

**Agenda  
City Council  
Council Chambers/City Hall  
125 E. South Main, Flatonia, Texas**

**January 12, 2021  
City of Flatonia  
Regular Meeting  
6:00 p.m.**

## **Notice of City Council Meeting**

**In accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, Notice is hereby given that a Regular Meeting of the City Council of the City of Flatonia will be held on Tuesday, January 12, 2021 beginning at 6:00 p.m. in the City Hall Council Chambers located at 125 E. South Main St., Flatonia, Texas, for the purpose of considering the following agenda items:**

The meeting agenda is posted online at: [http://www.flatoniatx.gov/page/Council\\_Agendas\\_Minutes](http://www.flatoniatx.gov/page/Council_Agendas_Minutes)

Members of the public who wish to submit their written questions or comments on a listed agenda item must submit these by sending an email to City Manager Sarah Novo at [manager@ci.flatonia.tx.us](mailto:manager@ci.flatonia.tx.us). Questions or comments must be received no later than 12:00 noon on Tuesday, January 12, 2020.

### **Opening Agenda**

Call to Order  
Invocation & Pledge  
Citizens' Participation

### **Reports**

*Police Department Activity Report December 2020*  
*Utility Department Activity Report December 2020*

### **Consent Agenda**

Approve minutes of the December 8, 2020 Regular Council Meeting.

### **Deliberation Agenda**

- 1.1.2021.1 Consider and take appropriate action on the second reading of Resolution authorizing the Flatonia Economic Development Corporation to purchase 1.37 acres (consisting of 3 tracts) in the M. Muldoon League, A-14, Fayette County, Texas, commonly known as 1107 E. US Highway 90, Flatonia, Texas, from the Grifaldo family in accordance with the terms set out in Exhibit A.
- 1.1.2021.2 Consider and take appropriate action on approval of City Manager appointment of Heather Ambrose as the City Secretary of the City of Flatonia.
- 1.1.2021.3 Consider and take appropriate action on calling and ordering the General Election to be held on May 1, 2021 for the City of Flatonia for the purpose of electing three councilmembers.
- 1.1.2021.4 Consider and take appropriate action on engaging auditors for the FY 2020 Audit.
- 1.1.2021.5 Consider and take appropriate action on a resolution authorizing the Chief of Police to submit for a grant from the Criminal Justice Division for the purchase of 3 police patrol vehicles.
- 1.1.2021.6 Consider and take appropriate action on items included in report from City Manager Novo; to include Economic Development, Public Safety, Parks, Covid-19, Code Enforcement, Planning, Election, Public Services, Administration and Events.

### **Adjournment**



# December Monthly Report

To: Flatonia City Council  
From: Flatonia Police Department  
Subject: December Monthly Report

## Calls for Service:

There were 132 calls for service for this month.

## Offense / Incident Report Activity:

12/01/2020 Officer Llanes was dispatched to a report of children playing in the middle of the road at the 500 block of N. La Grange St. Officer Llanes was able to locate the children and their parent, advising them of the dangers that playing in the middle of the road entailed, they stated that they understood and would not be doing that any longer. The officer returned to his patrol duties.

12/02/2020 Officer Kucera was contacted by a local resident in reference to a scam call she received. The resident stated that the caller told her they had her social security number and they would be distributing large sums of money to different banks if she did not act immediately. The officer advised the resident to not give out any of her information and hang up immediately. Officer Kucera also told her she could contact the United States Social Security Administration if she had any questions regarding her social security number or the Office of the Inspector General to report any scams.

12/03/2020 Lieutenant Pritchard received a call from a family advocacy group with the Houston Police Department regarding a family needing assistance located in our area. Lieutenant Pritchard was able to contact the family and in a joint effort from our local citizens and organizations we were able to extend a helping hand for the family during the holidays. This was made possible because of our wonderful community and local organizations.

12/05/2020 Officer George was dispatched to an alarm at one of our local banks. Officer George cleared and secured the building until a key holder arrived to reset the alarm. The officer returned to routine patrol.

12/05/2020 Flatonia Officers were alerted to a disturbance at the intersection of N. La Grange St. and Highway 90. Officers contacted the subjects who stated they were just having an argument. Upon further investigation it was noted that the subjects had a verbal argument and they were both fine. The subjects walked back inside their residence and the officers returned to their patrol duties.

