



AMENDED:

November 11, 2019 at 3:55 PM

*bminter*

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

November 14, 2019  
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 October 24, 2019 Regular City Council Meeting
- B. Minutes from the October 24, Joint Workshop Meeting
- C. La Vernia Police Department – Reports, Traffic Violations & Arrests; and Number of Occurrences by Offense for the month of October ;

**5. Presentation**

- A. Presentation by Waste Connections on New Garbage Route.
- B. Presentation by La Vernia Historical Association on Historical Markers.

**6. Public Hearing**

- A. Public hearing to receive public comments regarding the replat at 946 CR 361, releasing one (1) acre out of the 14.997 acre tract, La Vernia, Texas 78121.

**7. Discussion/Action**

- A. Discuss and consider action for the replat at 946 CR 361, releasing one (1) acre out of the 14.977 acre tract, La Vernia, Texas 78121.
- B. Discuss and consider action on the Wilson County Appraisal District – Nominations.

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

**9. Adjourn**

DECORUM REQUIRED

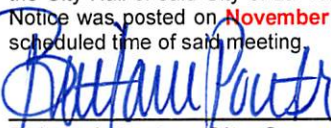
Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting,

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 §551.087 (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 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](mailto: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 **November 8, 2019 at 4:30 P.M.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.



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Brittani Porter, City Secretary



## City of La Vernia

### City Council & Planning and Zoning Joint Workshop

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

October 24, 2019  
5:45 PM

#### Meeting Minutes

1. **Call to Order** – Mayor Gregory called the meeting to order and declared a quorum. Members absent: Councilwoman Hutchinson
2. **Invocation, Pledge of Allegiance, and Texas Pledge** – *Mayor Gregory led the invocation and all in attendance recited the Pledge of Allegiance and Texas Pledge.*
3. **Citizens to be Heard**- there were no citizens to be heard.
4. **Discussion/Action**
  - A. **Discuss and consideration regarding the future Land Use Map and Zoning Map by M & S Engineering.**

Council members and commissioners discussed future land use map.

5. **Adjourn** – Councilman Poore made a motion to adjourn the meeting, seconded by Councilman Hennette. Meeting was adjourned at 6:29 PM.

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Robert Gregory, Mayor

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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

October 24, 2019  
6:30 PM

**Meeting Minutes**

1. **Call to Order** –Mayor Gregory called the meeting to order and declared a quorum. All members were present.
2. **Invocation, Pledge of Allegiance, and Texas Pledge** – *Invocation was led by Mayor Gregory, all members in attendance recited the Pledge of Allegiance and the Texas Pledge.*
3. **Citizens to be Heard**- there were no citizens to be heard.

**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 September 12, 2019 Regular City Council Meeting
- B. Minutes from the September 18, 2019 Special Meeting
- C. La Vernia Police Department – Reports, Traffic Violations & Arrests; and Number of Occurrences by Offense for the month of September ;
- D. Check Register and financial report for the month of September
- E. Quarterly Investment Report

**MOTION:** Councilman Poore made a motion to approve the consent agenda as presented, seconded by Councilman Cormier. Motion passes: 5-0.

**5. Proclamation**

- A. **Present a proclamation to Guadalupe Valley Family Violence Shelter, Inc. declaring October as Domestic Violence Awareness & Prevention**

Mayor Gregory read the proclamation out loud for all to hear, he also stated the Domestic Violence Awareness Prevention is near and dear to his heart and should be recognized year round.

**6. Public Hearing**

- A. **Public Hearing to receive public comments regarding the replat 100 Wiseman (Lot 302, 1 acre) & 12451 US Hwy W (City of La Vernia, Lot 302, 2.51 acres) creating one tract of land out of two parcels totaling 3.51 acres, La Vernia, Texas 78121.**

The public hearing was opened at 6:47 PM and closed at 6:47 PM with no comments being made.

**7. Discussion/Action**

- A. **Discuss and consider recommendation to the City Council for the replat 100 Wiseman (Lot 302, 1 acre) & 12451 US Hwy 87 W (Lot 302, 2.51 acres) creating one tract of land out of two parcels totaling 3.51 acres, La Vernia, Texas 78121.**

**MOTION:** Councilman Poore made a motion to approve the replat at 100 Wiseman (Lot 302, 1 acre) & 12451 US Hwy 87 W (City of La Vernia, Lot 302, 2.51 acres) creating one tract of land out of two parcels totaling 3.51 acres, La Vernia, Texas 78121, seconded by Councilwoman Recker. Motion passed: 5-0.

