

CITY OF DOUBLE HORN

MINUTES

REGULAR MEETING
CITY COUNCIL
THURSDAY MARCH 11, 2021
7:00PM

TELECONFERENCE CALL: PURSUANT TO SECTION 551.127 OF THE TEXAS GOVERNMENT CODE, AND IN CONJUNCTION WITH THE GUIDANCE AND PROVISIONS PROVIDED BY THE GOVERNOR OF TEXAS IN THE DECLARATION OF DISASTER ENACTED MARCH 13, 2020, MEMBERS OF THE CITY COUNCIL SHALL BE PARTICIPATING REMOTELY IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT, AS TEMPORARILY MODIFIED BY THE GOVERNOR, AND COUNCIL RULES OF PROCEDURE. THERE WILL BE NO PHYSICAL LOCATION FOR THE MEETING. MEMBERS OF THE PUBLIC MAY PARTICIPATE BY JOINING AT: 866-607-3969 (NO PIN REQUIRED)

Members of the public will be allowed to speak on any agenda item during citizen comments, however, enforcement to the time limit (3 MINUTES) on comments will be enforced. Citizens wishing to speak during citizen comments or on a particular agenda item need to notify the City Secretary at: CITYSECRETARY@DOUBLEHORNTX.ORG by 6:00 p.m. on March 10th (WEDNESDAY).

1. **Call Meeting to Order:** Time 7pm
2. **Rollcall to Confirm Quorum**

Jim Millard, RG Carver, Tom King, Glenn Leisey, John Osborne, and Cathy Sereno were present at the meeting. A quorum was confirmed. City Attorney Patty Akers and City Secretary Karen Maxwell were also present.

3. **Invocation:** Glenn Leisey
4. **Pledge of Allegiance** – U.S. & Texas
Texas Pledge: *Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*
5. **Approval of Minutes** – 2/11/2021 Regular Council Meeting & 2/22/2021 Special Council Meeting

Corrections were made to a typo to #5 “motion” to “minutes” and an addition of “No Update” on 7C.

Motion: Glenn Leisey moved to approve the minutes from the 2/11/2021 Regular Council as modified.

Second: RG Carver seconded the motion

Vote: The vote was unanimous and the motion carried.

Motion: Jim Millard moved to accept the minutes from the 2/22/2021 Special Meeting Minutes.

Second: Glenn Leisey seconded the motion.

Vote: The vote was unanimous and the motion carried.

6. **Citizen Comments** – This is an opportunity for the citizens to address the City Council concerning an issue of community interest not on the agenda. Any deliberation of an issue raised during Citizen Comments is limited to a statement of fact regarding the item; a statement concerning the policy regarding the item or a proposal to place the item on a future agenda. Each citizen will be allowed 3 minutes to speak and must sign up before the meeting begins and indicate the subject the speaker wishes to address.

- No one contacted the City Secretary requesting to speak at tonight's meeting.
- Laura Rathe asked when the meetings will start being in person again.
 - It is uncertain when the exemption to in-person meetings would be lifted.

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

A. **Treasurer's Report**

1) **Monthly Financial Reports** (agenda packet)

Motion: Glenn Leisey moved to transfer \$10,000 from Property Tax account #0005 to Operating Account #1000.

Second: Jim Millard seconded the motion.

Vote: The vote was unanimous and the motion carried.

Action Item: Cathy Sereno will transfer the money to transfer \$10,000 from Property Tax account #0005 to account Operating #1000 Operating Account.

Motion: Glenn Leisey moved to make a to make a recommended payment to Messer Ford and McDonald attorneys for legal services.

Second: Tom King seconded the motion

Vote: The vote was unanimous and the motion carried.

Action Item: Cathy Sereno will make the payment to make the payment of \$2500 to MFM for legal fees.

B. **Discuss and consider action to approve the PROCLAMATION RECOGNIZING EXTRAORDINARY SERVICE**

The Council unanimously approved and supported the Mayor's proclamation to recognize

Action Item: Cathy Sereno and Karen Maxwell sign and post the proclamation acknowledging the individuals aiding during the winter emergency.