12/07/2020 Sergeant Pritchard was dispatched to the 600 block of Martin Luther King regarding a verbal dispute. Sergeant Pritchard contacted the parties who stated everything was okay and they were able to resolve their issues without further assistance.

12/07/2020 Chief Dick and Lieutenant Pritchard provided back up for Fayette County Sheriff's Deputy McCleney as she investigated the theft of a vehicle that occurred outside the city limits of Flatonia. As the investigation continued, Deputy McCleney apprehended the suspect after he returned to the scene of the crime. Chief Dick and Lieutenant Pritchard returned to routine patrol duties.

12/09/2020 Lieutenant Pritchard provided back up for a Texas State Trooper at mile marker 667 as she conducted a traffic contact which resulted in an arrest for Possession of a Controlled Substance. Chief Dick covered calls within the city until Lieutenant Pritchard returned to her patrol duties.

12/09/2020 Chief Dick, Lieutenant Pritchard and Sergeant Pritchard, provided back up for Lavaca County Sherriff's Office Deputies as they apprehended a suspect that had broken into a residence off State Highway 95. It was determined that the crime occurred within Fayette County and Fayette County Sheriff's Deputies took custody of the suspect. Flatonia Police Department officers returned to patrol.

12/12/2020 Officer Kucera responded to a verbal disturbance off Martin Luther King St. Officer Kucera was able to diffuse the situation and he soon returned to his patrol duties.

12/14/2020 Sergeant Pritchard was dispatched to a disturbance at the 1400 block of N. La Grange. Sergeant Pritchard was able to contact one of the subjects involved in the disturbance, who stated that he could not find his spouse after they had an argument. A short time later they were able to locate the spouse who also stated they had an argument, but they did not think it would escalate to anything further. The subjects were able to continue their trip without further incident.

12/13/2020 Officer Stansberry was notified of a verbal disturbance at the 700 block of N. La Grange. After some witnesses stated that the people involved in the verbal disturbance left in a vehicle toward Interstate 10, Officer Stansberry was able to locate the vehicle. After contacting the subjects, Officer Stansberry was able to determine that both subjects were okay, and his patrol duties resumed shortly afterward.

12/15/2020 Flatonia Officers received a call about a welfare concern for a woman that had not been in contact with her family for several hours. Officers were able to locate the woman and advised her that her family was concerned for her safety. She stated she was fine, and she would contact her family momentarily.

12/27/2020 While on Patrol, Officer Alexander observed smoke and flames coming from the city sewer plant located in the north side of town. Officer Alexander contacted city crew and they advised that there were not supposed to be any fires at the city sewer, therefore, he summoned Flatonia Fire Department to the location. A large brush pile was on fire and it was slowly spreading into an open field adjacent to the area. Flatonia Fire was able to extinguish the fire and Officer Alexander returned to patrol duties.

**NO FURTHER DETAILED INFORMATION IS PUBLISHED DUE TO ON GOING INVESTIGATION OF CASES.**

### **Arrests and Pending Charges**

Due to Covid-19 restrictions put in place at the state and local levels, arrests for minor violations are being handled in different manners such as citations and promises to appear.

### **Traffic Contacts:**

#### **In-Service Training:**

176 Hours

Flatonia Patrol Officers attended necessary training for their Texas Commission on Law Enforcement, intermediate license. Flatonia command staff covered day, night, and mid shifts.

During the Christmas break for Flatonia Independent School District our School Resource Officer was assigned to patrol duties and was able to cover shifts for officers needing days off.

|                          |                                   |                     |
|--------------------------|-----------------------------------|---------------------|
| Animal Complaints – 2    | Noise Complaints- 1               | Accidents - 0       |
| Scam Calls – 1           | Disturbances - 6                  | Transient Calls - 0 |
| Close Patrol – 74        | Open Door - 2                     | Funeral Escorts - 1 |
| Alarm Calls – 2          | Suspicious Activity/Person<br>- 5 | Agency Assists - 12 |
| Citizen assist – 7       | Suspicious Vehicle- 3             | Civil Matters - 2   |
| Ministerial Vouchers – 0 | Motorist assist - 3               | Welfare Check - 3   |
| Inquest – 0              | Traffic Hazards - 0               | Follow Ups - 0      |

## **Utility Report** **December 2020**

- Abandon old line behind Josesito's Restaurant, make new water taps for restaurant and liquor store. Eliminate 2 leaks by these actions
- Started on electric line extension on Walnut St.

