor's Office through AACOG, seconded by Councilwoman Recker. **Motion passes: 4-0.**

- E. Discuss and consider approving a resolution updating the City Credit Card Policy.**

MOTION: Councilwoman Recker approves a resolution increasing the credit card limit for accounts payable to \$48,000.00, seconded by Councilman Cormier. **Motion passes: 4-0.**

9. Discussion/Action

A. Discuss and consider action on the FY 2018 Street Maintenance Program

Mayor Gregory stated that this was to put a second seal-coat on jobs completed by V&Y Paving. **MOTION:** Councilman Poore made a motion on the FY 2018 Street Maintenance Program, seconded by Councilwoman Recker. **Motion passes: 4-0.**

B. Discuss and consider action on the creation of an authorized La Vernia Police Department employee Gun Range

Chief Ritchey briefed city council on Wilson County assisting in the development of a training gun range. A interlocal agreement will be developed for City Council review and action on the March agenda. **MOTION:** Councilman Poore made a motion on the creation of an authorized La Vernia Police Department employee gun range, seconded by Councilwoman Recker. **Motion passes: 4-0**

10. Items Specific to Future Line Items on the Agenda

- **Roads**

11. Adjourn – Council Cormier made a motion to adjourn the meeting, seconded by Councilman Poore. The meeting was adjourned at 7:24 PM.

Robert Gregory, Mayor

Brittani Porter, City Secretary

La Vernia Police Department
Enforcement Statistics
February 2018

Case Type

Criminal Complaints	8	35.00%
Incidents	46	65.00%
Total	56	100.00%

CRIMINAL COMPLAINT - Offense Code

CRIMINAL MISCHIEF	1	30.0%
THEFT	2	10.0%
POSS CS PG 1	1	10.0%
POSS CS PG 3	1	10.0%
POSS DRUG PARAPHERNALIA	2	30.0%
WARRANT SERVICE	1	10.0%
Total	8	100.00%

INCIDENT - Offense Code

INFO	13	30%
NO INSURANCE	1	4%
ASSIST OTHER AGENCY	7	15%
NATURAL DEATH	1	4%
ALARM	7	15%
ACCIDENT INVOLVING DAMAGE TO V	11	20%
TOWED VEHICLE	3	7%
FUNERAL ESCORT	2	5%
Total	45	100.00%

Citations

VIOLATIONS	175	75.00%
WARNINGS	92	25.00%
Total	267	100.00%



Bruce Ritchey
Chief of Police

Racial Profiling Report | Tier one

Agency Name:	La Vernia Police Department
Reporting Date:	03/01/2018
TCOLE Agency Number:	493202
Chief Administrator:	Bruce Ritchey
Agency Contact Information:	
Phone:	830 779-4541
Email:	N/A
Mailing Address:	PO Box 225 La Vernia (WILSON) Texas 78121-0225

This Agency claims partial racial profiling report exemption because:

Our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

Certification to This Report 2.132 (Tier 1), Partial Exemption

Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling

La Vernia Police Department has adopted a detailed written policy on racial profiling. Our policy:

- 1.) clearly defines acts constituting racial profiling;
- 2.) strictly prohibits peace officers employed by the La Vernia Police Department from engaging in racial profiling;
- 3.) implements a process by which an individual may file a complaint with the La Vernia Police Department if the individual believes that a peace officer employed by the La Vernia Police Department has engaged in racial profiling with respect to the individual;
- 4.) provides public education relating to the agency's complaint process;
- 5.) requires appropriate corrective action to be taken against a peace officer employed by the La Vernia Police Department who, after an investigation, is shown to have engaged in racial profiling in violation of the La Vernia Police Department's policy adopted under this article;
- 6.) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:

- a.) the race or ethnicity of the individual detained;
 - b.) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - c.) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- 7.) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision(6) to:
- a.) the Commission on Law Enforcement; and
 - b.) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

Executed by: Bruce Ritchey

Chief Administrator

La Vernia Police Department

Date: 03/01/2018

La Vernia Police Department Motor Vehicle Racial Profiling Information

Total stops: 917

Number of motor vehicle stops

Citation only: 911

Arrest only: 1

Both: 5

Race or ethnicity

African: 36

Asian: 8

Caucasian: 607

Hispanic: 263

Middle eastern: 3

Native american: 0

Was race known ethnicity known prior to stop?

Yes: 2

No: 915

Was a search conducted

Yes: 6

No: 911

Was search consented?

Yes: 5

No: 1

Submitted electronically to the



The Texas Commission on Law Enforcement

Primary Election

Tuesday, March 6, 2018
Early Voting: February 20 - March 2

Primary Election
Tuesday, March 6, 2018, 7 am - 7 pm

Wilson County Polling Locations

Box 101

Medical Office of
Machelle Williams, D.O.
7594 Hwy 181 N.
Floresville

Box 102

Floresville Ind. School Annex
1201 A St., Floresville

Box 103

Canada Verde V.F.D.
7529 FM 1303, Floresville

Box 104

SPJST Hall
1156 FM 1303, Floresville

Box 205

Poth City
Hall
200 N. Carroll St., Poth

Box 206

American Legion Hall Post 38
1412 Fourth St., Floresville

Box 207

Wilson County Showbarn
435 Hwy 97 E., Floresville

Box 208

Three Oaks V.F.D. @ Dewees
6689 FM 541 W., Floresville

Box 209

Kosciusko Parish Hall
8161 FM 541 E., Kosciusko

Box 310

La Vernia V.F.D.
12190 Hwy 87 W., La Vernia

Box 311

Oakwood Country Church
4848 FM 775, La Vernia

Box 312

S. S. Water Supply Corp.
10393 Hwy 87 W., La Vernia

Box 313

Sutherland Spgs. Community Bldg.
411 4th St., Sutherland Springs

Box 414

Stockdale Community Building
700 W. Main, Stockdale

Box 415

Life Church
7079 FM 775, La Vernia

Box 416

Valero Easy Car Wash
7020 US Hwy. 181 N., Floresville

Primary Election

Tuesday, March 6, 2018
Early Voting: February 20 - March 2

Primary Election
Tuesday, March 6, 2018, 7 am - 7 pm

Wilson County Polling Locations

Box 101

Medical Office of
Machelle Williams, D.O.
7594 Hwy 181 N.
Floresville

Box 102

Floresville Ind. School Annex
1201 A St., Floresville

Box 103

Canada Verde V.F.D.
7529 FM 1303, Floresville

Box 104

SPJST Hall
1156 FM 1303, Floresville

Box 205

Poth City
Hall
200 N. Carroll St., Poth

Box 206

American Legion Hall Post 38
1412 Fourth St., Floresville

Box 207

Wilson County Showbarn
435 Hwy 97 E., Floresville

Box 208

Three Oaks V.F.D. @ Dewees
6689 FM 541 W., Floresville

Box 209

Kosciusko Parish Hall
8161 FM 541 E., Kosciusko

Box 310

La Vernia V.F.D.
12190 Hwy 87 W., La Vernia

Box 311

Oakwood Country Church
4848 FM 775, La Vernia

Box 312

S. S. Water Supply Corp.
10393 Hwy 87 W., La Vernia

Box 313

Sutherland Spgs. Community Bldg.
411 4th St., Sutherland Springs

Box 414

Stockdale Community Building
700 W. Main, Stockdale

Box 415

Life Church
7079 FM 775, La Vernia

Box 416

Valero Easy Car Wash
7020 US Hwy. 181 N., Floresville

RELEASE OF EASEMENT

THE STATE OF TEXAS

§

COUNTY OF WILSON

§

§ KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, heretofore and by an instrument in writing bearing the date of 10th day of February, 2018, recorded in Volume 5 at Page 2-3, Deed Records of Wilson County, Texas, the undersigned are the owner(s) of an easement in, along, over, upon and across certain property more particularly described therein; and,