**B. Discuss and consider action on the resignation of Mark Doege from the La Vernia Municipal Development District**

Per the bylaws of the MDD, it's required that the City Council accept the resignation from Mark Doege. Mayor Gregory stated that we are open to ideas for replacement, suggesting maybe a business owner.

**MOTION:** Councilwoman Recker made a motion to accept the resignation of Mark Doege from the La Vernia Municipal Development District, seconded by Councilwoman Hutchinson. Motion passed: 5-0.

**C. Discuss and consider approval of the purchase of two (2) police vehicles and one (1) public works vehicle.**

**MOTION:** Councilman Poore made a motion to approve the purchase of two (2) police vehicles and one (1) public works vehicle not to exceed \$142,070.00, seconded by Councilman Cormier. Motion passed: 5-0.

**D. Discuss and consider action of the approval of funds for the interior remodel of City Hall.**

No action was taken, requesting two (2) additional bids.

**8. Ordinances**

**A. Discuss and consider approval of Ordinance No. 102419-01 awarding the contract for Solid Waste Contract to Waste Connections, Inc.**

**MOTION:** Councilman Poore made a motion to approve Ordinance No. 102419-01, amending the FY 2019 Budget for End of Year.

**B. Discuss and consider approval of Ordinance No. 102419-02 setting the solid waste rates per the new contract for residential and commercial.**

City Administrator advised this would be a 5 year contract and the residential rates would be going down.

**MOTION:** Councilwoman Recker made a motion to approve Ordinance No. 102419-02 setting the solid waste rates per the new contract for residential and commercial, seconded by Councilman Hennette. Motion passed: 5-0.

**C. Discuss and consider approval of Ordinance No. 102419-03 amending the FY 2019 Budget for End of Year.**

**MOTION:** Councilman Poore made a motion to approve Ordinance No. 102419-01, amending the FY 2019 Budget for End of Year, seconded by Councilman Hennette. Motion passed: 5-0.

**D. Discuss and consider approval of Ordinance No. 102419-04 updating the City's Drought Contingency Plan.**

**MOTION:** Councilman Poore made the motion to approve Ordinance No. 102419-04 updating the City's Drought Contingency Plan, seconded by Councilman Hennette.  
**Motion passed: 5-0.**

**9. Resolutions**

**A. Discuss and consider Resolution No. 102419-01, to increase the rate of deposits to the Texas Municipal Retirement System by the employees of the City of La Vernia.**

Mayor Gregory stated that this was approved during budget; this is just the legal part that has to go to TML.

**MOTION:** Councilman Poore made a motion to approve Resolution No. 102419-01, to increase the rate of deposits to the Texas Municipal Retirement System (TMRS) by the employees of the City of La Vernia, seconded by Councilman Hennette. **Motion passed: 5-0.**

**10. Executive Session**

**A. Pursuant to Local Government Code §551.074 of the Open Meeting Act. Tex. Gov't Code, council will meet in closed session to deliberate annual job performance of the City Administrator.**

The La Vernia City Council entered into Executive Session at 7:21 PM to discuss the job performance of the City Administrator and the Police Chief.

**B. Pursuant to Local Government Code §551.074 of the Open Meeting Act. Tex. Gov't Code, council will meet in closed session to deliberate annual job performance of the Police Chief.**

The La Vernia City Council entered into Executive Session at 7:21 PM to discuss the job performance of the City Administrator and the Police Chief.

**C. Reconvene into Regular Session and take action/or give direction, if necessary on items discussed in Executive Session.**

La Vernia City Council reconvened into open session at 8:26 PM.

**11. Items Specific to Future Line Items on the Agenda-**

**12. Adjourn-** Councilman Poore made a motion to adjourn the meeting, seconded by Councilwoman Hutchinson. Meeting was adjourned at 8:29 PM.

