

**SPECIAL CALLED AND REGULAR MEETING  
JANUARY 23, 2018**

The members of City Council convened for a Special Called Meeting (Regular Meeting) of the City of Bayou Vista City Council on Tuesday, January 23, 2018, at 6:30 p.m., at the Community Center, - 783C Marlin, corner of Neptune and Marlin, Bayou Vista, Texas, concerning the following items:

**A quorum of the City Council was present and included the following:**

Mayor:	Daniel Konyha	Present
Position 1:	Bob Althaus	Present
Position 2:	Tami Inman	Present
Position 3:	Carlos Price	Present
Position 4:	Louis Wortham	Present
Position 5:	James L. Cook, III	Present

Legal Counsel was present.

**1. Call Meeting To Order  
(Llamar a la reunión para ordenar)**

Mayor Daniel Konyha called the meeting to order at 6:30 p.m.

**2. First Order of Business  
(Primera Orden de Negocio)**

**A. Announcement by the Mayor of the presence of a quorum that the meeting had been duly called, and the notice of the meeting had been posted in the manner prescribed by law.  
(Anuncio por el Alcalde de la presencia de un quórum que la reunión había sido debidamente convocada, y el aviso de la reunión se había colocado en la forma prescrita por la ley.)**

**3. Roll Call  
(Llamada)**

Roll call was taken as reflected above

**4. Pledge of Allegiance and Pledge to the Texas Flag  
(Juramento de lealtad y compromiso con la bandera de Texas)**

The Pledge of Allegiance and Pledge to the Texas Flag were led by Mayor Konyha.

**5. CITIZENS COMMENTS ON AGENDA ITEMS ONLY  
(Comentarios de los ciudadanos sobre los puntos del orden del día solamente)**

A citizen spoke about Agenda Item 9-A, stated a poll had been taken of her neighbors on Redfish and all were very receptive to the idea of the City lot at Neptune and Bonita being used as a Dog Park. It was also stated that there is possible grant funding for a project of this nature.

A citizen expressed concern of a problem which is still occurring as recently as today, and is pleased that Agenda Item 8-F may resolve the issue.

6. **CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted in one motion. There will not be separate discussion of these items unless a Council Member requests.

*(AGENDA DE CONSENTIMIENTO: Todos los puntos siguientes en la Agenda de Consentimiento son considerados rutinarios por el Concejo Municipal y serán promulgados en una sola moción. No habrá discusión separada de estos artículos a menos que un miembro del consejo solicite.)*

A. **Approval of the Minutes of:**  
*(Aprobación de las actas de)*

- **Special Called Meeting (Regular Meeting) December 12, 2017**  
*(Reunión especial llamada (reunión ordinaria) 12 de diciembre de 2017)*

A motion was made by Alderman Price to approve the Minutes as written.

The motion was seconded by Mayor Pro Tem Cook.

Motion carried all in favor.

7. **SPECIAL REPORTS AND PRESENTATIONS**  
*(INFORMES ESPECIALES Y PRESENTACIONES)*

A. **Presentation of the Community Challenge, by Scott Packard with the Galveston County Health District.**  
*(Presentación del Community Challenge, por Scott Packard con el Distrito de Salud del Condado de Galveston.)*

Mr. Scott Packard gave presentation of the state wide healthy living competition.

B. **City Departmental Reports**  
*(Informes Departamentales de la Ciudad)*

- **Police Department activity report for the month of December 2017.**  
*(Informe de actividad del Departamento de Policía para el mes de Diciembre de 2017)*
- **Municipal Court activity report for the month of December 2017.**  
*(Informe de actividad del Tribunal Municipal para el mes de Diciembre de 2017)*
- **Building Permit activity report for the month of December 1, 2017 through January 16<sup>th</sup>, 2018.**  
*(Informe de actividad de permiso de construcción para el mes del 1 de diciembre de 2017 hasta el 16 de enero de 2018.)*
- **Code Enforcement activity report for the month of December 2016.**  
*(Informe de actividades de aplicación de código para el mes de Diciembre de 2016)*

The City Council reviewed the reports as presented.