12/4

- Repair water leak on W 1<sup>st</sup>

12/7

- Meet with Supak Construction to find where to tie in new water line to existing lines.

12/8

- Build shields for the counter at city hall
- Replace 2" water meter at Calmaine Basket Wash
- Video training on use of new meter read system

12/9

- Turn off water to Hwy 90 @ North Converse to abandon old fire hydrant lead to make room for new water line
- Prepare for 3 phase conversion at Lyric Theater

12/11

- Building electrical line extension on Walnut St.

12/14

- Change over phones for meter read system

12/15

- Repair water leak on HS meter @ school

12/18

- Repair leak on Hwy 90 near Legion Hall
- Repair leak on 12<sup>th</sup> St @ FM 609

12/21

- Install cleanout @ property line for resident on N. Converse
- Kids crawled through hole in fence @ pool to go swimming

12/22

- Finish hookup on electric line on Walnut
- Booster pump @ well #10 making noise, pull pump and take to Electric Motor Service in La Grange

12/23

- Pick up booster and reinstall
- Supak killed old 8" AC water line at tie in on N. Converse, swapped 6" water line to fire station to new line

12/29

- Sewer tap on Penn St. for new house near 1<sup>st</sup>.

12/30

- Sewer blockage in Hwy 90 off Mesquite St.
- Supak swapped over 6" water line going to 7<sup>th</sup> St.

(Once 6" water line by the day care is swapped over, only street repair will remain in grant project)

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**CONSENT**

**Agenda Item:** Approve Minutes of December 8, 2020 Regular Council Meeting

**Recommended Motion:** I move to approve the consent agenda to include the minutes of the December 8, 2020 Regular Meeting.

**Minutes  
Flatonia City Council  
Regular Meeting  
December 8, 2020**

**Present:**

**Mayor**

Bryan Milson

|                       |   |
|-----------------------|---|
| <b>Councilpersons</b> | Catherine Steinhauser<br>Mark Eversole<br>Dennis Geesaman<br>Ginny Sears<br>Allen Kocian  |
| <b>City Staff</b>     | Sarah Novo – City Manager<br>Angela Beck – City Attorney<br>Lee Dick –Chief, Flatonia Police Department<br>Jack Pavlas – Director, Utility Director |
| <b>Public</b>         | Melanie Berger – Flatonia Argus<br>Andy Behlan – Fayette County Record<br>Karen Milson  |

Mayor Milson called the Regular meeting to order at 6:00 p.m.

Mayor Milson led the invocation, the pledge to the American Flag and the pledge to the Texas Flag. No citizen participation.

**Reports**

- Police Department Activity Report November 2020*
- Utility Department Activity Report November 2020*

**Consent Agenda**

Ginny Sears made a motion to approve the minutes of the November 17, 2020 Special Council meeting to Canvas the returns of the November 3, 2020 General Election. Mark Eversole seconded the motion. None opposed. Motion carried.

**Deliberation Agenda**

- 12.1- 2020.1 Catherine Steinhauser made a motion to approve the continuance of a contract with Sign Ad for billboard services and the installation of new vinyl per the contract. Dennis Geesaman seconded the motion. None opposed. Motion carried.
- 12.1-2020.2 Catherine Steinhauser made a motion to approve the reappointment of Dennis Geesaman, Ginny Sears and Gary Hoover to the Economic Development Corporation Board of Directions for a term of October 1, 2020 – September 30, 2022. Allen Kocian seconded the motion. None opposed. Motion carried.
- 12.1-2020.3 Dennis Geesaman made a motion to approve a resolution reinstating, continuing and renewing the Declaration of Disaster as signed by Mayor Milson on March 24, 2020, ratified by Council on March 31, 2020 and continued by Council on March 31, 2020, May 27, 2020, July 28, 2020 and October 13, 2020 for an additional 60 days. Catherine Steinhauser seconded the motion. None opposed. Motion carried.

**Executive Session**

- ES12.1-2020.1 Open 6:08 P.M.  
As authorized by Texas Government Code Sec. 551.072 (Deliberations regarding Real Property), and Sec. 551.071 (Consultation with Attorney), the Council may enter into closed or executive session to discuss acquisition of the following item of real property and to consult with the City Attorney about attorney-client privileged matters relating to such acquisition:  
1107 E. Highway 90, Flatonia, Texas
- ES12.1.2020.2 As authorized by Texas Government Code Sec. 551.071 (Consultation with Attorney) regarding litigation or claims in connection with the following matter:  
Perry Kram v. City of Flatonia, 2019V-151; 155th District Court, Fayette County, Texas  
  
Closed 6:24 P.M.