WHEREAS, _____ Frank A. Warner and Wife Donna M. Warner _____ residing in County of _____ Wilson _____ State of Texas (hereinafter referred to as "owner"), is desirous of having the property described below released from the burden of the Original Easement;

Lot 8, Woodcreek Subdivision, situated in Wilson County, Texas, as shown on plat recorded in Volume 5, pages 2-3 of the plat records of Wilson County, Texas. Moreover described in a warranty deed Volume 915, page 406 of the official public records of Wilson County, Texas. Whereas lot 8 as shown on said plat will be void of the 15 foot utility easement along the Northeast side of property line.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, City of La Vernia, of the County of Wilson, State of Texas, for and in consideration of the sum of One Dollar (\$1.00) paid by Owner, the receipt of which is hereby acknowledged, that the City of La Vernia does hereby release unto the Owner of said property all the rights, title and interest which was acquired by the Original Easement.

IN WITNESS WHEREOF, this instrument is executed on this the 6 day of March, 2018.

Acknowledgement

State of Texas
County of

On this _____ day of _____, 2018 before me, the undersigned, a Notary Public in and for the State of Texas duly commissioned and sworn, personally appeared _____ of Frontier Southwest Incorporated (GTE Southwest Incorporated {Verizon Southwest}) the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said Corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the State
of Texas

To Whom It May Concern,

We purchased my Great Grandmother's house that sits at 139 Industrial Drive right behind Sammys Restaurant and remodeled it. I am currently leasing it out and it is the Pricklee Pear Boutique. We are looking to build a storage building behind the house but per the survey there is a city owned easement running through the backyard. I am not sure how long it has been since this easement has been used but to my knowledge it hasn't been used and has just been a part of my Great Grandmothers yard for 35+ years. It is included in the fenced backyard and would be blocked by the carwash at the Shell Station. So we would like to see if there is any way we can have this easement so that we can build our storage building and also replace the fallen down fence of the back neighboring property that has been sitting vacant and dilapidated for years now. Attached is a copy of the survey showing the easement.

Thanks,

Jason and Lindsey Strickland

lindseygrisham@yahoo.com

210-789-1323

LEGAL DESCRIPTION: Being 0.262 acres of land within the corporate limits of the City of La Vernia, Wilson County, Texas and out of the Juan Delgado Grant, Abstract No. 8 in Wilson County, Texas and also being that certain 0.267 acre tract described in Volume 1552, Page 331 of the Official Public Records of Wilson County, Texas; Said 0.262 acre tract being more particularly described as follows and as surveyed under the supervision of Intrepid Surveying & Engineering Corporation in November, 2015:

BEGINNING at a 1 inch iron pipe found in the southwest line of Industrial Drive for the southeast corner of that certain 0.069 acre tract described in Volume 1458, Page 460 of said Official Public Records and the northeast corner hereof;

THENCE S 37°26'28" E a distance of 82.03 feet along the southwest line of Industrial Drive to a 1/2 inch iron rod set for the northeast corner of that certain 0.610 acre tract described in Volume 1719, Page 121 of said Official Public Records and the southeast corner hereof;

THENCE S 82°12'47" W a distance of 156.84 feet along the meanders of a fence to a 1/2 inch iron rod set in the east line of that certain tract described in Volume 449, page 60 of the Deed Records of Wilson County, Texas and the north line of that certain 0.543 acres described in Volume 1406, Page 161 of said Official Public Records and the southeast corner hereof;

THENCE N 13°54'07" W a distance of 94.80 feet along the east line of said Volume 449, Page 60 to a 1 inch iron pipe found for the northeast corner of said Volume 449, Page 60, a south corner of said 0.069 acre tract and the northwest corner hereof;

THENCE S 87°28'54" E a distance of 128.42 along the meanders of a fence and the south line of said 0.069 acre tract to the **POINT OF BEGINNING** containing 0.262 acres more or less, and as shown hereon.

- LEGEND:**
- BOUNDARY LINE
 - - - ADJOINER LINE
 - SURVEY LINE
 - - - FENCE
 - BURIED PIPELINE
 - OVERHEAD ELECTRIC LINE
 - UNDERGROUND UTILITY LINE
 - WATER LINE
 - P.U.E. - PUBLIC UTILITY EASEMENT
 - B.L. - BUILDING SETBACK LINE
 - U.D.E. - UTILITY, DRAINAGE, AND EMBANKMENT/BACKSLOPE EASEMENT
 - (BRG-DIST.) RECORD CALL
 - XXX/XXX VOLUME/PAGE
 - W.C.P.R. - COUNTY PLAT RECORDS
 - W.C.D.R. - COUNTY DEED RECORDS
 - W.C.O.P.R. - COUNTY OFFICIAL PUBLIC RECORDS
 - W.C.R.P.R. - COUNTY REAL PROPERTY RECORDS

- POINT
- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET
- △ 1200 NAIL FOUND
- ☆ IRON PIPE FOUND
- ⊙ NAIL SET
- ⊙ 3/8" IRON ROD FOUND
- ⊙ PIPE FENCE CORNER POST FOUND
- ⊙ WOOD FENCE CORNER POST FOUND
- AS MARKED
- A/C
- ⊕ ELECTRIC METER
- ⊕ TELEPHONE PEDESTAL
- ⊕ SEPTIC
- ⊕ GAS METER
- ⊕ WATER METER
- ⊕ UTILITY POLE
- ⊕ FIRE HYDRANT

FILE: 2015\Boundary\Wilson\PENDING\15-0458 Anna Waltisperger



I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE SURVEY INFORMATION FOUND ON THIS PLAT WAS DERIVED FROM ACTUAL FIELD NOTES OF ON-THE-GROUND SURVEYS MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AT THE TIME OF THIS SURVEY. NO WARRANTY IS MADE OR IMPLIED FOR THE LOCATION OF ANY OR ALL EASEMENTS THAT MAY EXIST WITHIN THE BOUNDS OF THIS SURVEY.

REGISTERED PROFESSIONAL LAND SURVEYOR
DATE

INTREPID
SURVEYING & ENGINEERING
P.O. Box 519 • 1004 C STREET
FLORESVILLE, TX 78114
O. 830.393.8833 • F. 830.393.3388
WWW.INTREPIDTX.COM
TBPLS #10193936 • TPBE #16550

SURVEY PLAT

**JUAN DELGADO GRANT
A-8**

(0.9479 ACRES)
1479/520 W.C.O.P.R.

(0.069 ACRES)
1458/460 W.C.O.P.R.

(S 87°00'00" E 130.40')
S 87°28'54" E 128.42'

(0.208 ACRES)
1458/460 W.C.O.P.R.

(N 13°54'07" W 94.80')
449/80 W.C.D.R.

0.262 ACRES
1552/331 W.C.O.P.R.

S 82°12'47" W 156.84'
(S 82°53'00" W 159.40')

(0.543 ACRES)
1406/161 W.C.O.P.R.

(0.610 ACRES)
1719/121 W.C.O.P.R.