- C. **Review and discuss the Financial Statement ending December 2017, prepared by Whitley-Penn**  
*(Revisar y discutir el estado financiero que finaliza en Diciembre de 2017, preparado por Whitley-Penn)*

Financials ending November 2017, were presented and reviewed by Council, the financials ending December 2017 were not available for review.

- D. **Special Reports by the Alderman, if any.**  
*(Informes Especiales del Concejal)*

Alderman Althaus reported that Centerpoint has begun work on the first street for street light project and at this point all seems to be going well.

Alderman Inman reported the Contractor/Building Inspector meeting went very well and the Building Inspector and his procedures were well received by those in attendance.

Alderman Wortham reported he would be attending the Transit Meeting on January 24<sup>th</sup>.

Mayor Pro Tem Cook reported there will be a meeting pertaining to the widening of I-45 on February 6<sup>th</sup> at the LaMarque High School, for those who would like to attend.

**8. ACTION ITEMS**  
*(ELEMENTOS DE ACCIÓN)*

- A. **Consider and take possible action to approve Ordinance 2018-01, calling for the General Election of May 5, 2018, for the purpose to elect the Mayor, two (2) Aldermen and to call a Special Election for the purpose to elect one (1) Alderman to an unexpired term through May 2019, and to vote on Proposition 1.**  
*(Considerare y tome medidas posibles para aprobar la Ordenanza 2018-01, llamando a la Elección General del 5 de mayo de 2018, con el propósito de elegir al Alcalde, dos (2) Concejales y convocar una Elección Especial con el propósito de elegir a un (1) Concejal por un término no vencido hasta mayo de 2019, para votar la Proposición 1.)*

A motion was made by Alderman Inman to approve Ordinance 2018-01 as presented.

The motion was seconded by Alderman Price.

Motion carried all in favor.

- B. Consider and take possible action to approve the contract with Galveston County-Election Division to conduct the May 5, 2018 Election.**  
*(Considerar y tomar acciones posibles para aprobar el contrato con la División Electoral del Condado de Galveston para conducir la Elección General del 5 de Mayo de 2018.*

A motion was made by Alderman Price to approve the contract as presented.

The motion was seconded by Mayor Pro Tem Cook.

Motion carried all in favor.

- C. Consider and take possible action to approve the Letter of Engagement with the Accounting Firm of Whitley-Penn for their services.**  
*(Considere y tome medidas posibles para aprobar la Carta de Compromiso con la Firma de Contabilidad de Whitley-Penn por sus servicios.)*

A motion was made by Mayor Pro Tem Cook to approve the Letter of Engagement as presented.

The motion was seconded by Alderman Althaus.

Motion carried all in favor.

- D. Consider and take possible action to approve the transferring of the City's windstorm policy from TWIA to Weston Insurance Company.**  
*(Considere y tome medidas posibles para aprobar la transferencia de la política de tormentas de viento de la Ciudad de TWIA a Weston Insurance Company)*

A motion to reject the proposed transfer of windstorm insurance providers was made by Mayor Pro Tem Cook.

The motion was seconded by Alderman Inman.

Motion carried all in favor.

Council requested when notifying Weston Insurance Company of rejection of proposed transfer that the City requests a bid be provided for windstorm coverage prior to the next renewal period.

- E. Consider and take possible action to approve Ordinance 2018-02, an Ordinance amending the Code of Ordinances of the City of Bayou Vista, Texas, by amending Chapter 3 Entitled Building and Construction; Article 3.07.00 Entitled Standard Building Codes; Section 3.07.08 Entitled Permits, Fees, Bonds, Bond Funds Usage and Refunds, By adding that permit fees double in the event that work has commenced prior to obtaining a required permit with a certain exceptions, repealing all Ordinances or Parts of Ordinances inconsistent or in conflict herewith; and providing for severability.**