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Robert Gregory, Mayor

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Brittani Porter, City Secretary

La Vernia Police Department  
Enforcement Statistics  
October 2019

**Case Type**  
Criminal Complaints  
Incident

	20
	47
<hr/>	
<b>Total</b>	<b>67</b>

**CRIMINAL COMPLAINT - Offense Code**

CRIMINAL MISCHIEF  
BURGLARY  
THEFT  
WARRANT  
HARASSMENT  
UNLAWFUL CARRY HANDGUN  
UNLAWFUL RESTRAINT  
PARAPHERNALIA  
INDECENT EXPOSURE

	2
	2
	4
	3
	2
	1
	1
	4
	1
<hr/>	
<b>Total</b>	<b>20</b>

**INCIDENT - Offense Code**

ACCIDENT INVOLVING DAMAGE TO V  
ALARM  
ASSIST OTHER AGENCY  
INFO  
WELFARE CONCERN  
DISTURBANCE  
SUSPICIOUS PERSON  
FOUND PROPERTY

	12
	6
	2
	16
	2
	1
	7
	1
<hr/>	
<b>Total</b>	<b>47</b>

**Citations**

VIOLATIONS  
WARNINGS

	76
	84
<hr/>	
<b>Total</b>	<b>160</b>



Bruce Ritchey  
Chief of Police



**APPLICATION FOR LAND SUBDIVISION (PLAT)**

La Vernia Code Enforcement  
102 E. Chihuahua Street/P.O. Box 225  
La Vernia, TX 78121  
(830) 253-1198 Ext. 6  
codeenforcement@lavernia-tx.gov

CHECK ONE:  Master Plan  Prelim./Final Plat  Prelim. Plat  Final Plat  Replat  Amended  Minor

1. PROPOSED SUBDIVISION NAME: \_\_\_\_\_ UNIT NO. \_\_\_\_\_

LOCATION DESCRIPTION/NEAREST INTERSECTION: CR 361

ACREAGE: 1 Acre NO OF LOTS: EXISTING \_\_\_\_\_ PROPOSED \_\_\_\_\_

REASON FOR PLATTING/REPLATTING Release 1 acre from plat

2. OWNER/APPLICANT: Sean M. Gates & Valerie A. Gates

(\* If applicant is person other than owner, a letter of authorization must be provided from owner.)\*

ADDRESS: 946 CR 361 La Vernia, TX 78121

Telephone: 210-523-1985 Fax: NONE Mobile: \_\_\_\_\_ Email: Valgates@aol.com

3. LICENSED ENGINEER/SURVEYOR: Marshall Butz

MAILING ADDRESS: 3630 Kusmierz St. Hedwig, TX Ste. \_\_\_\_\_

TELEPHONE: 210-667-1389 Fax: 210-667-1334 Mobile: \_\_\_\_\_ Email: \_\_\_\_\_

LIST ANY VARIANCE REQUESTED: \_\_\_\_\_

REASON FOR REQUEST (List any hardships): 1 acre conveyance to family

4. PRESENT USE OF THE PROPERTY homestead CURRENT ZONING: \_\_\_\_\_

5. CITY LIMITS:  IN  OUT IS ANY PART OF THE PROPERTY IN A FLOODPLAIN?  YES  NO

6. Is the property subject to any liens, encumbrances, or judgments? If so, give details. (Provide separate sheet if needed.) Permission from any lien holders and/or removal of any encumbrances or judgments will be necessary prior to filing of said plat with the County Clerk's office.

**REQUIRED ITEMS FOR SUBMITTAL PACKAGE**

- Completed application, including signature of owner/applicant and signed waiver.
- Copy of deed showing current ownership.
- 7 copies of the plat, collated and folded so that the subdivision name is visible. Staple plats with 2 or more pages.
- 2 copies of the preliminary plan of the water system showing the approximate location and size of onsite and offsite existing and proposed water lines and fire hydrants; sewer system; storm sewer and preliminary drainage plan.
- Current deed restrictions for Vacating Plats, Replats, and Townhouse and Zero Lot Line Subdivisions.
- Survey showing any existing structures on the subject property.
- List of street names approved by the appropriate county.

PLEASE READ "IMPORTANT NOTES" ON THE REVERSE SIDE OF THIS APPLICATION

I agree to comply with all platting and subdivision requirements of the City of La Vernia. I understand that the plat will NOT be forwarded to the Planning and Zoning Commission unless staff comments are satisfactorily addressed by the plat correction due date. I voluntarily waive my right to request a certificate stating the date the plat was filed and that the Planning and Zoning Commission failed to act on the plat within thirty days. I do not object to consideration of the plat on \_\_\_\_\_ (date of Planning and Zoning Commission meeting). This waiver expires after \_\_\_\_\_ (date of the Planning and Zoning Commission meeting). (The waiver statement is not applicable to Minor Plats.)