C. **Emergency Management Team Update**

1) **Update on Disaster Declaration and Reporting** (See attached report)

D. **Zoning & Ordinance Committee Update**

Final draft will be submitted to the attorneys for the sign ordinance.

E. **Discuss and consider action required based on the new ESD9 Fire Code**

The contact link to ESD9 Fire Code needs to be added to the City's website. A request for a speaker from the Fire Marshall's office to come and discuss the fire code with the City will be made.

Action Item: Cathy Sereno will reach out to the Fire Marshall to request a speaker for the April Regular Meeting.

Action Item: Karen Maxwell will add the contact information on the Website to the fire code.

F. Discuss status of City Office and actions that may be required

Motion: RG Carver moved to approve the new city hours to change to open on Tuesday, Wednesday, Thursday from noon to 2pm or by appointment.

Second: John Osborne seconded the motion.

Vote: The vote was unanimous and the motion carried.

The question was asked if the City office can require masks to be worn within the city office.

Motion: Jim Millard moved to require masks to be worn by visitors in the City office.

Second: Glenn Leisey seconded the motion.

Vote: Jim Millard, and Glenn Leisey voted "yes". John Osborne, RG Carver, and Tom King voted "no" on the motion and it did not pass.

There was discussion on the reluctance to "mandate" masks within the city.

Motion: Glenn Leisey moved to recommend visitors to wear a mask when in the City office and have masks on hand to hand out as needed.

Second: John Osborne seconded the motion.

Vote: The vote was unanimous and the motion was carried.

Action Item: Karen Maxwell make a sign requesting visitors to wear a mask while in the office.

Motion: Glenn Leisey moved to allow other organizations like the POA to utilize the City Conference Room.

Second: Jim Millard seconded the motion.

Discussion: Everyone is willing to share the city space, but the logistics of what that looks like needs to be worked out.

Glenn Leisey withdrew his motion and Jim Millard his second.

Action Item: Tom King and RG Carver will work on the details to make the city space usable by outside organization.

G. Discuss and consider updates to city website tracking the availability of COVID vaccinations

Motion: Jim Millard approves adding a link for the <http://www.burnetcountytexas.org/page/Covid-19> to the website.

Second: RG Carver seconded the motion.

Vote: The vote was unanimous and the motion carried.

Action Item: Karen Maxwell will change the link to Texas State Health Department's CoVid19 vaccine page to Burnet County's CoVid19 vaccine page.

H. Discuss Steps Required to investigate community interest, costs & benefits associated with:

1) Developing a Walking Path with milestone markers to promote healthy activity

Still researching available grant programs.

Action Item: Glenn Leisey will look into forming a Committee to be formed to research viability.

2) Expansion of the City's Library Program

Expansion is still being researched.

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

- Discuss and consider an ordinance on maintenance for contractors from the zoning committee

8. **Close Regular Meeting:** Time 8:22pm

9. **Open Executive Session.** Time

Executive session in accordance with the Texas Government Code, Section 551.071 – Consultation with Attorney on pending litigation or on a matter 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, or teleconference line, during the executive session (alternatively a private line may be opened for executive session).

i) Consultation with Attorney regarding Litigation: State of Texas v. Double Horn et al.

10. **Close Executive Session:** Time 8:51PM

11. **Open Regular Meeting:** Time 8:53PM

12. **Consider action, if any, from Executive Session**

No Action Needed

13. **Adjournment:** Time 8:54pm

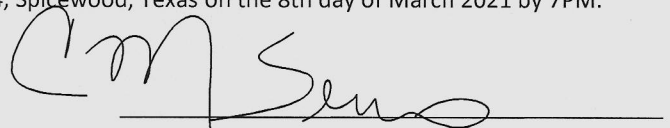
Motion: Jim Millard moved to adjourn the meeting.

Second: Tom King seconded the motion.