NOTE:
1. BEARINGS, DISTANCES & ACREAGE ARE GRID NAD 83 US TX SOUTH CENTRAL ZONE AND ARE DERIVED FROM NORMAL GPS TECHNIQUES.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THERE MAY BE EASEMENTS AND/OR COVENANTS AFFECTING THIS PROPERTY, NOT SHOWN HEREON.
3. IRON ROD SET ARE 1/2 INCH IRON REBAR WITH PLASTIC CAPS MARKED "INTREPID"

REFERENCE: ANNA WALTISPERGER
ADDRESS: 139 INDUSTRIAL DRIVE
LEGAL DESCRIPTION: BEING 0.262 ACRES OF LAND OUT OF THE JUAN DELGADO GRANT SURVEY NO. 8, ABSTRACT NO. 8 IN WILSON COUNTY, TEXAS
JOB NO. 15-0458 REV. 0
DRAWN BY: AS FIELD BOOK: 11/84

ORDINANCE NO. 030818-01

AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS, DECLARING UNOPPOSED CANDIDATES IN THE MAY 5, 2018, GENERAL CITY ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the general city election was called for May 5, 2018, for the purpose of electing members to the City Council; and

WHEREAS, the City Secretary has certified in writing that there is no proposition on the ballot, that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and

WHEREAS, the Secretary of State's recommended first day that an election may be cancelled and all filing deadlines have passed; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the Board of Aldermen to declare the candidates elected to office and cancel the election.

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

SECTION 1. The following candidates, who are unopposed in the May 5, 2018 general city election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed:

Robert W. Gregory, Mayor
Martin Poore, Councilman
Dianell Recker, Councilwoman

SECTION 2. The May 5, 2018 general city election is canceled, and the City Secretary is directed to cause a copy of this ordinance to be posted on Election Day at each polling place that would have been used in the election.

SECTION 3. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the City Council would have enacted them without the invalid portion.

SECTION 4. This ordinance shall take effect upon its final passage, and it is so ordained.



City of La Vernia
REGULAR CITY COUNCIL MEETING
City Council Chambers of La Vernia City Hall
102 E. Chihuahua Street, La Vernia, Texas 78121

March 8, 2018
6:30 PM

AGENDA

1. Call to Order

2. Invocation, Pledge of Allegiance, and Texas Pledge (*Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*)

3. 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 of 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)

4. Consent Agenda

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

- A. Minutes from the January 17, 2018 City Council Workshop
- B. Minutes from the February 8, 2018 Regular City Council Meeting
- C. La Vernia Police Department – Reports, Traffic Violations & Arrests; and Number of Occurrences by Offense for the month of February 2018;
- D. Check Register and financial report for the month of February 2018
- E. 2017 Racial Profiling Report

5. Presentations

- A. Presentation by Mayor Gregory to the La Vernia Garden Club in appreciation for the donation of the bench.
- B. Presentation by Mayor Gregory to LVISD Students for Mayor and Mayor Pro Tem for the day contest.

6. Discussion/Action

- A. Discuss and consider approving the release of a 15-foot utility easement along the northeast side of the property line located at 129 Woodcreek, La Vernia Texas.
- B. Discuss and consider the release of an easement along the backside of property located at 139 Industrial Drive, La Vernia Texas.
- C. Discuss and consider action on FY 2018 Street Maintenance Projects.

7. Ordinances

- A. Discuss and consider an ordinance to cancel the May 5, 2018 General Election.

8. Resolutions

- A. Discuss and consider approval of a resolution to contribute matching funds to the Floresville Electric Light and Power System for the 2018 Summer Youth Program.
- B. Discuss and consider approving a resolution authorizing an Interlocal Agreement with Wilson County concerning the development of a Training Gun Range.

9. Items Specific to Future Line Items on the Agenda

10. Adjourn

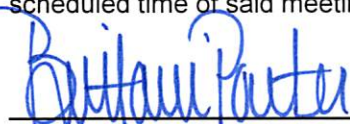
DECORUM REQUIRED

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by 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 §551.086 (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 City Council meetings are available to all persons regardless of disability. This facility is wheelchair accessible parking spaces are available. Requests 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 bporter@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 City of La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **March 5, 2018 at 4:30 P.M.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.



Brittani Porter, City Secretary



City of La Vernia
CITY COUNCIL WORKSHOP

City Council Chambers of La Vernia City Hall
102 E. Chihuahua Street, La Vernia, Texas 78121

January 17, 2018
6:00 PM

MINUTES

1. **Call to Order** – Mayor Gregory called the meeting to order at 6:00 PM and declare a quorum. All members were present.
2. **Invocation, Pledge of Allegiance, and Texas Pledge** Invocation was given by Councilman Poore, all in attendance recited the pledges.
3. **Citizens to be Heard**- There were no citizens to be heard.
4. **Discussion/Action**
 - A. **Discuss and possible action on creating an agreement with the La Vernia Little League.**
 - B. **Discuss and possible action on updating the Park Ordinance.**

Mayor Gregory stated he wanted to bring everyone up to speed on the previous meeting with the La Vernia Little League board. He stated the City Administrator and himself met with Mr. Cox and a couple other members. He stated the concerns from the Little League were the fields being in terrible shape and the bathroom conditions. Mayor Gregory stated the field quality needs to come up to one day host tournaments. He stated start off by taking one or two of the fields and rehab them which could potentially lead us to taking over the fields. Mayor Gregory stated taking over the fields would cause expensive and lots of time. He stated the reason for hiring a park guy was to help offset some of the park position. He stated prior to hiring Danny, the Public Works Department was helping out on top of working the daily water leaks and needs. Mayor Gregory stated that we are going to meet with Little League and let them have the floor and hear them out.

5. **Adjourn** – Councilwoman Recker made a motion to adjourn the meeting, seconded by Councilman Hennette. The meeting was adjourned at 8:18 PM.

Robert Gregory, Mayor

Brittani Porter, City Secretary



City of La Vernia
REGULAR CITY COUNCIL MEETING
City Council Chambers of La Vernia City Hall
102 E. Chihuahua Street, La Vernia, Texas 78121

February 8, 2018
6:30 PM

MINUTES

1. Call to Order- Mayor Gregory called the meeting to order at 6:30 PM and declared a quorum. Members Absent: Councilman Doege.

2. Invocation, Pledge of Allegiance, and Texas Pledge-Invocation was given by Mayor Gregory, all in attendance recited the pledges.

3. Citizens to be Heard – Elaine Stephens came and spoke in regards to Virtual cloud based online citizen engagement. With the City holding Town Hall meetings in may be something we could look into to assist the community that cannot attend sometimes.

4. Consent Agenda

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

- A. Minutes from the January 11, 2018 Regular City Council Meeting
- B. Minutes from the January 17, 2018 City Council Workshop
- C. La Vernia Police Department – Reports, Traffic Violations & Arrests; and Number of Occurrences by Offense for the month of January 2018;
- D. Check Register and financial report for the month of January 2018

MOTION: A motion was made by Councilwoman Recker to approve the consent agenda, pulling the January 17 minutes for next regular meeting, seconded by Councilman Hennette. **Motion passes: 4-0.**

5. Presentation

A. Presentation from Armstrong, Vaughn & Associates regarding FY 2017 Audit

Mr. Phil Vaughn presented the FY Audit for 2017. He stated we are in good shape. He stated Yvonne has done a great job the past two years.

**B. Presentation of Public Safety Award for National Night Out
Chief Ritchey**

Mayor Gregory stated they did an outstanding job in the efforts. Chief Ritchey presented the award to the Council to go along with the 4 others plaques received through the years.

