

# CITY OF DOUBLE HORN

Regular Meeting Minutes

City Council THURSDAY, MARCH 14, 2019 7:00PM

SPICEWOOD COMMUNITY CENTER

Located at 7901 CR 404 Spicewood, Texas 78669

**THE CITY OF DOUBLE HORN COUNCIL MEETINGS ARE AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT CATHY SERENO AT (830)693-1508 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING. THANK YOU.**

Citizens will be given an opportunity to provide comments on any item listed on the regular agenda when the agenda item is called. Comments should be limited to (3) three minutes.

## **1. Call Meeting to Order: Time 7:00pm**

## **2. Roll call to Confirm Quorum:**

*Jim Millard, RG Carver, Larry Trowbridge, Bob Link, and Cathy Sereno* in attendance. *Glenn Leisey* is absent. Quorum confirmed.

## **3. Invocation: Bob Link**

## **4. Pledge of Allegiance**

## **5. Approval of Minutes:**

Corrections: *Bob Link* found some grammatical corrections that were corrected.

*Mayor Cathy Sereno* stated that if there are no other corrections the March 14th minutes are approved as corrected.

## **6. Citizen Comments -**

No citizens signed up to speak.

## **7. Treasurer's Report:**

### **a. Discuss and consider action on proposals for banking services and award a contract for banking services.**

*Mayor Cathy Sereno* indicated that only one of the 3 banks *Glenn Leisey* requested proposals from has responded complete. Other banks have indicated they need more time. In the interim, First United Bank has offered to provide banking services with a minimum balance of \$100 until a decision has been made. They are requesting, though, if they are not the chosen bank, that the account with them be closed out.

Motion: *Bob Link* moved to accept First United as an interim banking service for the City.

Second: *Jim Millard* seconded proposal.

Discussion: none

Vote: Unanimous vote; motion carried.

Further research will be done to secure a permanent financial home for the city.

## **8. Regular Agenda: The Council will individually discuss, consider and possibly take action on any or all of the following items:**

### **a. Discuss and consider action on quote for city liability insurance provided by Texas Municipal League (TML).**

*Larry Trowbridge* discusses the coverage of the insurance. The first year of membership to TML is free. The insurance would run from 3/15/19-3/15/20.

Coverage:

General Liability: 500K with a 1 Million aggregate for Year

Law Enforcement Coverage 500K per incident with a 1 Million aggregate for Year  
1K deductible.

Errors & Omissions: 500K per incident with a 1 Million aggregate for Year

Subject to 1K deductible; Criminal defense reimbursement, employment matters, etc. Covers Council members and includes website for breach of data or loss of data.

A requirement of the insurance would be to name an administrator and establish an ordinance to give claimants a limited time to file a claim to establish a process.

*The Mayor* asked *Larry Trowbridge* to be the administrator for the city.

Motion: *Larry Trowbridge* moves to approve to pay \$980 for Texas Municipal League Risk Pool Liability Insurance and that the *Mayor* execute the agreement.

Second: *RG Carver* seconds the motion.

Discussion: none

Vote: Unanimous. The motion carried.

**b. Discuss and consider action on role of Marshal - Discussion to include job responsibilities, job requirements, related costs and options.**

John Osborne: Due to the requirements of a city Marshall to be a licensed Peace Officer and added liability risks for the City, he suggests that the name is changed to Ordinance Officer.

*Patty Akers*: She suggests that might not be necessary to have a Marshall. Set up an agreement of an interlocal agreement with the local Sheriff's dept. An ordinance would be required for an Ordinance Officer. Mutual compliance is the best code enforcement. The elimination of the position of Marshall and adding a Code Enforcement Officer would need to be on next meeting's agenda. Code enforcement would need access to a court. She can check on access to a Justice of the Peace if that is needed.

**c. Discuss and consider action on the Facility Committee recommendation(s) regarding the location of City Hall (city office and meeting room) including possible lease agreement.**

Jim Millard: The information on a facility previously discussed was the *Professional Civil Process* company's offer of 200 sq.ft. once a month for a Council meeting for \$500 month or \$1500 a month for office space for City Secretary with high speed internet. A less expensive third option would be building a small building around the Double Horn subdivision pool house for files and small equipment. He feels that more investigation into a facility is needed.

*Jim Millard* suggests the meetings be held at the Pavilion as it has zero expense.

Motion: Continue to have City Council meetings at the Double Horn Pavilion and to keep the gates open during the meetings.

Second: *Bob Link* seconds the motion.

Discussion: *David Reddrop* suggested to have an agreement between HOA and City. *Jim Millard* will follow up on an agreement between the HOA and the City.

Vote: Unanimous. The motion carried.

*John Osborne* points out, in support of an agreement with the HOA, that Pavilion can be booked for other items and there is a need to set up reservations for Council meetings.

**d. Discuss and consider action on the Ordinance Committee Report including the following items:**

On behalf of the entire City Council, *The Mayor* thanks *Bob Link* and his committee, made up of Council and community members, for all their hard work. She asks *Bob Link* to read the preamble of each ordinance or resolution.

