

§STATE OF TEXAS
§CALDWELL COUNTY
§CITY OF LULING

THE CITY OF LULING CITY COUNCIL MET IN REGULAR SESSION ON THURSDAY, AUGUST 12, 2021 AT 6:00 P.M. AT CITY HALL COUNCIL CHAMBERS LOCATED AT 509 E. CROCKETT STREET, LULING, TEXAS.

The following members: present:

Mike Hendricks	Mayor
Jackie Campbell	Council Member
Lee Rust	Council Member
Marc Taylor	Council Member
Raymond McGlothlin	Council Member
C. J. Watts	Council Member

Staff Members present:

Mark Mayo	City Manager
James Rougeou	Finance Director
William Sala	Police Chief
Jessica Tucker	Revenue Collection Supv.

1. Call Meeting to Order.

Mayor Hendricks called the meeting to order and welcomed everyone.

2. Invocation and Pledge of Allegiance.

Dennis Toungate gave the invocation. We recited the Pledge of Allegiance to the American and Texas flag

3. Consent Agenda- *All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public view.*

- a. Approval of Minutes of the July 8, 2021 regular City Council meeting.**
- b. Consider/Approval of Accounts Payable.**

Council Member CJ Watts made a motion seconded by Council Member Jackie Campbell approving the consent agenda. The motion carried with all members present voting unanimously in favor of the motion.

4. Citizen Comment Period with City Council.

Any person with business before the City Council may speak to the Council at this time. No formal action can be taken on these items at this meeting. Comments will be limited to three (3) to five (5) minutes per person.

There were no citizen comments.

5. Consider/action an agreement between the City of Luling and Raba Kistner on a proposal for Geotechnical Engineering Services on Hackberry Avenue.

City Manager, Mark Mayo, stated that as Council knows we have been dealing with attorneys for M& S Engineering and Alpha Paving on the status of Hackberry Street. During conversations with Peter, City attorney and the other attorneys it was determined that we needed to do a Geo Tech inspection before we proceed forward. Mark is asking that Council allow them to go forward with this inspection. The cost will be \$5,410.00 we will save on the traffic control portion because we will do our own traffic control. Once the study is complete we go ahead with the redoing North Hackberry Avenue. M & S Engineering has agreed to go ahead and redo the engineering in place with their attorneys. Alpha Paving will do their part, and we will do our part. Mark stated that we currently have a street that is NOT up to standard and we let them know before the time was up on the guarantee.

Council Member Jackie Campbell made a motion seconded by Council Member Lee Rust approving the agreement between the City of Luling and Raba Kistner on the proposal for Geotechnical Engineering Services on Hackberry Street. The motion carried with all members present voting unanimously in favor of the motion.

6. Consider/action discussing the 2021 Proposal Tax Rate and Schedule Public Hearings.

Finance Director, Sonny Rougeou stated that we received the certified tax values at the end of July. Sonny stated that there was a little delay in getting our values because we were waiting on Guadalupe County to provide their portion.

They came back with the no new revenue rate of .4844 per \$100 and voter approval rate at .5016 per \$100. Last year rate was .5133. We are recommending .5015 per \$100 which based on value guarantees 1.385 million our budget is 1.325 million and we would have a surplus of \$60,000 of the tax rate. The land value is up 3.6%, improvements went up 8.7%, personal property went down 3.6% .

We base this on a 90% collection rate, and since July we have collected 93.63% of our levy.

Council Member CJ Watts made a motion seconded by Council Member Marc Taylor that we set a tax rate of .5015 and set the public hearing for August 26th at 5:30 and if a second public hearing is required we could have it before the September Council meeting. The motion carried with all members present voting unanimously in favor of the motion.

7. Consider/action a recommendation to retain Cary L. Bovey and Luke Cochran with Bovey and Cochran as City Attorneys for the City of Luling.

Mark Mayo stated that Peter Grunning is stepping down as City Attorney for the City of Luling, he is retiring. Mark asked Peter to us find a suitable replacement. Peter recommends a law firm that handle strictly municipal law. They will handle the job at the same rate as Peter Grunning. Mr. Bovey stated that they do Municipal Law and that he would love the opportunity to be the City's attorney and given the opportunity they would do a good job. He stated that when they came to meet with us (City Manager, Mayor, Finance Director, Police Chief, Municipal Judge and City Secretary) they felt good about the City and felt the comradery. The name of the law firm is Bovey & Cochran from Round Rock, Texas. They work with home rule or general law cities throughout Texas. They provide legal services on several things like, employment, ordinance drafting, annexation and zoning laws. They handle contract review, municipal court prosecution and administrative hearing. The firm is a recipient of Merit Certification in Municipal Law from the Texas City Attorney Association. (an affiliate of the Texas Municipal League.

Council Member CJ Watts stated that if this is the company that Peter is recommending, that in itself says a lot of the company.

Mr. Bovey stated that most of the time when people are looking for an attorney it is because they cannot get along with their current attorney. In this case, he can see the relationship that we have with Peter and he hopes to build that kind of relationship with the City of Luling.

Mr. Cochran stated that he felt fortunate to be given the opportunity to work with the City of Luling.

Council Member Lee Rust made a motion seconded by Council Member Jackie Campbell to retain Cary L. Bovey and Luke Cochran with Bovey and Cochran as City Attorneys for the City of Luling. The motion carried with all members present voting unanimously in favor of the motion.

8. Police Department Monthly Activity Report.

Chief Sala stated that he has 2 officers out, one with COVID. He stated that the Police Department is looking at changing the officer's vest to a lighter vest, more military standard vest. He stated that the cost is about the same but it wouldn't be so heavy on the officers.

9. Executive Session: In accordance with the provisions of Texas Government Code, Section 551.087 to deliberate or for discussion regarding Commercial or Financial Information that the Governmental body has received from a business prospect that the Governmental body seeks to have locate, stay, or expand in or near the territory of the Governmental body and with which the Governmental body is conducting Economic Development negotiations; or to deliberate the offer of a Financial or other incentive to a Business Prospect.

- A. Discussion regarding economic development negotiations or incentive with Buc-ee's.

Mayor Hendricks stated that no action was taken in the closed meeting.

10. OPEN SESSION

- A. Discussion and/or action regarding economic development negotiations or incentive with Buc-ee's.

Council Member CJ Watts made a motion seconded by Council Member Ray McGlothlin to give City Manager, Mark Mayo, Mayor Mike Hendricks and Finance Director James "Sonny" Rougeou the authority to negotiate the terms with Buc-ees. The motion carried with all members voting unanimously in favor of the motion.

11. Executive Session: In accordance with the provisions of Texas Government Code, Section 551.072 to deliberate the purchase, exchange, lease, or value of real property owned by the City, where deliberation in an Open Meeting would have a detrimental effect on the position of the Governmental body in negotiations with a third person.

- A. Discussion regarding the purchase, exchange, lease, or value of real property owned by the City of Luling.

Mayor Hendricks stated that no action was taken in the closed meeting.

12. OPEN SESSION

- A. Discussion and/or action regarding the purchase, exchange, lease, or value of real property owned by the City of Luling.

Council Member Jackie Campbell made a motion seconded by Council Member Lee Rust to give City Manager Mark Mayo, Mayor Mike Hendricks and Finance Director James "Sonny" Rougeou the authority to negotiate the terms with our County Judge. The motion carried with all members present voting unanimously in favor of the motion.

13. Adjourn.

There was no other business and the meeting was adjourned.

Approved: _____

Mike Hendricks, Mayor
City of Luling

Martha C. Velasquez
City Secretary