**Deliberation**

- 12.1-2020.4 Ginny Sears made a motion to approve the first reading of a resolution authorizing the Flatonia Economic Development Corporation to purchase 1.37 acres (consisting of 3 tracts) in the M. Muldoon League, A-14, Fayette County, Texas, commonly known as 1107 E. US Highway 90, Flatonia, Texas, from the Grifaldo family in accordance with the terms set out in Exhibit A. Catherine Steinhauser seconded the motion. None opposed. Motion Carried.

**The meeting was adjourned at 8:37 P.M.**

**Flatonia City Council**

Staff Report

January 12, 2020 Council Meeting

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**DELIBERATION**

**1.1.2021.1**

**Agenda Item:** Consider and take appropriate action on the second reading of Resolution authorizing the Flatonia Economic Development Corporation to purchase 1.37 acres (consisting of 3 tracts) in the M. Muldoon League, A-14, Fayette County, Texas, commonly known as 1107 E. US Highway 90, Flatonia, Texas, from the Grifaldo family in accordance with the terms set out in Exhibit A.

**Recommended Motion:** I approve the second reading of a resolution authorizing the Flatonia Economic Development Corporation to purchase 1.37 acres (consisting of 3 tracts) in the M. Muldoon League, A-14, Fayette County, Texas, commonly known as 1107 E. US Highway 90, Flatonia, Texas, from the Grifaldo family in accordance with the terms set out in Exhibit A.

**RESOLUTION 2021.1.1**

**A RESOLUTION OF THE CITY OF FLATONIA, TEXAS APPROVING ON FIRST READING THE RECOMMENDATION THAT THE FLATONIA ECONOMIC DEVELOPMENT CORPORATION PURCHASE THAT CERTAIN 1.37 ACS. OF LAND (CONSISTING OF 3 TRACTS) IN THE M. MULDOON LEAGUE, A-14, FAYETTE COUNTY, TEXAS,**

**COMMONLY KNOWN AS 1107 E. HIGHWAY 90, FLATONIA, TEXAS, FOR THE PURPOSE OF INCREASE PUBLIC PARKLAND AND FOR THE DEVELOPMENT OF AMATEUR SPORTS FACILITIES, INCLUDING CHILDREN'S SPORTS FACILITIES, THEREBY PROMOTING ECONOMIC DEVELOPMENT IN THE CITY OF FLATONIA AS AUTHORIZED BY SECTION 505 OF THE TEXAS LOCAL GOVERNMENT CODE; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.**

**WHEREAS**, the Flatonia Economic Development Corporation has been established in accordance with the Texas Local Government Code, Title 12, Sections 501 and 505, formerly Section 2(11) and Section 4b of Article 5190.6 of The Texas Revised Civil Statutes, the Economic Development Act, and an election duly called and held in the City of Flatonia, Texas; and

**WHEREAS**, the Texas Local Government Code and the voters of the City of Flatonia authorized the Flatonia Economic Development Corporation to develop and institute programs that will encourage economic development within the City of Flatonia; and

**WHEREAS**, the Flatonia Economic Development Corporation has, in accordance with law, held a public hearing on November 19, 2020 after having published notice of same as required by law, for the purpose of receiving public input on the advisability of purchasing a 1.37 acres of land, consisting of three tracts in the M. Muldoon League, A-14, commonly known as 1107 E. U. S. Highway 90, Flatonia, Texas, for the purpose of increasing parklands in the City of Flatonia and for the purpose of development of amateur sports facilities, including children's sports facilities, thereby promoting economic development as authorized by Section 505 of the Texas Local Government Code; and

**WHEREAS**, the Flatonia Economic Development Corporation has approved the purchase of said 1.37 acres of land, consisting of three tracts, from the Grifaldo family in accordance with the terms set forth in attached Exhibit "A", at its regular meeting held on November 19, 2020 and has recommended that the City Council of the City of Flatonia approve such an acquisition; and

**WHEREAS**, the City Council of the City of Flatonia, Texas, did approve the acquisition of the said real property on first reading of Resolution No. 2020-12.1 on December 8, 2020;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FLATONIA, TEXAS:**

**SECTION 1.** That the purchase of 1.37 acres of land, consisting of three tracts situated in the M. Muldoon League, A-14, Fayette County, Texas commonly known as 1107 E. U. S. Highway 90, Flatonia, Texas from the Grifaldo family, approved by the Flatonia Economic Development Corporation in the form of contract set forth in attached Exhibit "A," be and it is hereby approved on second reading.

