

City Of Poteet Regular Meeting of the City Council

491 Avenue H, City Hall
Tuesday March 5, 2019
6:30 P.M.

MINUTES

Councilmembers Present:

Mayor: Albert Trevino
Mayor Pro-Tem: Nicholas Sanchez
Councilwoman: Denise Sanchez
Councilman: Rick Flores Sr.
Councilwoman Susanna Perez
Councilwoman Estella Rocha

Staff Present:

Director of Public Works: Robert Buentello
City Secretary: Abigayle Frautschi
City Attorney: Richard Lindner
Chief of Police: Bruce Hickman
Finance Director: Richard Middleton
Fire Chief Curtis Adams
Library Clerk Andrea Faz

Councilmembers Absent:

Citizens Present:

Wille Leal Jr	Diana G. Leal	Wayne Beyer	Jennifer Hickman
Carolyn Vasquez	Salvador Escalona	Isabel Trevino	Emily Muuela
Jesse Leal	Rachel Leal		

I. CALL TO ORDER

Time: 6:31 P.M.

A. Determination of Quorum

B. Pledge of Allegiance

Mayor Albert Trevino called the meeting to order at 6:31 P.M., and determined a quorum present with all members in attendance. Mayor Trevino then led the Pledge of Allegiance.

II. CITIZEN COMMENTS (3 MINUTE LIMIT)

Speakers need to complete the supplied form prior to this meeting. Any person who makes personal, disrespectful, slanderous remarks, or who become boisterous while addressing the council or attending a council meeting shall be removed from room if so directed by the Mayor or Mayor Pro-Tem if the Mayor is absent or at the request of the majority of the council. Please be advised that comments will have no action and no discussion at this meeting. (Attorney General Opinion jc-0169). (A speaker signed up may not cede time to another speaker to continue speaking Ordinance # 12012014-01.)

None

Non-Discrimination Statement

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Revised January 2014

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Secretary at (830) 742 - 3574. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28CFR35.102-35.104 ADA Title II]

III. CONSENT AGENDA

All of the items on the Consent Agenda are considered to be self-explanatory and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen so request. For a citizen to request removal of an item from the Consent Agenda, a speaker card must be filled out and submitted to the City Secretary's Office prior to the call to order.

- A. Approve the Minutes for the February 5, 2019-Regular Meeting

Motion Nicholas Sanchez 2nd Estella Rocha

For	Against	Abstain
X		Councilmember Nicholas Sanchez
	X	Councilmember Denise Sanchez
X		Councilmember Rick T. Flores Sr.
X		Councilmember Susanna Perez
X		Councilmember Estella Rocha
		Mayor Albert Trevino (Present but not voting)
Absent		

Mayor Pro Tem Nicholas Sanchez asked if anyone had found any issues with the Minutes as presented. Councilwoman Denise Sanchez stated that she found one item which Denise Sanchez questioned which item she found, to which Denise Sanchez responded, that he had all weekend to review his agenda. Mayor Pro Tem Nicholas Sanchez made a motion to approve the minutes as presented. Councilwoman Estella Rocha 2nd the motion. Vote taken, Motion carries, 4-1-0, with Councilwoman Denise Sanchez voting against.

IV. STAFF REPORTS

- A. City Administrator
- B. Police Department
- C. Municipal Court
- D. Public Works
- E. Finance
- F. Library
- G. Fire Department

All Staff gave Monthly Reports. Public Works Director Bobby Buentello did the report for City Administrator Eric Jiminez, due to Mr. Jiminez absence from the meeting. Mr. Buentello read the administrators report as presented. All other staff gave reports.

V. NEW BUSINESS

- A. Discussion / Possible Actin on accepting Presentation of Financial Audit for Fiscal Year 2017-2018 by Wayne Beyer (Wayne Beyer, Beyer & Co) Mr. Wayne Beyer, City of Poteet Auditor, gave the Financial Audit for 2017-2018. Mr. Beyer explained the audit and stated that the audit is a "Modified" opinion. The better of the audit is called an "Un-Modified" opinion. He stated that the reason there is a "Modified" opinion is because auditing standards state that each member of the Governing Body must complete and return a "Related Parties Letter" and Poteet had one Council Member, Denise Sanchez, refused to submit this form. Mr. Beyer explained that this form is strictly a form stated whether any member is related to anyone conducting financial business with the City of Poteet. Ms. Sanchez asked to speak and stated she didn't submit her form because she has been refused access to the City's financial records. Mr. Beyer explained that she will have the chance to look tonight during the audit presentation. Mr. Beyer continued with the Audit.