6. Public Hearing

- A. **Public Hearing to receive comments regarding the granting of a Specific Use Permit to HK La Vernia Associates, LTD for the purposes of allowing a hotel in the space specifically known as: 100 S FM 1346, City of La Vernia, Block 1, Lot 3, La Vernia Crossing Subdivision zoned C-1 Retail.**

The Public Hearing was opened up at 6:45 PM. Bill Osborne, with Osborne Properties, represented Mr. Sinojia on behalf of the request of the SUP for the proposed hotel. Mr. Osborne provided a colored rendition to the City Councilmembers. Nannette Kilbey-Smith asked if it was going to be 3 stories, and if so, do we have a ladder truck. Mayor Gregory confirmed it was going to be a 3 story hotel and would adequately support the current apparatus ESD #1 has. He stated city ordinances were changed a few years back approving a 3 story building.

- B. Public Hearing to receive public comments regarding the proposed change of zoning district classification from present classification of R-1 (Single Family Residence) to C-1 (Commercial Retail) for City of La Vernia, Lot 429, located at 203 San Antonio Rd., La Vernia, Texas 78121.**

The Public Hearing was opened up at 6:49 PM and was closed at 6:50 PM.

- C. Public Hearing to receive public comments regarding amending Chapter 38 Section 302. – Permitted Use Chart to include Outdoor Physical Fitness.**

The Public Hearing was opened up at 6:50 PM and was closed at 6:50 PM.

7. Ordinances

- A. Discuss and consider approving an Ordinance No. 020818-01 granting a Specific Use Permit to HK La Vernia Associates, LTD for the purposes of allowing a hotel in the space specifically known as: 100 S FM 1346, City of La Vernia, Block 1, Lot 3, La Vernia Crossing Subdivision zoned C-1 Retail.**

MOTION: Councilman Hennette made a motion to approve an ordinance granting a Specific Use Permit for the purpose of allowing a hotel in the space specifically known as: 100 S. FM 1346, seconded by Councilman Cormier. **Motion passes: 4-0.**

- B. Discuss and consider approving Ordinance No. 020818-02 to change zoning district classification request from present classification of R-1 (Single Family Residence) to C-1 (Commercial Retail) for City of La Vernia, Lot 429, located at 203 San Antonio Rd., La Vernia, Texas 78121.**

MOTION: Councilman Poore made a motion to approve an ordinance to change zoning district classification R-1 Single Family to C-1 Commercial Retail at 203 San Antonio Rd., seconded by Councilwoman Recker. **Motion passes: 4-0.**

- C. Discuss and consider approving Ordinance No. 020818-03 amending the City of La Vernia Code of Ordinances Chapter 38 Article II Section 302 Permitted Uses Chart to include Physical Fitness outdoors in C-1, C-2, CB, and Industrial Zoning Districts.**

MOTION: Councilman Cormier makes a motion to approve an ordinance amending the Permitted Uses Chart, seconded by Councilman Hennette. **Motion passes: 4-0.**

- D. Discuss and consider approving Ordinance No. 020818-04 to call a General Election for the City of La Vernia on May 5th 2018 for the purpose of electing one (1) Mayor and two (two) councilmembers.**

MOTION: Councilman Hennette made a motion to approve an ordinance to call a General Election for the City of La Vernia on May 5th 2018, seconded by Councilman Cormier. **Motion passes: 4-0.**

- E. Discuss and consider approval on Ordinance No. 020818-05 for designating the City's official newspaper.**

MOTION: Councilman Hennette made a motion to approve designating the City's Official Newspaper, seconded by Councilwoman Recker. **Motion passes: 4-0.**

- F. Discuss and consider approval on Ordinance No. 020818-06 requesting an amendment to the FY 2018 Budget.**

MOTION: Councilwoman Recker made a motion to approve an amendment to the FY 2018 budget, seconded by Councilman Cormier. **Motion passes: 4-0.**

8. Resolutions

- A. Discuss and consider approving a resolution to appoint Councilman Martin Poore to the Board of Trustees of the Canyon Regional Water Authority (CRWA).**

MOTION: Councilman Hennette made a motion to approve appointing Martin Poore to the CRWA Board of Trustees, seconded by Councilman Cormier. **Motion passes: 4-0.**

- B. Discuss and consider approving a resolution to appoint David Mahula to the Board of Managers of the Canyon Regional Water Authority (CRWA).**

MOTION: Councilman Poore made a motion to approve a resolution appointing David Mahula to the Board of Managers of the CRWA, seconded by Councilwoman Recker. **Motion passes: 4-0.**

- C. Discuss and consider approving a resolution to adopt the City's Investment Policy.**

MOTION: Councilwoman Recker approves a resolution to adopt the City's Investment Policy, seconded by Councilman Poore. **Motion passes: 4-0.**

- D. Discuss and consider approving a resolution in support of the La Vernia PD equipment grant with Governor's office through AACOG.**

MOTION: Councilman Poore made a motion to approve a resolution in support of the La Vernia PD equipment grant with Governor's Office through AACOG, seconded by Councilwoman Recker. **Motion passes: 4-0.**

- E. Discuss and consider approving a resolution updating the City Credit Card Policy.**

MOTION: Councilwoman Recker approves a resolution increasing the credit card limit for accounts payable to \$48,000.00, seconded by Councilman Cormier. **Motion passes: 4-0.**

9. Discussion/Action

A. Discuss and consider action on the FY 2018 Street Maintenance Program

Mayor Gregory stated that this was to put a second seal-coat on jobs completed by V&Y Paving. **MOTION:** Councilman Poore made a motion on the FY 2018 Street Maintenance Program, seconded by Councilwoman Recker. **Motion passes: 4-0.**

B. Discuss and consider action on the creation of an authorized La Vernia Police Department employee Gun Range

Chief Ritchey briefed city council on Wilson County assisting in the development of a training gun range. A interlocal agreement will be developed for City Council review and action on the March agenda. **MOTION:** Councilman Poore made a motion on the creation of an authorized La Vernia Police Department employee gun range, seconded by Councilwoman Recker. **Motion passes: 4-0**

10. Items Specific to Future Line Items on the Agenda

- **Roads**

11. Adjourn – Council Cormier made a motion to adjourn the meeting, seconded by Councilman Poore. The meeting was adjourned at 7:24 PM.

Robert Gregory, Mayor

Brittani Porter, City Secretary

La Vernia Police Department
 Enforcement Statistics
 February 2018

Case Type		
Criminal Complaints	8	35.00%
Incidents	46	65.00%
Total	56	100.00%

CRIMINAL COMPLAINT - Offense Code

CRIMINAL MISCHIEF	1	30.0%
THEFT	2	10.0%
POSS CS PG 1	1	10.0%
POSS CS PG 3	1	10.0%
POSS DRUG PARAPHERNALIA	2	30.0%
WARRANT SERVICE	1	10.0%
Total	8	100.00%

INCIDENT - Offense Code

INFO	13	30%
NO INSURANCE	1	4%
ASSIST OTHER AGENCY	7	15%
NATURAL DEATH	1	4%
ALARM	7	15%
ACCIDENT INVOLVING DAMAGE TO V	11	20%
TOWED VEHICLE	3	7%
FUNERAL ESCORT	2	5%
Total	45	100.00%

Citations

VIOLATIONS	175	75.00%
WARNINGS	92	25.00%
Total	267	100.00%



Bruce Ritchey
 Chief of Police

Racial Profiling Report | Tier one

Agency Name:	La Vernia Police Department
Reporting Date:	03/01/2018
TCOLE Agency Number:	493202
Chief Administrator:	Bruce Ritchey
Agency Contact Information:	
Phone:	830 779-4541
Email:	N/A
Mailing Address:	PO Box 225 La Vernia (WILSON) Texas 78121-0225