Sean M. Gates / Valerie A. Gates Sean M. Gates / Valerie A. Gates 10/16/19  
Signature of Owner/Applicant Printed Name of Owner/Applicant Date

(If applicant is person other than owner, a letter of authorization must be provided from owner.)  
Signature indicates authorization for plat application and acceptance of waiver statement.



**FIELD NOTES**  
October 2, 2019

BEING 1.000 acre of land, more or less, out of the J. H. San Miguel Survey No. 129, Abstract 290, Wilson County, Texas and being out of a 29.979 acre tract described in Volume 1774, Page 269 of the Official Records of Wilson County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found in the existing west R.O.W. line of County Road 361 (Clark Road) for the southeast corner of this tract and the southeast corner of the above referenced 29.979 acre tract, said point also being the northeast corner of a 14.997 acre tract described in Volume 1328, Page 908 of the Official Records Wilson County, Texas;

THENCE, N 74°58'13" W, 258.71 feet along the common line with said 14.997 acre tract to an iron rod set in same for the southwest corner of this tract;

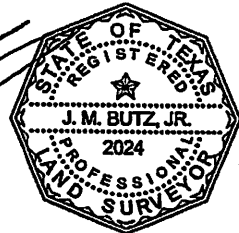
THENCE, N 14°42'28" E, 168.37 feet into said 29.979 acre tract to an iron rod set for the northwest corner of this tract;

THENCE, S 74°58'13" E, 258.71 feet to an iron rod set in the existing west R.O.W. line of County Road 361 for the northeast corner of this tract;

THENCE, S 14°42'28" W, 168.37 feet along said west R.O.W. line to the POINT OF BEGINNING and containing 1.000 acre of land, more or less.

Note: Plat also prepared this day.

  
\_\_\_\_\_  
J. M. Butz, Jr.  
Registered Professional Land Surveyor  
No. 2024



FN13-146.B

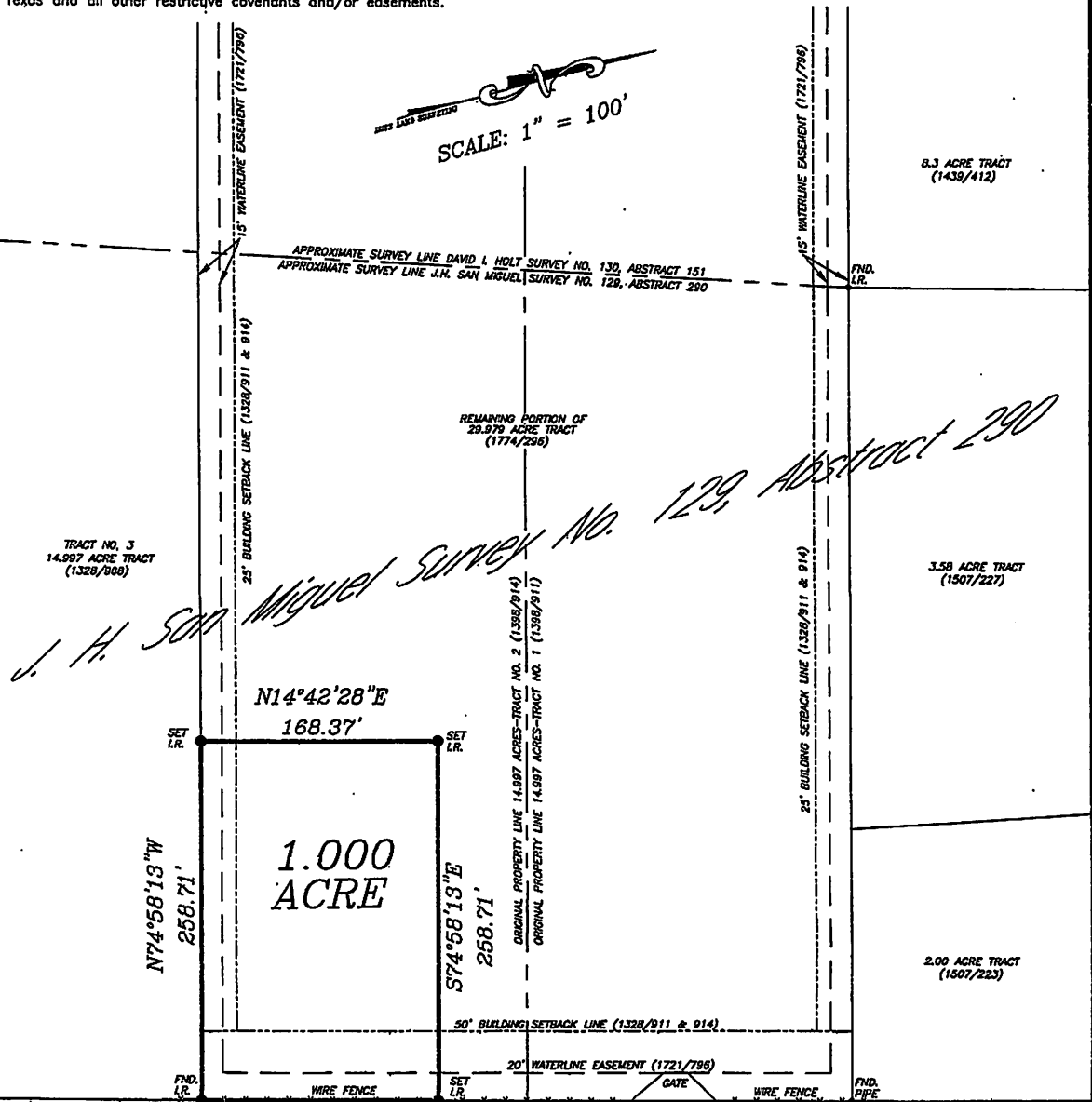
located from the following referenced map, this property is located in Zone "A" & "X" according to the N.F.L.P. Map No. 480230 0150 C, Effective Date November 26, 2010.