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Motion Nicholas Sanchez 2nd Susanna Perez

For	Against	Abstain
X		
		Councilmember Nicholas Sanchez
	X	
		Councilmember Denise Sanchez
X		
		Councilmember Rick T. Flores Sr.
X		
		Councilmember Susanna Perez
X		
		Councilmember Estella Rocha
		Mayor Albert Trevino (Present but not voting)
Absent		

Mayor Pro Tem Nicholas Sanchez asked the other members if there are any questions pertaining to the Audit. Councilwoman Denise Sanchez spoke and stated yes that the audit looks worse than what it did when she was here before on Council. She questioned the management letter and the issues mentioned. City Secretary Abigayle Frautschi explained that everything in the management letter has been corrected. Mayor Pro Tem Nicholas Sanchez asked about the related parties form. City Secretary explained that the form gets mailed to all current members of the Council, and all former members during the audit year. Nicholas Sanchez also asked if the fact that the City is receiving a “modified” audit, will this affect our grants in any way. City Secretary Abigayle Frautschi explained that when the City applies for grants and things, the grant issuer will look at the City’s Bond ratings, and the company that provides that rating ill review all audit statements the city has received, and if they notice a “modified” audit, that it does look bad on our bond rating, which in turn can affect the grants we will receive. Mayor Pro Tem Nicholas Sanchez made a motion to approve and accept the Financial Audit for Fiscal Year 2017-2018 as presented. Councilwoman Susanna Perez 2nd the motion. Vote Taken, Motion Carries 4-0-1, with Councilwoman Denise Sanchez abstaining.

B. Discussion / Possible Action on AN ORDINANCE REPEALING AND REPLACING ORDINANCE 05032016-01, RENEWING AND SETTING OF A CURFEW FOR THE PERSONS UNDER THE AGE OF SEVENTEEN (17) WITH APPLICATION TO THE PARENT AND GUARDIAN OF MINORS AND PROVIDING FOR A FINE NOT TO EXCEED TWO HUNDRED AND NO/100 DOLLARS (\$200.00) TOGETHER WITH REFERRAL TO APPROPRIATE JUVENILE COURT; REPEALING AND REPLACING ORDINANCE 09062016-01, AN ORDINANCE OF THE CITY OF POTEET, TEXAS GRANTING PEACE OFFICERS EMPLOYED BY THE POTEET INDEPENDENT SCHOOL DISTRICT THE AUTHORITY TO ENFORCE THE CURFEW ORDINANCE TO REVISE THE DAYS DURING WHICH THE CURFEW WILL BE IN EFFECT; PROVIDING FOR A PENALTY; PROVIDING REPEALER, SEVERABILITY AND SAVINGS CLAUSES, AND PROVIDING AND EFFECTIVE DATE.

Motion Rick Flores Sr. 2nd Denise Sanchez

For	Against	Abstain
X		
		Councilmember Nicholas Sanchez
X		
		Councilmember Denise Sanchez
X		
		Councilmember Rick T. Flores Sr.
X		
		Councilmember Susanna Perez
X		
		Councilmember Estella Rocha
		Mayor Albert Trevino (Present but not voting)

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City Attorney Richard Linder explained to Mayor and Council that the Governing Body is required by statute to renew the curfew ordinance every three years, and the three years is up. Mr. Linder also explained that this is combining two current ordinances. One the City has in effect for the actual curfew violations and the other was allowing the ISD Police Officers to enforce they ordinance. This ordinance with combine those two. Councilman Rick Flores Sr. made a motion to approve the Ordinance as presented. Councilwoman Denise Sanchez 2nd the motion. Vote taken, Motion carries 5-0-0.

VI. BOARDS / COMMISSIONS REPORTS

- VI. A. Library Advisory Board
- B. Planning & Zoning Commission

VI. Library board members updated Mayor and Council about some accomplishments they have achieved.

VIII. COUNCIL COMMENTS

- VI. A. Mayor Albert Trevino
- B. Councilmember Nicholas Sanchez
- C. Councilmember Denise Sanchez
- D. Councilmember Rick T. Flores Sr.
- E. Councilmember Susanna Perez
- F. Councilmember Estella Rocha

All members thanked the Citizens for coming out to meeting.

IX. ADJOURNMENT

Time:

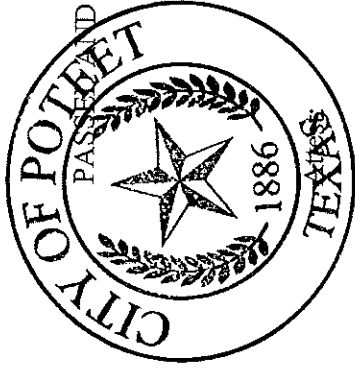
Motion Nicholas Sanchez 2nd Estella Rocha

For	Against	Abstain	
X			Councilmember Nicholas Sanchez
X			Councilmember Denise Sanchez
X			Councilmember Rick T. Flores Sr.
X			Councilmember Susanna Perez
X			Councilmember Estella Rocha
			Mayor Albert Trevino (Present but not voting)
Absent			

Mayor Pro Tem Nicholas Sanchez made a motion to adjourn the meeting. Councilwoman Estella Rocha 2nd the motion. Vote Taken, Motion carried 5-0-0.

Meeting adjourned 7:16 P.M.

All Meetings are preserved in an electronic and hard copy format. Copies are available with an open request after the minutes have been approved by the council.



PASSED AND APPROVED THIS 4th day of June, 2019.

[Signature]
Willie Leal JR, Mayor

[Signature]
Abigayle R. Frautschi, City Secretary

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