This Agency claims partial racial profiling report exemption because:

Our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

Certification to This Report 2.132 (Tier 1), Partial Exemption

Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling

La Vernia Police Department has adopted a detailed written policy on racial profiling. Our policy:

- 1.) clearly defines acts constituting racial profiling;
- 2.) strictly prohibits peace officers employed by the La Vernia Police Department from engaging in racial profiling;
- 3.) implements a process by which an individual may file a complaint with the La Vernia Police Department if the individual believes that a peace officer employed by the La Vernia Police Department has engaged in racial profiling with respect to the individual;
- 4.) provides public education relating to the agency's complaint process;
- 5.) requires appropriate corrective action to be taken against a peace officer employed by the La Vernia Police Department who, after an investigation, is shown to have engaged in racial profiling in violation of the La Vernia Police Department's policy adopted under this article;
- 6.) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:

a.) the race or ethnicity of the individual detained;

b.) whether a search was conducted and, if so, whether the individual detained consented to the search; and

c.) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

7.) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision(6) to:

a.) the Commission on Law Enforcement; and

b.) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

Executed by: Bruce Ritchey

Chief Administrator

La Vernia Police Department

Date: 03/01/2018

La Vernia Police Department Motor Vehicle Racial Profiling Information

Total stops: 917

Number of motor vehicle stops

Citation only: 911

Arrest only: 1

Both: 5

Race or ethnicity

African: 36

Asian: 8

Caucasian: 607

Hispanic: 263

Middle eastern: 3

Native american: 0

Was race known ethnicity known prior to stop?

Yes: 2

No: 915

Was a search conducted

Yes: 6

No: 911

Was search consented?

Yes: 5

No: 1

Submitted electronically to the



The Texas Commission on Law Enforcement

RELEASE OF EASEMENT

THE STATE OF TEXAS

§

§

COUNTY OF WILSON

§ KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, heretofore and by an instrument in writing bearing the date of 10th day of February, 2018, recorded in Volume 5 at Page 2-3, Deed Records of Wilson County, Texas, the undersigned are the owner(s) of an easement in, along, over, upon and across certain property more particularly described therein; and,

WHEREAS, _____ Frank A. Warner and Wife Donna M. Warner _____ residing in County of _____ Wilson _____ State of Texas (hereinafter referred to as "owner"), is desirous of having the property described below released from the burden of the Original Easement;

Lot 8, Woodcreek Subdivision, situated in Wilson County, Texas, as shown on plat recorded in Volume 5, pages 2-3 of the plat records of Wilson County, Texas. Moreover described in a warranty deed Volume 915, page 406 of the official public records of Wilson County, Texas. Whereas lot 8 as shown on said plat will be void of the 15 foot utility easement along the Northeast side of property line.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, City of La Vernia, of the County of Wilson, State of Texas, for and in consideration of the sum of One Dollar (\$1.00) paid by Owner, the receipt of which is hereby acknowledged, that the City of La Vernia does hereby release unto the Owner of said property all the rights, title and interest which was acquired by the Original Easement.

IN WITNESS WHEREOF, this instrument is executed on this the 6 day of March, 2018.

Acknowledgement

State of Texas
County of

On this _____ day of _____, 2018 before me, the undersigned, a Notary Public in and for the State of Texas duly commissioned and sworn, personally appeared _____ of Frontier Southwest Incorporated (GTE Southwest Incorporated {Verizon Southwest}) the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said Corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the State
of Texas

To Whom It May Concern,

We purchased my Great Grandmother's house that sits at 139 Industrial Drive right behind Sammys Restaurant and remodeled it. I am currently leasing it out and it is the Pricklee Pear Boutique. We are looking to build a storage building behind the house but per the survey there is a city owned easement running through the backyard. I am not sure how long it has been since this easement has been used but to my knowledge it hasn't been used and has just been a part of my Great Grandmothers yard for 35+ years. It is included in the fenced backyard and would be blocked by the carwash at the Shell Station. So we would like to see if there is any way we can have this easement so that we can build our storage building and also replace the fallen down fence of the back neighboring property that has been sitting vacant and dilapidated for years now. Attached is a copy of the survey showing the easement.

Thanks,

Jason and Lindsey Strickland

lindseygrisham@yahoo.com

210-789-1323

LEGAL DESCRIPTION: Being 0.262 acres of land within the corporate limits of the City of La Vernia, Wilson County, Texas and out of the Juan Delgado Grant, Abstract No. 8 in Wilson County, Texas and also being that certain 0.267 acre tract described in Volume 1552, Page 331 of the Official Public Records of Wilson County, Texas; Said 0.262 acre tract being more particularly described as follows and as surveyed under the supervision of Intrepid Surveying & Engineering Corporation in November, 2015:

BEGINNING at a 1 inch iron pipe found in the southwest line of Industrial Drive for the southeast corner of that certain 0.069 acre tract described in Volume 1458, Page 460 of said Official Public Records and the northeast corner hereof;

THENCE S 37°26'28" E a distance of 82.03 feet along the southwest line of Industrial Drive to a 1/2 inch iron rod set for the northeast corner of that certain 0.610 acre tract described in Volume 1719, Page 121 of said Official Public Records and the southeast corner hereof;

THENCE S 82°12'47" W a distance of 156.84 feet along the meanders of a fence to a 1/2 inch iron rod set in the east line of that certain tract described in Volume 449, page 60 of the Deed Records of Wilson County, Texas and the north line of that certain 0.543 acres described in Volume 1406, Page 161 of said Official Public Records and the southeast corner hereof;

THENCE N 13°54'07" W a distance of 94.80 feet along the east line of said Volume 449, Page 60 to a 1 inch iron pipe found for the northeast corner of said Volume 449, Page 60, a south corner of said 0.069 acre tract and the northwest corner hereof;

THENCE S 87°28'54" E a distance of 128.42 along the meanders of a fence and the south line of said 0.069 acre tract to the **POINT OF BEGINNING** containing 0.262 acres more or less, and as shown hereon.

- LEGEND:**
- BOUNDARY LINE
 - - - ADJOINER LINE
 - SURVEY LINE
 - FENCE
 - BURIED PIPELINE
 - OVERHEAD ELECTRIC LINE
 - UNDERGROUND UTILITY LINE
 - WATER LINE
 - P.U.E. — PUBLIC UTILITY EASEMENT
 - B.L. — BUILDING SETBACK LINE
 - U.D.E. — UTILITY, DRAINAGE, AND EMBANKMENT/BACKSLOPE EASEMENT
 - (BRG-DIST.) RECORD CALL
 - XXX/XXX VOLUME/PAGE
 - W.C.P.R. — COUNTY PLAT RECORDS
 - W.C.D.R. — COUNTY DEED RECORDS
 - W.C.O.P.R. — COUNTY OFFICIAL PUBLIC RECORDS
 - W.C.R.P.R. — COUNTY REAL PROPERTY RECORDS

- POINT
- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET
- △ 1200 NAIL FOUND
- ☆ IRON PIPE FOUND
- ⊙ NAIL SET
- ⊙ 3/8" IRON ROD FOUND
- ⊙ PIPE FENCE CORNER POST FOUND
- ⊙ WOOD FENCE CORNER POST FOUND
- AS MARKED
- ⊞ A/C
- ⊞ ELECTRIC METER
- ⊞ TELEPHONE PEDESTAL
- ⊞ SEPTIC
- ⊞ GAS METER
- ⊞ WATER METER
- ⊞ UTILITY POLE
- ⊞ FIRE HYDRANT