**SECTION 2.** That the City Council of the City of Flatonia set this matter for consideration for final approval on second reading at the next regular or special meeting of the City of Flatonia, whichever occurs first, after which time the acquisition of the 1.37 acres of land, consisting of three tracts situated in the M. Muldoon League, A-14, Fayette County, Texas, from the Grifaldo family shall be accomplished by the Flatonia Economic Development Corporation, in accordance with the terms of the contract

**SECTION 3.** That the City Council has found and determined that the meeting at which this resolution is considered is open to the public and that notice thereof was given in accordance with the provisions of the Texas Open Meetings Act.

**PASSED AND APPROVED** by the City Council of the City of Flatonia, Texas, on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**CITY OF FLATONIA, TEXAS**

By: \_\_\_\_\_  
**Bryan Milson, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Sarah Novo, City Manager**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Maria Angela Flores Beck, City Attorney**

**Flatonia City Council**

January 12th, 2021 Council Meeting

**Agenda Item:** Consider and take appropriate action on the City Manager's appointment of Heather Ambrose as the City Secretary of the City of Flatonia.

**Background:** Pursuant to the City of Flatonia Personnel Policies, a city department head shall be appointed and/or terminated by the city manager, with the approval and consent of the city council. In addition to her role as a city department head, the City Secretary is classified as a municipal officer pursuant to LGC 22.071, with specific job duties as described in LGC 22.072.

On November 10, 2020, the City Council approved the establishment of an ordinance amending article 1.06 of the City of Flatonia Code of Ordinances and establishing the office of City Secretary consistent with the Local Government Code. A copy of this ordinance (2020.11.01) is attached for reference.

**Attachments:** Ordinance 2020.11.01

**Ordinance #2020.11.01**

**AN ORDINANCE AMENDING ARTICLE 1.06, CITY OFFICERS, BY ADDING A NEW DIVISION, DIVISION 3. CITY SECRETARY, ESTABLISHING THE APPOINTIVE NATURE OF THE OFFICE AND THE AUTHORITY OF THE CITY MANAGER TO APPOINT AND TERMINATE THE CITY SECRETARY WITH THE**

**APPROVAL OF THE CITY COUNCIL; AND PROVIDING FOR AN  
EFFECTIVE DATE**

**WHEREAS**, the City Council has determined that passage of an ordinance that establishes the office of City Secretary is required by the Texas Local Government Code; and

**WHEREAS**, the City Council of the City of Flatonia has had its attention directed to the fact that there does not appear to be an ordinance that establishes the office of City Secretary, or which further specifies the nature of the office, where appointive or elected, and specifies who has the authority to appoint and/or terminate the City Secretary.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLATONIA, TEXAS:**

**Section 1.** That Article 1.06, City Officers, should and is hereby amended by adding a new Division thereto, Division 3. Entitled City Secretary, to hereafter read as follows:

\* \* \* \* \*

**Division 3. City Secretary**

- (a) The Office of City Secretary is hereby established.
- (b) The City Secretary of the City of Flatonia shall be an appointive administrative officer.
- (c) The City Manager, with the approval of the City Council, shall appoint the City Secretary. The City Manager shall appoint any such Assistant City Secretaries as he or she shall deem advisable. The City Secretary, or an Assistant City Secretary, shall give notice of City Council Meetings, shall keep the minutes of the proceedings, shall authenticate his or her signature and record in full in a book kept and indexed for the purpose, all ordinances and resolutions, and shall perform such other duties as the City Manager shall assign to him or her, and those elsewhere provided for in this Code or by law. The City Secretary may be removed from office by the City Manager with the approval of the City Council.

**Section 2.** This ordinance shall be cumulative of all other ordinances of the City of Flatonia, and this ordinance shall not operate to repeal or affect any other ordinances of the City of Flatonia except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

**Section 3.** The sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

**Section 4.** The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered, and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**Section 5.** This Ordinance shall be effective immediately upon its passage and any publication in accordance with the requirements of the City of Flatonia and the laws of the State of Texas and may be attested to by the City Manager.

PASSED AND APPROVED on this 10<sup>th</sup> day of November, 2020.