Subject to restrictive covenants and/or easements recorded in vol. 1328, Pg. 911; Vol. 1328, Pg. 914; Vol. 1721, Pg. 796 of the Official Records of Wilson County, Texas; Vol. 553, Pg. 451; Vol. 680, Pg. 523 of the Deed Records of Wilson County, Texas and all other restrictive covenants and/or easements.

NOTE: This survey was performed without the benefit of a Title Commitment and may not show all easements or other matters affecting this property and may not meet Wilson County subdivision requirements.

\*NOTE: Bearing based on Deed recorded in Volume 1774, Page 286 of the Official Records of Wilson County, Texas.

NOTE: This survey is being provided solely for the use of the current parties and no license has been created, express or implied, to copy the survey except as is necessary in conjunction with this transaction.



P.O.B.  $S14^{\circ}42'28''W$   
168.37'  
**COUNTY ROAD 361**  
(CLARK ROAD)

**SURVEY PLAT**

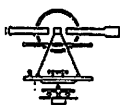
BEING 1.000 acre of land, more or less, out of the J. H. San Miguel Survey No. 129, Abstract 290, Wilson County, Texas and being out of a 29.979 acre tract as described in Volume 1774, Page 286 of the Official Records of Wilson County, Texas.



I, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that, to the best of my knowledge, information and belief, the above plat is a true representation of an actual survey made on the ground under my supervision, to the local standard of care, and that I have located apparent easements, right-of-ways, and encroachments as of the 2nd day of October 2019.

This the 2nd day of October, 2019.  
Field Notes also prepared this day.

J. M. Butz, Jr., R.P.L.S. No. 2024  
JOB NO. 13-148.B



**BUTZ  
LAND  
SURVEYING**  
FIRM. NO: 10193862

DRAWN BY: R.C.C.

3630 KUSMIERZ RD. ST. HEDWIG, TX. 78152-9718  
PHONE: 210-667-1389 FAX: 210-667-1334



## NOTICE OF PUBLIC HEARING

The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of Mr. Sean M. Gates & Valerie A. Gates

Property: 14.997 acres described as A0290 J H SAN MIGUEL SUR, TRACT 7B (TR 2C A0151 D I HOLT), City of La Vernia

Request: release 1 acre from the 14.997 acre tract – Property ID #58299 (based on WCAD details)

Because your property is located within 200 feet of the request, State Law requires that we notify you of the public hearing. **However, the zoning of your property will not be affected.** The public hearing process allows an opportunity to provide your written opinion of the request. This will aid the Commissioners in making their decision.

Public hearing for this request is scheduled before the Planning & Zoning Commission on Tuesday, November 12, 2019 at 6:30 PM and the City Council on Thursday, November 14, 2019 in the City Hall Council Chambers, 102 E. Chihuahua St. and is open to the public. If you are unable to attend the hearing and desire to express an opinion in regard to the above petition, you may do so by completing the form below and return the form below, including your signature, and must be returned no later than 5:00 PM on Friday, November 1, 2019.