Vote: The vote was unanimous and the motion carried. The Council will reconvene at the next Regular Meeting on April 8th, 2021, at 7pm, potentially in person at the Spicewood Community Center based on CoVi19 activity.

The Council may go into closed session at any time to discuss an item on the agenda 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 8th day of March 2021 by 7PM.



Cathy Sereno, Mayor

FEBRUARY
FINANCIAL AGENDA PACKET
CITY OF DOUBLE HORN
REGULAR MEETING OF CITY COUNCIL
3/11/2021



City of Double Horn Legal Expense & Payment Summary FY2020 - 2021

2/28/2021

Invoice #	Date	Invoice Amount	Payment Recipient	Payment Amount	Balance	Check #	Paid from Account
AKERS & AKERS							
4730	4/19/2019	\$ 16,622.50		\$	16,622.50		
4763	5/17/2019	\$ 1,826.93		\$	18,449.43		
4799	6/3/2019	\$	Akers & Akers LLP	\$ (10,000.00)	8,449.43	1002	Operating Account
	6/19/2019	\$ 2,251.60		\$	10,701.03		
	7/17/2019	\$	Akers & Akers LLP	\$ (2,000.00)	8,701.03	1004	Operating Account
	8/4/2019	\$ 531.22		\$	9,232.25		
	9/19/2019	\$	Akers & Akers LLP	\$ (2,000.00)	7,232.25	1001	Legal Defense
	10/22/2019	\$	Akers & Akers LLP	\$ (7,232.25)		1008	Operating Account
Total Akers & Akers				\$	(21,232.25)		Remaining Balance
				\$			\$
							Paid in Full

MESSER, FORT, McDONALD							
10107	7/6/2019	\$ 14,330.20	Messer, Fort, McDonald	\$	14,330.20		
10290	9/5/2019	\$ 11,113.23	Messer, Fort, McDonald	\$	25,443.43		
10526	10/7/2019	\$ 6,660.80	Messer, Fort, McDonald	\$	32,104.23		
10677	10/22/2019	\$ 7,531.40	Messer, Fort, McDonald	\$ (2,767.75)	29,336.48	1009	Operating Account
10889	11/11/2019	\$ 1,818.00	Messer, Fort, McDonald	\$	36,867.88		
11158	12/10/2019	\$ 4,513.63	Messer, Fort, McDonald	\$	38,685.88		
11253	1/16/2020	\$ 8,362.99	Messer, Fort, McDonald	\$ (5,000.00)	43,199.51	1018	Operating Account
	2/7/2020	\$	Messer, Fort, McDonald	\$ (5,000.00)	46,562.50		
	3/4/2020	\$	Messer, Fort, McDonald	\$ (5,000.00)	41,562.50	2001	Operating Account
11381	3/5/2020	\$ 1,068.00	Messer, Fort, McDonald	\$	42,630.50		
11558	4/2/2020	\$ 282.00	Messer, Fort, McDonald	\$	42,912.50		
11780	5/5/2020	\$ 84.00	Messer, Fort, McDonald	\$	42,996.50		
11940	6/1/2020	\$ 5,388.00	Messer, Fort, McDonald	\$ (5,000.00)	37,996.50	2012	Operating Account
	6/2/2020	\$	Messer, Fort, McDonald	\$	43,384.50		
	6/12/2020	\$	Messer, Fort, McDonald	\$ (5,002.00)	38,382.50	2014	Operating Account
12148	7/9/2020	\$ 2,796.00	Messer, Fort, McDonald	\$	41,178.50		
12363	8/11/2020	\$ 3,402.00	Messer, Fort, McDonald	\$	44,580.50		
12562	8/24/2020	\$ 2,835.00	Messer, Fort, McDonald	\$ (10,000.00)	34,580.50	2025	Operating Account
12771	9/10/2020	\$ 2,214.00	Messer, Fort, McDonald	\$ (10,000.00)	37,415.50	2028	Operating Account
	10/6/2020	\$	Messer, Fort, McDonald	\$	29,629.50		
	10/12/2020	\$	Messer, Fort, McDonald	\$ (5,000.00)	24,629.50	2037	Operating Account
12935	11/6/2020	\$ 4,500.00	Messer, Fort, McDonald	\$	29,129.50		
13114	11/13/2020	\$ 2,562.00	Messer, Fort, McDonald	\$ (5,000.00)	24,129.50	2044	Operating Account
13334	12/8/2020	\$ 750.00	Messer, Fort, McDonald	\$	26,691.50		
	1/12/2021	\$	Messer, Fort, McDonald	\$ (5,000.00)	27,441.50		
13455	1/18/2021	\$ 5,335.80	Messer, Fort, McDonald	\$ (5,000.00)	22,441.50	2057	Operating Account
	2/8/2021	\$	Messer, Fort, McDonald	\$	27,777.30		
	2/23/2021	\$	Messer, Fort, McDonald	\$ (5,000.00)	22,777.30	2065	Operating Account
ALL LEGAL EXPENSES				\$	85,547.05		Remaining Balance
				\$	(62,769.75)		\$ 22,777.30