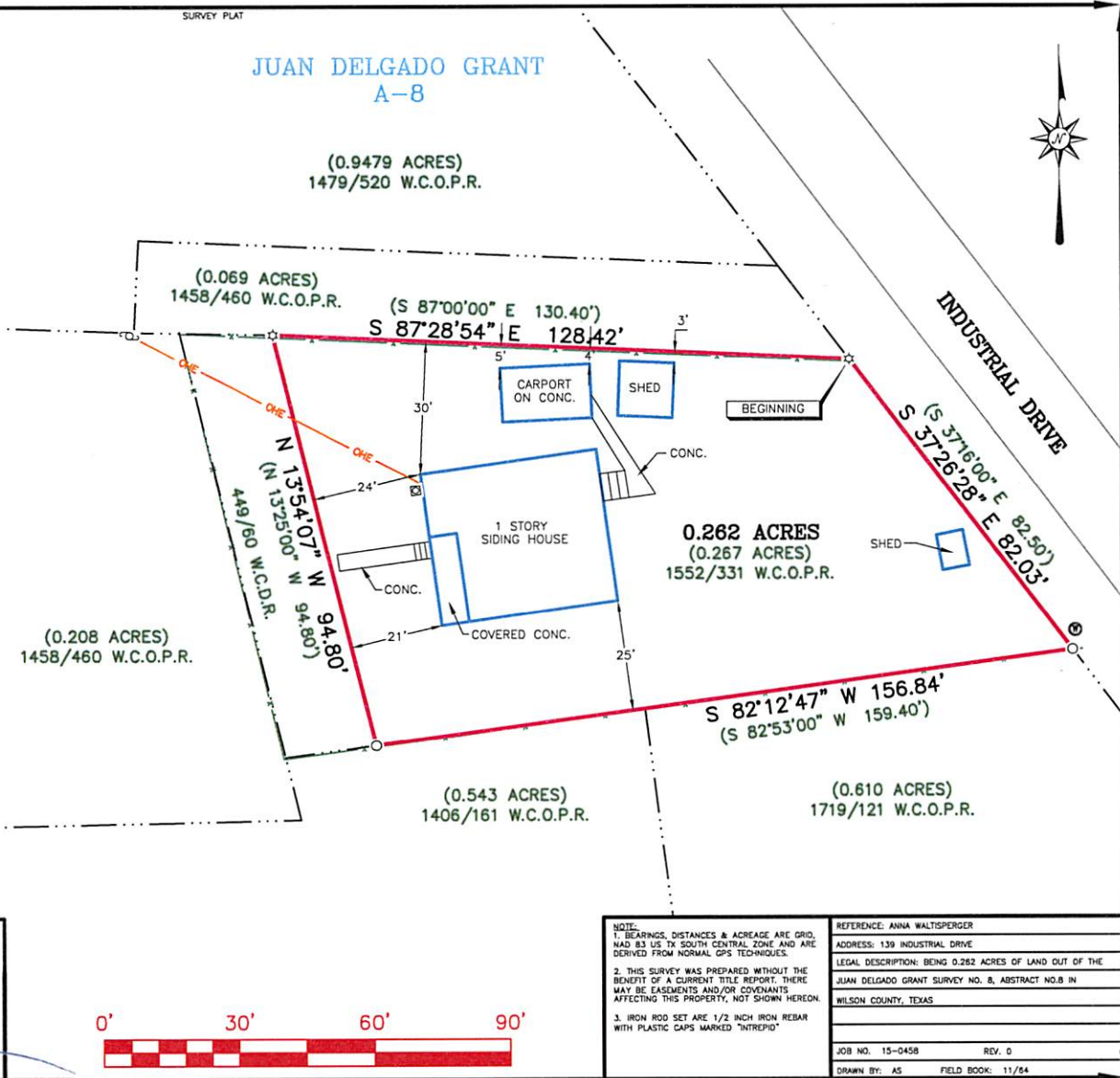
FILE: 2015\Boundary\Wilson\FENDING\15-0458 Anna Waltisperger



I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE SURVEY INFORMATION FOUND ON THIS PLAT WAS DERIVED FROM ACTUAL FIELD NOTES OF ON-THE-GROUND SURVEYS MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AT THE TIME OF THIS SURVEY. NO WARRANTY IS MADE OR INTENDED FOR THE LOCATION OF ANY OR ALL EASEMENTS THAT MAY EXIST WITHIN THE BOUNDS OF THIS SURVEY.

REGISTERED PROFESSIONAL LAND SURVEYOR
DATE

INTREPID
SURVEYING & ENGINEERING
P.O. Box 519 1004 C STREET
FLORESVILLE, TX 78114
O. 830.393.8833 • F. 830.393.3388
WWW.INTREPIDTX.COM
TBPIS #10193936 • TBPCE #16550



NOTE:

- BEARINGS, DISTANCES & ACREAGE ARE GRID. NAD 83 US TX SOUTH CENTRAL ZONE AND ARE DERIVED FROM NORMAL GPS TECHNIQUES.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THERE MAY BE EASEMENTS AND/OR COVENANTS AFFECTING THIS PROPERTY, NOT SHOWN HEREON.
- IRON ROD SET ARE 1/2 INCH IRON REBAR WITH PLASTIC CAPS MARKED "INTREPID"

REFERENCE: ANNA WALTISPESGER
ADDRESS: 139 INDUSTRIAL DRIVE
LEGAL DESCRIPTION: BEING 0.262 ACRES OF LAND OUT OF THE JUAN DELGADO GRANT SURVEY NO. 8, ABSTRACT NO.8 IN WILSON COUNTY, TEXAS
JOB NO. 15-0458
REV. 0
DRAWN BY: AS
FIELD BOOK: 11/84

ORDINANCE NO. 030818-01

AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS, DECLARING UNOPPOSED CANDIDATES IN THE MAY 5, 2018, GENERAL CITY ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the general city election was called for May 5, 2018, for the purpose of electing members to the City Council; and

WHEREAS, the City Secretary has certified in writing that there is no proposition on the ballot, that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and

WHEREAS, the Secretary of State's recommended first day that an election may be cancelled and all filing deadlines have passed; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the Board of Aldermen to declare the candidates elected to office and cancel the election.

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

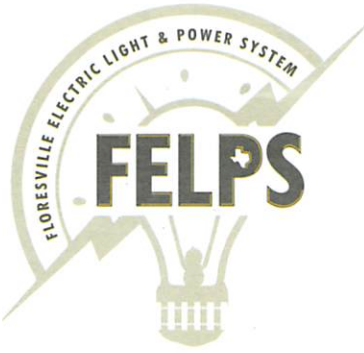
SECTION 1. The following candidates, who are unopposed in the May 5, 2018 general city election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed:

Robert W. Gregory, Mayor
Martin Poore, Councilman
Dianell Recker, Councilwoman

SECTION 2. The May 5, 2018 general city election is canceled, and the City Secretary is directed to cause a copy of this ordinance to be posted on Election Day at each polling place that would have been used in the election.

SECTION 3. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the City Council would have enacted them without the invalid portion.

SECTION 4. This ordinance shall take effect upon its final passage, and it is so ordained.



FLORESVILLE ELECTRIC LIGHT & POWER SYSTEM

February 28, 2018

City of La Vernia
Attn: Mayor
P O Box 225
La Vernia, Texas 78121

Ref: 2018 Summer Youth Program

Dear Mayor,

At the Regular Board Meeting February 28, 2018, the Floresville Electric Light and Power System's Board of Trustees approved the 2018 Summer Youth Program sponsored by Floresville Electric Light and Power System.