*Bob Link* thanks his committee made up of *Glen Zoener, John Gary, Harry Brunner, and Ron Link.*

**i. 2019-ORD001 AN ORDINANCE OF THE CITY OF DOUBLE HORN, BURNET COUNTY, TEXAS DOCUMENTING THE BORDERS OF THE CITY OF DOUBLE HORN AND THE BOUNDARIES OF ITS EXTRATERRITORIAL JURISDICTION (ETJ).**

*Harry Brunner* explained that all cities are required to define the boundaries of its city. *RG Carver* stated the map will be mounted and brought to each meeting.

Motion: *Larry Trowbridge* moves to approve ordinance ORD001 as written.

Second: *RG Carver* seconds the motion.

Discussion: none

Vote: Unanimous. The motion carried.

**ii. 2019-ORD002 AN ORDINANCE OF THE CITY OF DOUBLE HORN, BURNET COUNTY, TEXAS ESTABLISHING RULES OF PROCEDURE AND ORDER OF BUSINESS.**

*The Mayor* clarifies some changes previously made. The section 1.1 was changed to “reserved” because we don’t have a permanent location. Ordinance will be amended when we do. The section 5.1 has “registration card” changed to sign-up sheet.

Motion: *Larry Trowbridge* moves to approve ordinance 2019-ORD002.

Second: *Jim Millard* seconds motion.

Discussion: none

Vote: Unanimous. The motion carried.

**iii. 2019-ORD003 AN ORDINANCE OF THE CITY OF DOUBLE HORN, BURNET COUNTY, TEXAS, DESCRIBING THE ROLES AND DUTIES OF THE MAYOR; AND PRESIDENT PRO TEMPORE.**

Motion: *Larry Trowbridge* moves to accept ordinance ORD003 as written.

Second: *Jim Millard* seconds the motion.

Discussion: none

Vote: Unanimous. The motion is carried.

**iv. 2019-ORD004 AN ORDINANCE OF THE CITY OF DOUBLE HORN,  
BURNET COUNTY, TEXAS, ESTABLISHING THE FISCAL YEAR.**

Motion: *Larry Trowbridge* moves to approve ORD004 as written.

Second: *RG Carver* seconds the motion.

Discussion:

*David Reddrop*: What is the fiscal year.

*Bob Link*: The fiscal year is from October 1st to the following September 30th.

Vote: Unanimous. The motion carried.

*Ms. Reddrop*: How will citizenry access ordinances?

*Mayor* - It will be on website, doublehorntx.org, where approved ordinances will be posted.

*Patty Akers*- As we go along a fuller packet could be available to view ahead of the meeting as an agenda packet.

**v. 2019-RES001 A RESOLUTION OF THE CITY OF DOUBLE HORN,,  
BURNET COUNTY, TEXAS, DESIGNATING AN OFFICIAL NEWSPAPER OF  
THE CITY OF DOUBLE HORN, TEXAS, FOR FISCAL YEAR 2019-2020;  
GIVING THE CITY MAYOR AND DESIGNEE AUTHORITY TO PUBLISH IN  
THE OFFICIAL NEWSPAPER AND PROVIDING AN EFFECTIVE DATE.**

*Bob Link* asks City Attorney, *Patty Akers*, to clarify the difference between a resolution and ordinance.

*City Attorney, Patty Akers*: Ordinances carries the force of law. Resolution is simply an action of the Council.

Motion: *Larry Trowbridge* moves to accept Resolution-001 as written.

Second: *RG Carver* seconds the motion.

Discussion: none

Vote: Unanimous. The motion carried.

**e. Discuss and consider action regarding the adoption of a city logo.**

Motion: *Jim Millard* makes a motion to continue this item till the next meeting.

Seconded by *Bob Link*.

Discussion: none

Vote: Unanimous. The motion carried.

**f. Discuss and consider action regarding a permanent display board to be installed on the outside of the gates so that city postings can be made in compliance with the Open Meetings Act.**

*Patty Akers*: If the City is going have its meetings at the Pavilion, it will need to have a secure board to post agenda at location and website.

*Bob Link* believes the agreement with HOA needs to include the ability to build a board.

*City Attorney Patty Akers*: The city has to have an exclusive area to post. The City can always do more posting than required.

Motion: *Bob Link* moves to work with the HOA to get approval for and build an enclosed bulletin board to post the City Council agenda as well as posting on the city website.

Second: *Jim Millard* seconds the motion.

Discussion: *The Mayor* will be putting out an announcement to Double Horn HOA to get the website information out to the residents.

Vote: Unanimous. The motion carried.

**g. Discuss and consider approval of an agreement with the City Attorney.**

The Mayor clarifies that the firm Aker and Akers will be charging us \$180 an hour, at a discounted rate. She is only billing us 50% of the travel expense.

Motion: *Bob Link* moves to approve the agreement between the City of Double Horn and the Law firm Akers and Akers Law, LLP.

Second: *Jim Millard* seconds the motion.