Total Legal Fees	\$ 106,779.30	Total Payments	\$	(84,002.00)	Remaining Balance	\$ 22,777.30
-------------------------	----------------------	-----------------------	-----------	--------------------	--------------------------	---------------------



City of Double Horn

Balance Sheet

As of February 28, 2021

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
1000 Operating	44,584.25
1005 Property Tax	11,477.14
1010 Reserve Account	6,020.73
Total Bank Accounts	\$62,082.12
Total Current Assets	\$62,082.12
TOTAL ASSETS	\$62,082.12
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2100 Accounts payable	22,777.30
Total Accounts Payable	\$22,777.30
Credit Cards	
2300 First United Bank Credit Card	35.00
Total Credit Cards	\$35.00
Other Current Liabilities	
2160 Payroll tax payable	436.08
2170 SUTA payable	243.00
Payroll Liabilities	
Federal Taxes (941/944)	23.94
Total Payroll Liabilities	23.94
Total Other Current Liabilities	\$703.02
Total Current Liabilities	\$23,515.32
Total Liabilities	\$23,515.32
Equity	\$38,566.80
TOTAL LIABILITIES AND EQUITY	\$62,082.12

Note

Note: Property Tax Revenue is not setup as a receivable (different from last year's format).
Payroll Tax Calculation - Prior months calculations under review by Accountant.

