

CITY OF SMILEY  
COUNCIL FOR REGULAR SESSION  
APRIL 17, 2024  
MINUTES

**The Smiley City Council met in a regular session on Wednesday, April 17, 2024 at 4:00 p.m. at the Smiley City Hall located at 207 Steele, Smiley, TX 78159.**

**Members present were** Mayor Lisa Benavidez, Diana Moreno, Ellis Villasana, Melva Childress, Lori Price, Daniel Benavidez, Scott Jewett, Marshal Jason Torres.

A Quorum was present, and Mayor Benavidez called the meeting to order.

Invocation given by Daniel Benavidez

The Pledge of Allegiance to the U.S. and Texas recited.

Citizen to be Heard: None

1. 1<sup>st</sup> motion made by Diana Moreno and 2<sup>nd</sup> by Melva Childress to approve the minutes of the March 20, 2024 meeting. All in Favor, 5/0, None Opposed. Motion Passed.
2. Financial Statements and unpaid bills were presented. 1<sup>st</sup> motion made by Ellis Villasana and 2<sup>nd</sup> by Diana Moreno to approve the payment of debt for the month, All in Favor, 5/0, None Opposed. Motion Passed.
3. The City Marshall Report: 8 calls for service and 64 citations were issued this month. The vehicle grant was approved for \$68,000. Currently waiting to pick up the 2 new patrol pistols.
4. Municipal Court Report: For the month of April the city collected \$9,236.10 of that \$6,029.02 was disbursed to the city. That amount was distributed between Tech Fund, Building Security and Truancy according to state law.
5. Smiley Fire Volunteer Department Monthly Report: 3 Fire calls. The department has accumulated 66 man hours for the year. The department will be holding elections for an assistant Chief and possibly a Fire Lieutenant. Soon the department will upgrade the garage doors from manual to automatic.
6. The Utility Department Monthly Report: The water sample results have come back from GBRA and our total coliform and E. coli are negative. The department continues to keep up with mowing and making improvements to the wastewater plant area.
7. Mayor Lisa Benavidez gave the City Managers report:
  - a. We had a meeting with Laura Martin from GCUWCD in reference to well #2. They are wanting to assist the city with capping the well. As of the time of the meeting they are allowed to cover 90% of the expenses. They do have a grant that is in the

works that would allow them to cover 99% of the expenses but it has not been approved yet.

- b. In reference to the "Fonseca Line" the city would need to install 6" water line with a minimum of 2 fire hydrants. The estimate for the pipe and fire hydrants is going to cost approximately \$112,000. The city would then also be responsible for any repairs and upgrades along the line.
8. Discussion/Possible Action was had about the city discontinuing participation in the Texas Municipal Retirement System (TMRS). TMRS requires a mandatory enrollment with minimum of a 5% participation contribution by employees and for the city to match. The city would like to offer a retirement system to their employees and are willing to match up to 3%. 1<sup>st</sup> Motion made by Ellis Villasana and 2nd by Melva Childress. All in Favor, 5/0, None Opposed. Motion Passed.
9. Discussion/Possible Action was had in reference to property owners having to pay the basic utility rate when their property is empty if they would like to have access to water when they go to the house. 1<sup>st</sup> Motion made by Lori Price and 2<sup>nd</sup> by Daniel Benavidez. All in Favor, 4/0, None Opposed. Melva Childress abstained. Motion Passed.
10. Discussion/Possible Action was had to set a date in May for the next budget workshop. The council was not able to agree on a date that was convenient to all.
11. Discussion/Possible Action was had to enter into agreement with Cisco Septic to have the IMHOFF tank emptied and cleaned because our sludge holding area is filled. The contract would be for \$33,000.00. The city has a grant that has been approved for our wastewater plant that includes the IMHOFF being emptied. The council elected to have the sludge pumped as needed until the grant is started. 1<sup>st</sup> Motion made by Diana Moreno to not enter the contract, 2<sup>nd</sup> by Ellis Villasana. All in favor 5/0, None Opposed. Motion passed to not enter the contract with Cisco Septic.
12. Discussion/Possible Action was had about the Fonseca Water Line. Mayor Benavidez stated that the utility department estimated it was going to cost around \$200,000 in infrastructure to assume the water line. The council talked about possible annexation of the area and what that cost would be to help offset the cost to assume the line. 1<sup>st</sup> Motion made by Ellis Villasana allow the City Secretary to do the research to determine the if the city can afford the annexation, 2<sup>nd</sup> by Melva Childress. All in favor 5/0, None Opposed. Motion Passed.

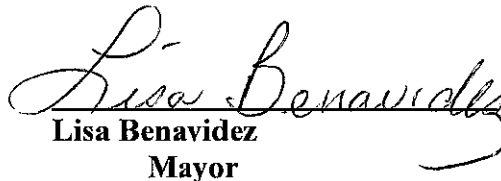
**EXECUTIVE SESSION:** The Smiley City Council may convene into executive (closed) session in accordance with the Texas Government Code when necessary and legally justified. Any item on this agenda may be discussed in executive session if authorized by Texas Law regardless of whether it is listed under "Executive Session" of this agenda, and regardless of any past or current practice of the City Council. Executive Sessions herein are closed meetings, and may include the consideration of any item otherwise listed on the agenda plus any subject matter specified in the executive session notice, and may include items under the Texas Government Code as follows: Section 551.071 (Consultation with Attorney regarding contemplated or

pending litigation, a settlement officer or administrative hearing); Section 551.072 (Deliberations regarding Real Property); Section 551.073 (Deliberations about Gifts & Donations); Section 551.074 (Personnel Matters); Section 551.076 (Deliberation about Security Devices); Section 551.086 (Deliberations regarding Municipally Owned Utility); and Section 551.087 (Deliberations regarding Economic Development Negotiation). In compliance with the Americans with Disabilities Act, the City of Smiley will provide for reasonable accommodations for persons attending City Council meetings. To better serve attendees, requests should be received 48 hours prior to the meeting. Please contact city secretary by phone at 830-587-6220 or fax 830-587-6231.

13. 1<sup>st</sup> Motion made by Diana Moreno, and 2<sup>nd</sup> by Ellis Villasana to ADJOURN. All in Favor, 5/0, None Opposed, Motion Passed. Time 4:29 p.m.



**Scott Jewett**  
**Smiley City Secretary**



**Lisa Benavidez**  
**Mayor**