- 1.) Each city must participate in such a program and match the funds contributed by Floresville Electric Light and Power System. The annual sponsorship for 2018 will be up to \$2.00 per connected electric meter in the respective city. (Meter count at previous year end for the City of La Vernia was 414.)
- 2.) Each city must be participating in a Supervised Youth Program providing several different activities during the summer (day or night) for the youth of various ages.
Suggested activities:
 - a.) Little League
 - b.) Library Program
 - c.) Basketball Clinic
 - d.) Soccer
 - e.) etc.
- 3.) Each city participating in the Program must send in a request to Floresville Electric Light and Power System and state briefly what ages and type of activities their program is providing. Also, please provide the dollar amount per meter that will be matched.

Please let this letter serve as notification of the qualifications for the 2018 Summer Youth Program.

Your reply must be received by April 6, 2018.

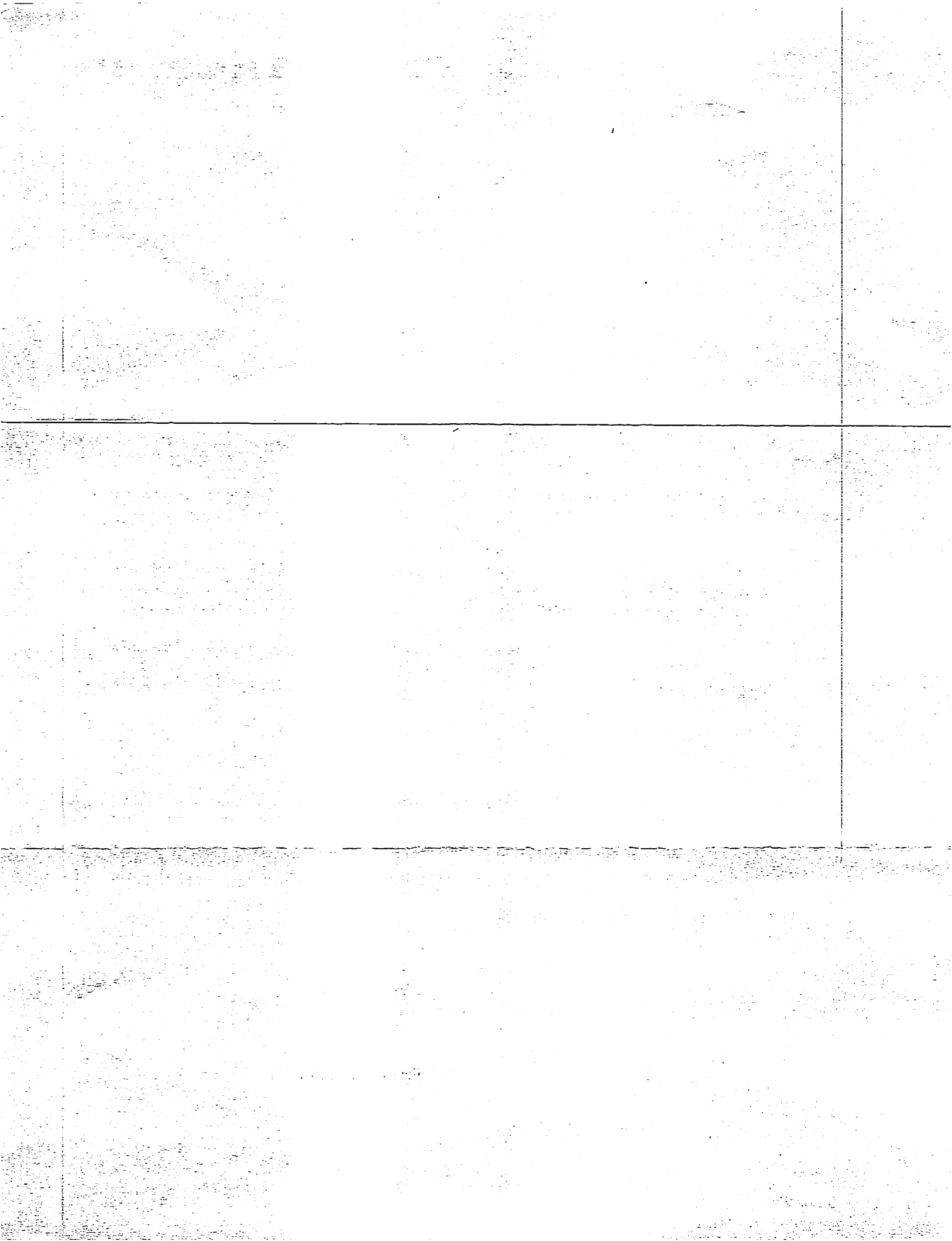
Sincerely,

Dwain Duke
General Manager

P.O. BOX 218 | 1400 4TH ST.
FLORESVILLE, TX 78114

www.felps.us

T (830) 216-7000
F (830) 393-0362



RESOLUTION NO. R030818-01

A RESOLUTION OF THE CITY OF LA VERNIA, TEXAS TO CONTRIBUTE MATCHING FUNDS TO THE FLORESVILLE ELECTRIC LIGHT AND POWER SYSTEM FOR THE 2018 SUMMER YOUTH PROGRAM

WHEREAS, the La Vernia City Council has determined that a need exists to promote summer youth activities to engage the youth of the community in positive summer activities; and

WHEREAS, the City Council supports the Floresville Electric Lighting and Power System (FELPS) summer youth program that promotes summer youth activities in the five cities within Wilson County; and

WHEREAS, the FELPS bases the funds for the summer youth programs on the number of FELPS electric meters within the City of La Vernia; and

WHEREAS, the City Council has agreed to match the funds provided by FELPS for summer youth programs within the City of La Vernia; and

WHEREAS, the City Council has determined that this Resolution is necessary to provide the matching funds for the FELPS supported summer youth programs.

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

SECTION 1

The City Council will match the FELPS summer youth funds for 414 electric meters within the City of La Vernia at a rate of two dollar (\$2.00) per electric meter for a total one time donation of \$828.00 for the 2018 summer youth program.

PASSED AND ADOPTED this 8th day of March, 2018.

Robert Gregory, Mayor

ATTEST:

Brittani Porter, City Secretary

APPROVED AS TO FORM:

City Attorney's Office



Resolution: 030818-02

**AGREEMENT
BETWEEN WILSON COUNTY AND LA VERNIA POLICE
DEPARTMENT FOR TRAINING GUN RANGE**

This Agreement is made by **WILSON COUNTY**, a political subdivision of the State of Texas ("**COUNTY**"), whose mailing address is 1420 3rd St., Floresville, Texas 78114 and the Police Department of the **CITY OF LA VERNIA**, a general law city of the State of Texas situated in Wilson County, Texas, whose mailing address is P. O. Box 225, La Vernia, Texas 78121, ("**CITY**").