City of Double Horn
Budget vs. Actuals: City of Double Horn - FY2021

October 2020 - September 2021

	Oct 2020	Nov 2020	Dec 2020	Jan 2021	Feb 2021	Mar 2021	Apr 2021	May 2021	Jun 2021	Jul 2021	Aug 2021	Sep 2021	Total	% of Budget
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Budget	Budget
Income														
1020 Ad Valorem Taxes		4,063.73	16,889.57	30,315.88	10,207.96								66,307.61	92.72%
1030 Donations General			20.00										20.00	0.00%
1070 Permits and Fees			1,000.00										1,000.00	100.00%
Total Income	\$ 0.00	\$ 4,063.73	\$ 17,909.57	\$ 30,315.88	\$ 10,207.96	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 67,307.61	92.85%
Gross Profit	\$ 0.00	\$ 4,063.73	\$ 17,909.57	\$ 30,315.88	\$ 10,207.96	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 67,307.61	92.85%
Expenses														
1110 Salaries & Wages	557.28	864.95	1,590.57	760.46	394.74								4,168.00	32.06%
1120 Training and Travel													0.00	0.00%
1125 Rent or Lease of Buildings			800.00	800.00	800.00								2,400.00	25.00%
1130 Utilities			425.00	24.87	55.84								505.71	42.14%
1135 Internet													0.00	0.00%
1140 Computer Equipment													0.00	0.00%
1160 Phone Expense	25.07	25.07	25.07										500.00	0.00%
1170 Website Expense			21.17										75.21	21.49%
1180 Email Expenses		459.74											21.17	8.47%
1190 Accounting	119.00	70.00		1,390.00	932.50								459.74	83.59%
1220 Legal & Professional Fees	2,214.00	4,500.00	2,562.00	750.00	5,335.80								2,511.50	46.08%
1240 Tax Collection Fees	274.06	268.73				268.73						268.73	1,348.98	60.78%
1250 Election Fees				75.00									75.00	112.42%
1260 Legal Posting	228.00												75.00	100.00%
1270 Insurance - TML		1,035.86											228.00	15.20%
1275 Workmans Comp Insurance	102.90												1,035.86	104.63%
1280 Membership Fees	50.00			591.00									102.90	34.30%
1420 Software													641.00	98.62%
1655 Municipal Court Costs													0.00	0.00%
1660 Consulting Services				650.00									0.00	0.00%
6045 Bank fees	-19.95	0.00	0.16	-0.16									0.00	0.00%
6055 Code Enforcement	35.00	35.00	35.00	35.00	35.00								650.00	92.86%
6235 Rent/Meeting Expenses													-19.95	0.00%
6345 Office Equipment and Maintenance	0.00												0.00	0.00%
6375 Supplies - office	364.02	69.52	156.54	58.18	30.19								698.45	0.00%
6375 Taxes - payroll													0.00	0.00%
Total Expenses	\$ 3,949.38	\$ 7,348.87	\$ 5,615.51	\$ 5,134.35	\$ 7,584.07	\$ 268.73	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 268.73	\$ 30,438.37	45.22%
Net Operating Income	-\$ 3,949.38	-\$ 3,285.14	\$ 12,294.06	\$ 25,181.53	\$ 2,623.89	-\$ 268.73	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	-\$ 268.73	\$ 32,068.77	\$ 0.00

Monday, Mar 01, 2021 05:15:36 PM GMT-8 - Accrual Basis

March 11, 2021 EMERGENCY MANAGEMENT Report to the City of Double Horn

1. February Winter Weather 2021 – Double Horn Water Company Damages The severe freeze that hit Texas in February caused extensive damage to many of our surrounding cities. We were indeed fortunate and although we all felt the effects of the storm, the damages were relatively light. The Double Horn water company did suffer damage in that the 3-inch pipe coming into the pump house froze during the early morning hours of Monday, February 15th. The loss of electricity caused some equipment failures as well. The freeze was cleared by mid-day and the pipe insulated with the outstanding help of several residents and Spicewood Utility Services personnel. Due to the drop of water pressure the water company issued a boil water notice. The boil water notice was rescinded on February 25th. Water service was able to be maintained throughout the rolling blackouts. Estimate of damages is approximately \$12,000.
2. February Winter Weather 2021 – Double Horn Home Owner Damages Ten homeowners reported damages totaling approximately \$25,000. Damages were mostly water heaters, pool heaters and landscape. Estimate that 80 percent of homes had some damage, mostly in landscape.
3. February Winter Weather 2021 – Emergency Management Reporting The City submitted a Disaster Summary Outline to TDEM (Texas Department of Emergency Management). Copy of paper form attached. The actual data was entered online. I am thankful for the assistance and guidance in the proper preparation of the document from Burnet County, CAPCOG and Meadowlakes. These relationships will help us in the future.
4. Warn Central Texas Program One new Warn Central Texas signup in February.
5. ESD9 Recommendation for Knox Box Attended the February POA meeting and again made the case that the Knox boxes are a safety improvement and should be installed. After much discussion it was brought to a vote. The vote was two for and two against. It will be brought up again at the next POA meeting.
6. Featured Speaker Event: Fire Safety On hold for a future date. Harry Brunner Double Horn EMC Cell: 949-293-3978

Copies:

Emergency Management Team Members:

City Officers Paul Graeber

Curtis Raetz

Mayor - Cathy Sereno

Laura Rathe

Alderman – Jim Millard

Wendy Wright

City Secretary – Karen Maxwell

Alderman –John Osborne