**(8 - E. Continued)**

***(Considere y tome medidas posibles para aprobar la Ordenanza 2018-02, una Ordenanza que enmienda el Código de ordenanzas de la ciudad de Bayou Vista, Texas, al enmendar el Capítulo 3 Edificio con derecho y construcción; Artículo 3.07.00 titulado Códigos de construcción estándar; Sección 3.07.08 Titulado Permisos, tarifas, bonos, uso de fondos de bonos y reembolsos, al agregar que el permiso debe duplicarse en caso de que el trabajo haya comenzado antes de obtener el permiso requerido con ciertas excepciones, derogando todas las ordenanzas o partes de las ordenanzas inconsistentes o en conflicto con las mismas; y proporcionando para la separabilidad.)***

A motion was made by Mayor Pro Tem Cook to approve Ordinance 2018-02 as presented.

The motion was seconded by Alderman Althaus.

Motion carried all in favor.

- F. Consider and take possible action to approve Ordinance 2018-03, an Ordinance amending the code of Ordinance of the City of Bayou Vista, Texas by amending Chapter 2 Entitled; Animal Control; Article 02.13.00 Entitled; Penalty, Section A. for the purpose of increasing the minimum penalty for first time offenses and increasing the fine further for subsequent offenses, with all other subsections, sections, and article within this chapter to remain as written, repealing all ordinances or parts of Ordinances inconsistent or in conflict, herewith providing a penalty, requiring publication and providing for severability.**

***(Considere y tome medidas posibles para aprobar la Ordenanza 2018-03, una Ordenanza que enmienda el código de la Ordenanza de la Ciudad de Bayou Vista, Texas al enmendar el Capítulo 2 titulado; Control Animal; Artículo 02.13.00 Titulado; Penalidad, Sección A. con el fin de aumentar la multa mínima para infracciones cometidas por primera vez y aumento de la multa aún más para las infracciones subsiguientes, con todas las demás subsecciones, secciones y artículos dentro de este capítulo para que permanezcan tal como están escritas, derogando todas las ordenanzas o partes de Ordenanzas inconsistentes o en conflicto, en las que se establece una penalización que requiere publicación y estipula la separación.)***

A motion was made by Mayor Pro Tem Cook to approve Ordinance 2018-03 as presented.

The motion was seconded by Alderman Inman.

Motion carried all in favor.

- G. Consider and take possible action to select a nominee for the vacancy on the Galveston County Central Appraisal District Board of Directors.  
*(Considere y tome medidas posibles para seleccionar un candidato para la vacante en el condado de Galveston Junta de Directores del Distrito de Evaluación Central.)***

A motion was made by Alderman Inman to table the action to select a nominee for the GCCAD Board of Directors.

The motion was seconded by Alderman Price.

Motion carried all in favor.

- H. Consider and take possible action to select Shannon Lucas as the Bayou Vista City Council's choice for appointment to the Harris-Galveston Subsidence District Board of Directors.**  
*(Considere y tome medidas posibles para seleccionar a Shannon Lucas como la elección del Concejo Municipal de Bayou Vista para el nombramiento de la Junta de Directores del Distrito de Subsistencia de Harris-Galveston.)*

A motion was made by Mayor Pro Tem Cook to approve Shannon Lucas as Bayou Vista's Nominee for the vacancy on the HGSD Board of Directors.

The motion was seconded by Alderman Wortham.

Motion carried all in favor.

- I. Consider and take possible action to approve to designate a Representative and an Alternate to the General Assembly of Houston-Galveston Area Council for the year 2018.**  
*(Considere y tome medidas posibles para aprobar la designación de un Representante y un Suplente a la Asamblea General del Consejo del Área de Houston-Galveston para el año 2018.)*

Mayor Konyha volunteered for Representative and Mayor Pro Tem Cook volunteered for Alternate.

A motion was made by Alderman Inman to designate Mayor Konyha as Representative And Mayor Pro Tem Cook as Alternate.

The motion was seconded by Alderman Price.

Motion carried all in favor.