Mail: City of La Vernia  
Brittani Porter  
102 E. Chihuahua St.  
La Vernia, Texas 78121

Email: [bporter@lavernia-tx.gov](mailto:bporter@lavernia-tx.gov)

If you have questions, please call Brittani Porter at (830) 779-4541 ext. 3.

  
Brittani Porter, City Secretary

### YOUR OPINION MATTERS – DETACH AND RETURN

Circle one

I am ( in favor ) ( opposed to ) the proposed re-plat at 946 CR 361 A0290 J H SAN MIGUEL SUR, TRACT 7B (TR 2C A0151 D I HOLT), La Vernia, Texas 78121.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

**By State Law – Unsigned submission cannot be counted as official comment.**

Renee N Lopez  
8235 Agora Pkwy Ste 111-196  
Selma, Texas 78154

Heather Lynn & William Craig  
627 CR 360  
La Vernia, Texas 78121

Gates Deer Haven LP  
8410 US Hwy 87 E  
San Antonio, Texas

Gracie Silva  
707 8<sup>th</sup> Street  
Floresville, Texas 78114

Renee N Lopez  
8235 Agora Pkwy Ste 111-196  
Selma, Texas 78154

Kelly Hanzelka  
305 CR 360  
La Vernia, Texas 78121-4625

John Spencer  
69 CR 360  
La Vernia, Texas 78121

Lucas & Julie Muenster  
31 CR 360  
La Vernia, Texas 78121

Lucelle McAteer  
976 CR 361  
La Vernia, Texas 78121

Courtney Shae Gates Stanley  
25019 Carrick Bend Dr.  
Spring, Texas 77389

Helen Freeman  
3434 River Way  
San Antonio, Texas 78230

James T & Lorie L Fike  
537 Freeman Ln  
La Vernia, Texas 78121

Mailed: Tuesday, Oct. 29<sup>th</sup>

In favor: 1

Opposed: 0

only 1 received as of 11/12 @ 5:00 pm

**Wilson County Appraisal District**  
1611 RAILROAD STREET FLORESVILLE, TX 78114  
TEL: 830-393-3065 FAX: 830-393-7755

**Board Of Directors**

*Robert Gregory, Chairman*  
*Jim Yanta, Secretary*  
*David Deason*  
*Kenneth Castro*  
*Lynn Ray West*  
*Dawn Barnett, Tax Assessor-Collector*

**Chief Appraiser**

*Jennifer A. Coldewey, RPA, RTA, CCA, CTA*

October 21, 2019

**TO: All voting taxing entities in the Wilson County Central Appraisal District**

**SUBJECT: Appointment of Board of Directors for the years 2020 & 2021**

Pursuant to resolutions passed around the time the Tax Code became effective, members of the Board of Directors of the Central Appraisal District of Wilson County; are appointed by Wilson County, and by the joint vote of the major cities and school districts. The County appoints one director, and each paired city and school appoints one director. The following chart reflects the current board members, and entities which appointed them:

<u>DISTRICT</u>	<u>NO. OF MEMBERS</u>	<u>CURRENT MEMBER</u>
COUNTY-AT-LARGE	ONE DIRECTOR	KENNETH CASTRO
CITY OF FLORESVILLE FLORESVILLE ISD	ONE DIRECTOR	LYNN RAY WEST (INTERIM)
CITY OF LA VERNIA LA VERNIA ISD	ONE DIRECTOR	ROBERT GREGORY
CITY OF POTH POTH ISD	ONE DIRECTOR	JIM YANTA
CITY OF STOCKDALE STOCKDALE ISD	ONE DIRECTOR	DAVID DEASON

Additionally, as required by Section 6.03 of the Texas Property Tax Code; since the County Tax-Assessor is not appointed as a voting director, the County Tax-Assessor is a non-voting director of the Board of Directors. This became effective January 1, 1998.

In past years, the paired cities and school districts have been encouraged, to communicate with each other in determining the director they wish to appoint. For an appointment to be effective, each named entity should submit the resolution naming it's selected appointee to the Chief Appraiser, no later than November 30, 2019.

Sincerely,



Jennifer A. Coldewey, Chief Appraiser  
JAC:ap