Discussion: *Bob Link* speaks to the motion that *Patty Akers* was very helpful and a good resource for creating the ordinances and resolutions.

*The Mayor* agrees that *Patty* will keep us on the right path.

Vote Unanimous. The motion carried.

**h. Discuss and consider action on Budget Guidance Committee Report - forecasted expenses and options**

*Larry Trowbridge:* Committee, *John Gary, Bob Link, Jim Millard,* and *Larry Trowbridge,* created examples of budgets for the board. The state has very specific requirements for posting and passing budgets. It is subject to Public hearings and two separate votes: one to adopt the budget and 2 to adopt the tax levy.

*Harry Brunner:* The County Assessor, Stan Hemphill, has requested an estimated tax rate prior to the end of March 30th. On April 15th, the appraisals go out to residents.

*Larry Trowbridge* - We need to continue working on this. This needs to be on next agenda.

Motion: *Larry Trowbridge* moves to continue working with the committee to develop a 2019 & 2020 budget to provide the tax assessor.

Second: *RG Carver* seconds motion.

Discussion: none

*Harry Brunner:* Assessor needs an email from City Secretary for the estimated tax.

Vote: Unanimous. The motion carried.

**i. Discuss and consider action to identify funding sources and fundraising activities.**

Motion: *Bob Link* makes a motion to form a committee for fundraising?

Second: *Jim Millard* seconds the motion.

Discussion: *Bob Link* - The leader of this committee doesn't have to be a Council member?

*Mayor* - The leader just has to work with City.

Motion Amended: *Jim Millard* amended motion to form a committee that will be led by the city treasurer by *Glen Leisey* subject to his approval, to raise funds for the city.

Second Amended: *Larry Trowbridge* seconds motion

Motion Amended: *Larry Trowbridge* amends the motion to form a Fundraising Committee for the city of Double Horn and search for a leader.

Second Amended: *RG Carver* seconds the motion..

Discussion: *Bob Link*: How would someone make a donation?

*Patty Akers*: Make a check made out to the City of Double Horn as soon as there is a bank account. Any donation to the city would be tax deductible.

Vote: Unanimous. The motion carried.

**j. Discuss and consider other matters for inclusion on the agenda for the next regular meeting of the City Council.**

The next Regular Meeting date would be April 11th but March 27th can be the next Special Meeting. Several citizens indicated a preference to meet at the Spicewood Community Center.

Motion: *Jim Millard* moved to have a Special Meeting on Wednesday, March 27th at 7pm.

Second: *Larry Trowbridge* seconded motion.

Discussion: *Mr. Brunner* will cover the cost of the Spicewood Community Center location.

Motion amended: *Jim Millard* amends motion to read Special Meeting at Spicewood Community Center on Wednesday 27th at 7pm pending availability.

Second: *Larry Trowbridge* seconded the amended motion.

Vote: Unanimous. The motion carried.

*John Osborne* will cover the cost of April's meeting at the Spicewood Community Center.

Additional items from meeting for next meeting's agenda:

- Discuss and consider the permanent location for our meeting place.
- Discuss and consider action to establish an ordinance to establish a process giving claimants a limited time to file a claim against the city.
- Remove the position of the Marshall from the city ranks.
- Discuss and consider action to establish an ordinance to create a Code Enforcement Officer.
- Discuss and further consider action on Budget Guidance Committee Report - forecasted expenses and options including estimated tax.
- Discuss and consider action to identify funding sources and fundraising activities. Check on success of Fundraising Committees formation.

## **9. Close Regular Meeting 8:55**

Mayor closes out the Regular meeting to go into Executive Session according to the rules Texas Government code 551.071. We will be meeting with the City Attorney, Patty Akers.

Executive Session started at 8:56

## **10. Open Executive Session**

Open Executive Session. Executive session in accordance with the Texas Government Code, Section 551.071 - Consultation with Attorney in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law. The Council may require the citizens to vacate the meeting room during the executive session.

(a) Consultation with Attorney regarding roles and legal responsibilities of City Council members concerning the open meetings act, the public information act and ethics issues applicable to the City Council.

## **11. Close Executive Session at 9:43**

## **12. Open Regular 9:44**

## **13. Consider action, if any, from Executive Session**

Mayor calls for any new business: None

Larry Trowbridge moves to adjourn Regular Meeting.

Bob Link seconds motion.

## **14. Adjournment at 9:49 pm.**

**The Council may go into closed session at any time when permitted by Chapters 418 or 551, Texas Government Code, or Section 321.3022 of the Texas Tax Code. Before going into closed session, a quorum of the Council must be assembled in the meeting room, the meeting must be convened as an open meeting pursuant to proper notice, and the presiding officer must announce that a closed session will be held**

**and must identify the sections of Chapter 551 or 418, Texas Government Code, or Section 321.3022 of the Texas Tax Code authorizing the closed session.**

I certify that the above notice of meeting was posted at 7901 CR 404, Spicewood, Texas, on the 11th day of March 2019 at 7PM.

Cathy Sereno,  
Mayor