- J. Consider and take possible action to approve the recommendation of the Mayor to appoint Sandra McCormick as the Court Clerk and Administrative Assistant for the City of Bayou Vista with the Mayor to administer the Oath of Office on January 24, 2018.**  
*(Considere y tome medidas posibles para aprobar la recomendación del Alcalde de designar a Sandra McCormick como Secretaria de la Corte y Asistente Administrativa para la Ciudad de Bayou Vista con el Alcalde para administrar el Juramento de la Oficina el 24 de enero de 2018.)*

A motion was made by Mayor Pro Tem Cook to approve the recommendation of the Mayor to appoint Sandra McCormick as the Court Clerk and Administrative Assistant for the City of Bayou Vista.

The motion was seconded by Alderman Price.

Motion carried all in favor.

**9. DISCUSSION  
(DISCUSIÓN)**

- A. Discuss the possibility of using the City’s lot, located on Neptune next to Vista Realty, as a dog park.  
(Discuta la posibilidad de utilizar el estacionamiento de la ciudad, ubicado en Neptune junto a Vista Realty, como un parque para perros.)**

A lengthy discussion ensued among the Council.

The proposal was made for a committee to be formed to research all aspects of this project and to come before Council with the findings.

- B. Discuss and review the Bayou Vista Personnel Policies and Procedure Chapter 7 – entitled Attendance and Leave, Section 7.03 entitled Vacation and Section 7.04 entitled Sick Leave.  
(Discuta y revise las Políticas de personal de Bayou Vista y el Capítulo 7 del procedimiento titulado Asistencia y licencia, Sección 7.03 titulado Vacaciones y Sección 7.04 titulado Licencia por enfermedad.)**

After a lengthy discussion the determination of Council is to revise Chapter 7 Section 7.04 entitled Sick Leave to reflect no monetary payment be made to any employee regardless of years of service upon retirement, resignation or termination.

- C. Discuss the details of the use of the Bond monies for the road repair project in preparation of the bond funds being awarded.  
(Discuta los detalles del uso del dinero de los Bonos para el proyecto de reparación de caminos en preparación de los fondos de bonos que se otorgan.)**

It was reported the City has 1.5 million of the Galveston County Bond with no matching funds required from the City. There will be a workshop meeting on Monday and we will have far better information of what is going on. The County Engineer will actually handle this project. We will provide a list of roads and drainage needs the City is requiring to be handled.

**10. COMMENTS  
(COMENTARIOS)**

- **Citizen’s Comments  
(Comentarios del ciudadano)**

Concern was expressed that the use of the City property for a dog park may not be the best use of the property. Concern this may not be the best use of City money.

Citizen expressed thanks for the Council passing the Ordinance 2018-03.

Citizen had question of which positions on the Council are up for election.

- **Aldermen Comments**  
***(Aldermen Comentarios)***

Alderman Inman explained the positions up for election, her position is the unexpired term, due to the fact she was appointed and this will put Position 2 back in line with the correct election cycle, with all other positions being elected for full 2 year terms.

Alderman Inman expressed she would like a specific Agenda Item to be included on the agenda of the next regular meeting held of the City Council. A motion was made by Alderman Inman to have an Executive Session item included on the next agenda to discuss the hiring procedures of a City of Bayou Vista employee and the procedure of proper notification to Council of an issue with personnel.

The motion was seconded by Mayor Pro Tem Cook.

Motion carried all in favor.

- **Mayor's Comments**  
***(Comentarios del alcalde)***

Mayor gave report one estimate has been received in the amount of \$14,725.00 to asphalt the small City parking lot and \$37,327.00 to asphalt the big City parking lot.

The Mayor gave report of the interview that was on Friday night prior to the meeting. It was an hour and a half interview that was chopped up and edited into a minute or two of report.

**11. ADJOURNMENT**  
***(APLAZAMIENTO)***

A motion was made by Alderman Price, seconded by Mayor Pro Tem Cook, duly put and unanimously carried the City Council adjourned at 8:17 p.m.

Respectfully submitted,  
Lisa Mitchell

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Daniel S. Konyha, Mayor

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Lisa Mitchell, City Secretary