WITNESSETH

WHEREAS, the Texas Government Code Chapter 791, provides for and, in fact, encourages cooperation between local governmental bodies, such as the parties hereto, to carry out functions that are beneficial to the citizens of the State; and

WHEREAS, **CITY** desires to have a training gun range in La Vernia for the use of the staff of the La Vernia Police Department (LVPD); and

WHEREAS, the **COUNTY** has scrap materials for which it has no use, which would be helpful to **CITY** in setting up a training gun range in La Vernia area, and is willing to provide labor; and

WHEREAS, it is the desire of the **CITY** to receive such assistance from **COUNTY** and to use it according to the terms and conditions hereinafter stated, including permitting use of the training range by members of the County Sheriff's Department, when accompanied by an LVPD officer;

NOW THEREFORE, in consideration of the mutual covenants and agreement stated herein, the parties hereto agree as follows:

**ARTICLE I
PURPOSE**

The purpose of this Agreement is for Wilson County to provide specific assistance to the City of La Vernia so that a training gun range can be established in La Vernia for use by the officers of the LVPD and the Wilson County Sheriff's Office, when accompanied by LVPD officer.

**ARTICLE II
TERM**

2.01 The term of this Agreement is from March ____, 2018 to midnight, February 28, 2019.

2.02 This Agreement may be terminated by either party hereto, with or without cause, upon thirty (30) days written notice delivered by certified mail or in person to the other party.

ARTICLE III
LVPD OBLIGATIONS

LVPD, in accordance with appropriate specifications and standards, if any, established for law enforcement practice gun ranges, agrees to perform the following services for the joint benefit of LVPD and the Wilson County Sheriff's Office:

- a) Set up a training gun range ("training range") including construction and upkeep, and setting appropriate rules on hours of operation, use of facility, and any restrictions on the types of firearms, etc.;
- b) Monitor the "training range" in the manner customary for law enforcement agencies;
- c) Follow all current practices and procedures, if any, by Texas law for governmental-sponsored practices ranges;
- d) Maintain, during the term of this Agreement, the "training range;" and
- e) Notify the Wilson County Sheriff's Department of problems with the "training range" which could impact Wilson County officers.

ARTICLE IV
COUNTY OBLIGATIONS

4.01 WILSON COUNTY agrees to provide the following for the creation of the "training range" which items shall be used by LVPD solely for the training range:

- a) Materials: _____;

_____.
- b) Labor: _____
_____.
- c) _____
_____.

4.02 WILSON COUNTY has the discretion to expand the items in Section 5.01 upon agreement with LVPD, and approval of Commissioners Court.

4.03 All items listed are to be provided at no cost to the LVPD.

ARTICLE V
GOVERNMENTAL FUNCTIONS; LIABILITY; NO WAIVER OF IMMUNITY OR DEFENSES

5.01 Notwithstanding any provision to the contrary herein, this Agreement is a contract for and with respect to the performance of governmental functions by governmental entities.

5.01.1 The services provided for herein are governmental functions, and the CITY and the COUNTY shall be engaged in the conduct of a governmental function while providing and/or performing any service pursuant to this Agreement.

5.01.2 The relationship of the COUNTY and the CITY shall, with respect to that part of any service or function undertaken as a result of or pursuant to this Agreement, be that of independent contractors.

5.01.3 Nothing contained herein shall be deemed or construed by the Parties, or by any third party, as creating the relationship of principal and agent, partners, joint ventures, or any other similar such relationship between the Parties.

5.02 The COUNTY shall have no liability whatsoever for the actions of, or failure to act by, any employees, contractors, subcontractors, agents, representatives, or assigns of the CITY in connection with the construction, operation and maintenance of the training range, except as stated in 5.3 below. The CITY covenants and agrees, to the extent permitted by law, that the CITY shall be solely responsible, as between the COUNTY and the CITY, for and with respect to any claim or cause of action arising out of or with respect to any act, omission, or failure to act by the CITY or its respective employees, contractors, subcontractors, agents, representatives, or assigns, in connection with the construction, operation and maintenance of the Training range, except as stated in 5.3 below.

5.03 The CITY shall have no liability whatsoever for the actions of, or failure to act by, any employees, contractors, subcontractors, agents, representatives, or assigns of the COUNTY in connection with the construction of the training range or parts thereof, by the COUNTY, its employees, contractors, subcontractors, agents, representatives, or assigns. The COUNTY covenants and agrees, to the extent permitted by law, that the COUNTY shall be solely responsible, as between the COUNTY and the CITY, for and with respect to any claim or cause of action arising out of or with respect to any act, omission, or failure to act by the COUNTY or its respective employees, contractors, subcontractors, agents, representatives, or assigns, in connection with its construction of the Training range.

5.03 Each Party reserves and does not waive any defense available to it at law or in equity as to any claim or cause of action whatsoever that may arise or result from or in connection with this Agreement. This Agreement shall not be interpreted nor construed to give to any third party the right to any claim or cause of action, and neither the CITY nor the COUNTY shall be held legally liable for any claim or cause of action arising pursuant to or in connection with this Agreement except as specifically provided herein or by law.

5.04 Neither Party waives or relinquishes any immunity or defense on behalf of itself, its trustees, councilmembers, officers, employees, and agents as a result of the execution of this Agreement and the performance of the covenants and agreements contained herein.

ARTICLE VI
COMPLIANCE WITH LAW

In carrying out this Agreement, the County and LVPD agree to abide by all statutes, ordinances, and rules and regulations pertaining to their obligations under this Agreement, including those now in effect and hereafter adopted. Any violation of said statutes, ordinance, rules or regulations, shall constitute a material breach of this Agreement, and shall entitle either party to terminate this Agreement immediately upon delivery of written notice of termination.

ARTICLE VII
RELATIONSHIP

It is understood that nothing in this Agreement shall make the COUNTY and LVPD partners, joint ventures or insurers of the other or any of their operations. The Parties are governmental entities cooperating with each other for the benefit of their citizens.

ARTICLE VIII
AMENDMENT

No amendment, modification, or alternation to the Agreement shall be binding unless the same be in writing, dated subsequent to the date hereof and duly executed by the parties hereto.

ARTICLE IX
NOTICE

All notices by the parties shall be deemed given when either delivered in person or deposited in the U.S. Mail, postage prepaid, certified mail, return receipt requested, addressed to the appropriate party at the following address:

Wilson County
1420 3rd Street
Floresville, Texas 78114

LVPD
P. O. Box 225,
La Vernia, Texas 78121

ARTICLE X
GOVERNING LAW; VENUE

All Parties agree that this Agreement shall be construed under the laws of the State of Texas, and obligations under the Agreement shall be performed in Wilson County, Texas. In the event that any legal proceeding is brought to enforce this Agreement or any provision hereof, the same shall be brought in the State Court of Wilson County, Texas. The Parties agree to submit to the jurisdiction of said court.

ARTICLE XI
SEVERABILITY

If any provision of this Agreement shall be deemed void or invalid, such provision shall be severed from the remainder of this Agreement, which shall remain in force and effect to the extent that it does not destroy the benefit of the bargain.

ARTICLE XII
ENTIRE AGREEMENT

This Agreement is the entire agreement between the CITY and the COUNTY as to the subject matter hereof and supersedes any prior understanding or written or oral agreement relative to the subject matter hereof. This Agreement may be amended only by written instrument duly approved and executed by both Parties in accordance with the formalities of this Agreement.

THIS AGREEMENT SHALL HAVE NO LEGAL FORCE OR EFFECT UNTIL SUCH TIME AS IT IS PROPERLY ADOPTED AND APPROVED BY THE WILSON COUNTY COMMISSIONERS COURT AND THE CITY COUNCIL OF THE CITY OF LA VERNIA

IN WITNESS THEREOF, this Agreement is executed in duplicate originals this ____ day of March, 2018.

COUNTY OF WILSON

CITY OF LA VERNIA

Richard L. Jackson, County Judge

Robert Gregory, Mayor

ATTEST:

ATTEST:

Eva S. Martinez, County Clerk

Brittani Porter, City Secretary