**CITY OF FLATONIA, TEXAS**

\_\_\_\_\_  
Bryan Milson  
Mayor

ATTEST:

\_\_\_\_\_  
Sarah Novo  
City Manager

APPROVED AS TO FORM:

\_\_\_\_\_



- Agenda Item:** Consider and take appropriate action to order a General Election to be held on May 1, 2021 for the City of Flatonia for the purpose of electing three councilmembers.
- Background:** Council seats that will be up for election during the May 1, 2021 include those seats currently held by Ginny Sears, Dennis Geesaman and Catherine Steinhauser. The deadline to order the election is Friday, February 12, 2021.
- Attachment:** Order of Election for Municipalities

**ORDER OF ELECTION FOR MUNICIPALITIES**

An election is hereby ordered to be held on May 1, 2021 for the purpose of:

Electing 3 Council Members

Early voting by personal appearance will be conducted each weekday at:

Flatonina City Hall  
125 E. South Main Street  
Flatonina, Texas 78941

between the hours of 8am and 5pm beginning on Monday, April 19 through Tuesday, April 27.

Applications for ballot by mail shall be mailed to:

Fayette County Elections Office  
PO Box 605  
La Grange, TX 78945

Or

Faxed to 979-968-6563

Or

Emailed to [elections@co.fayette.tx.us](mailto:elections@co.fayette.tx.us)

Applications for ballots by mail must be received no later than close of business on Tuesday, April 20

Issued this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signature of Mayor

Signature of Councilperson

**Instruction Note: A copy of this election order must be delivered to the County Clerk/Elections Administrator and Voter Registrar not later than 60 days before election day.**

*ORDEN DE ELECCIÓN DE MUNICIPIOS*

*Por la presente se ordena que se celebre una elección el 1 de mayo de 2021 con el propósito de:*

*Elección de 3 miembros del consejo*

*La votación anticipada en persona se llevará a cabo todos los días de la semana en:*

*Flatonia City Hall  
125 E. South Main Street  
Flatonia, Texas 78941*

*entre las 8 am y las 5 pm comenzando el lunes 19 de abril hasta el martes 27 de abril.*

*Las solicitudes de boleta electoral por correo se enviarán por correo a:*

*Oficina de Elecciones del Condado de Fayette  
PO Box 605  
La Grange, TX 78945*

*O*

*Enviado por fax al 979-968-6563*

*O*

*Enviado por correo electrónico a [elections@co.fayette.tx.us](mailto:elections@co.fayette.tx.us)*

*Las solicitudes para boletas electorales por correo deben recibirse a más tardar el cierre de operaciones el martes 20 de abril.*

*Emitido este el \_\_\_\_\_ día de \_\_\_\_\_ 2021.*

*Firma del Alcalde Firma de la Persona del Concilio*

*Firma de la Persona del Concilio*

*Nota de instrucción: Se debe entregar una copia de esta orden de elección al Secretario del Condado / Administrador de Elecciones y al Registrador de Votantes a más tardar 60 días antes del día de las elecciones.*

# Flatonia City Council

January 12th, 2021 Council Meeting

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## **DELIBERATION**

1.1.2021.4

**Agenda Item:** Consider and take appropriate action to engage an audit firm for the FY 2020 Audit.

**Background:** Pursuant to Flatonia Municipal Code 1.07.004, the City of Flatonia Financial Policies, and Local Government Code 103.001, the City shall have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit.

An engagement letter is attached for Goldman, Hunt and Notz, LLC to perform an audit on the City's financials for fiscal year 2020. This firm has been performing the audit for the City over the course of the past several years and due to timing staff recommends this firm be engaged for the FY2020 audit.

**Funding:** The funding for the audit is spread over the General, Water and Electric funds. 50% of the cost is from the General Fund, 17% of the cost is from the Water Fund and 33% of the cost is borne by the Electric Fund.

# Goldman, Hunt & Notz, L.L.P.

## Certified Public Accountants

DONALD G. GOLDMAN, CPA  
D. DALE HUNT, CPA  
JAMIE K. NOTZ, CPA, CVA\*

\*CERTIFIED VALUATION ANALYST

MEMBERS OF:  
AMERICAN INSTITUTE OF  
CERTIFIED PUBLIC ACCOUNTANTS

TEXAS SOCIETY OF  
CERTIFIED PUBLIC ACCOUNTANTS

KEITH H. COX, CPA, CISA\*  
SYLVIA H. GORIS, CPA  
STEPHANIE S. KOCH, CPA  
TREY A. PARMA, CPA

\*CERTIFIED INFORMATION SYSTEMS AUDITOR

November 4, 2020

To City Council and Sarah Novo  
City of Flatonia, Texas  
125 E. South Main Street  
P.O. Box 329  
Flatonia, Texas 78941

We are pleased to confirm our understanding of the services we are to provide the City of Flatonia, Texas (City) for the year ended September 30, 2020. We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the City as of and for the year ended September 30, 2020. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by U.S. generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis
- 2) Budgetary Comparison Schedules
- 3) GASB-Required Supplementary Pension, and
- 4) Other Post-Employment Benefit Information

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditor's report will not provide an opinion or any assurance on that other information.

- 1) Combining Balance Sheet – Nonmajor Governmental Funds
- 2) Combining Statement of Revenues, Expenditures, and Changes in Fund Balances – Nonmajor Governmental Funds

TELEPHONE (361) 573-2471  
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5606 NORTH NAVARRO STREET, SUITE 309  
VICTORIA, TEXAS 77904-1770

EMAIL: ghn@tisd.net

#### **Audit Objective**

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions. We will issue a written report upon completion of our audit of the City's financial statements. Our report will be addressed to the city council of the City. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If circumstances occur related to the condition of your records, the availability of sufficient, appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements caused by error, fraudulent financial reporting, or misappropriation of assets, which in our professional judgment prevent us from completing the audit or forming an opinion on the financial statements, we retain the right to take any course of action permitted by professional standards, including declining to express an opinion or issue a report, or withdrawing from the engagement.

#### **Audit Procedures—General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

#### **Audit Procedures—Internal Control**

Our audit will include obtaining an understanding of the government and its environment, including group-wide controls, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. Accordingly, we will express no such opinion. However, during the audit, we will communicate to group management and those charged with governance of the group-wide control related matters that are required to be communicated under AICPA professional standards.

#### **Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

#### **Other Services**

We will also suggest adjusting journal entries to record accruals at September 30, 2020, and prepare the basic financial statements and related notes, required supplementary information, and other information of the City in conformity with U.S. generally accepted accounting principles based on information provided by you. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

#### **Management Responsibilities**

Management is responsible for designing, implementing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including monitoring ongoing activities; for the selection and application of accounting principles; and for the preparation and fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, including identification of all related parties and all related-party relationships and transactions, (2) additional information that we may request for the purpose of the audit, (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence, and (4) unrestricted access (or arrangements to facilitate access) to component information, instructions issued by group management to components related to the consolidation process, and persons at components (including management and those charged with governance).

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws and regulations.

You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

You agree to assume all management responsibilities for financial statement preparation services and any other nonattest services we provide; oversee the services by designating an individual, Sarah Novo, with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them.

In connection with this engagement, we may communicate with you or others via email transmission. As emails can be intercepted and read, disclosed, or otherwise used or communicated by an unintended third party, or may not be delivered to each of the parties to whom they are directed and only to such parties, we cannot guarantee or warrant that emails from us will be properly delivered and read only by the addressee. Therefore, we specifically disclaim and waive any liability or responsibility whatsoever for interception or unintentional disclosure of emails transmitted by us in connection with the performance of this engagement. In that regard, you agree that we shall have no liability for any loss or damage to any person or entity resulting from the use of email transmissions, including any consequential, incidental, direct, indirect, or special damages, such as loss of revenues or anticipated profits, or disclosure or communication of confidential or proprietary information.

**Engagement Administration, Fees, and Other**

You may request that we perform additional services not addressed in this engagement letter. If this occurs, we will communicate with you regarding the scope of the additional services and the estimated fees. We also may issue a separate engagement letter covering the additional services. In the absence of any other written communication from us documenting such additional services, our services will continue to be governed by the terms of this engagement letter.

We may from time to time and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

We will schedule the engagement based in part on deadlines, working conditions, and the availability of your key personnel. We will plan the engagement based on the assumption that your personnel will cooperate and provide assistance by performing tasks such as preparing requested schedules, retrieving supporting documents, and preparing confirmations. If, for whatever reason, your personnel are unavailable to provide the necessary assistance in a timely manner, it may substantially increase the work we have to do to complete the engagement within the established deadlines, resulting in an increase in fees over our original fee estimate.

The audit documentation for this engagement is the property of Goldman, Hunt & Notz, L.L.P. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to federal or state grantor agencies or its designee. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Goldman, Hunt & Notz, L.L.P. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to federal or state grantor agencies or its designee. The federal or state grantor agencies or its designee may intend or decide to distribute the copies or information contained therein to others, including other governmental agencies.

We expect to begin our audit on approximately November 30, 2020 and to issue our reports no later than March 31, 2021. Jamie K. Notz, CPA is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.). Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees may be rendered periodically as work progresses and are payable on presentation. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

City Council and Sarah Novo  
City of Flatonia, Texas

November 4, 2020  
Page 5

We appreciate the opportunity to be of service to the City and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us. Our audit engagement ends on delivery of our audit report. Any follow-up services that might be required will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

Very truly yours,

  
Goldman, Hunt & Notz, L.L.P.

**RESPONSE:**

This letter correctly sets forth the understanding of the City of Flatonia, Texas.

Management signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Governance signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

# Flatonia City Council

January 12th, 2021 Council Meeting

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## **DELIBERATION**

1.1.2021.5

**Agenda Item:** Consider and take appropriate action to adopt a resolution authorizing the police department to apply for a Criminal Justice Grant Program with the Office of the Governor, Public Safety Office for FY 2022.

**Discussion:** Solicitation of funding in the amount of \$171,974.30 to purchase three (3) new and fully outfitted patrol vehicles. Application timeline for this grant is between 12/14/2020 to 02/11/2021 at 5:00pm. Responsibilities of the City will be limited to the reporting of specific metrics documenting the usage of vehicles over the course of 1 year.

**Financial:** There is no financial match for this grant. 100% funding to be received from the grant provider.

**RESOLUTION 2021.1.2**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLATONIA, TEXAS APPROVING THE SUBMISSION OF AN APPLICATION FOR A GRANT FUNDING THE PURCHASE OF THREE (3) POLICE PATROL VEHICLES.**

**WHEREAS**, the City of Flatonia finds it in the best interest of the citizens of Flatonia, TX, that the application to the Criminal Justice Grant Program with the Office of the Governor, Public Safety Office for the purchase of three (3) police patrol vehicles be operated for the 2022 year; and

**WHEREAS**, the City of Flatonia agrees to provide applicable matching funds for said project as required by the Criminal Justice Grant Program with the Office of the Governor, Public Safety Office grant application; and

**WHEREAS**, the City of Flatonia agrees that in the event of loss or misuse of the Office of the Governor funds, City of Flatonia assures that the funds will be returned to the Office of the Governor in full; and

**WHEREAS**, the City of Flatonia designates the Chief of Police as the grantees authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FLATONIA, TEXAS APPROVES SUBMISSION OF THE GRANT APPLICATION FOR THE CRIMINAL JUSTICE GRANT PROGRAM TO THE OFFICE OF THE GOVERNOR.**

**PASSED AND APPROVED** by the City Council of the City of Flatonia, Texas, on this the \_\_\_\_ day of \_\_\_\_\_, 2021.

**CITY OF FLATONIA, TEXAS**

By: \_\_\_\_\_  
**Bryan Milson, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Sarah Novo, City Manager**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Maria Angela Flores Beck, City Attorney**

# Flatonia City Council

January 12th, 2021 Council Meeting

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## **DELIBERATION**

1.1.2021.6

**Agenda Item:** Consider and take appropriate action on items included in report from City Manager Novo; to include Economic Development, Public Safety, Parks, Covid-19, Code Enforcement, Planning, Election, Public Services, Administration and Events.

## City Manager Report

### 1. Economic Development

- a. The EDC meeting for December was cancelled.
- b. The EDC has had a long-standing task on the list of projects which involves connecting a sidewalk across the railroad tracks at N. Penn Street. I have reached out to Union Pacific Railroad and hope for some productive negotiations to move this project forward. Consideration of lowering or eliminating their required \$10,000 option fee is currently being reviewed by the UPRR real estate team.
- c. There has also been some discussion regarding the potential of striping South Main St. There are restrictions that pertain to the size requirements and placement of parking stalls which might result in less parking overall should this street be striped although Jack is in conversation with a striping company to obtain a quote and prepare a mock-up of how many spaces would be available if striped. Once available, I will provide to EDC board for review.
- d. The EDC has also recently provided a business incentive program grant to Darlin's Diner.

More information on this program may be found at:

[http://www.flatoniatx.gov/page/business\\_incentive\\_program](http://www.flatoniatx.gov/page/business_incentive_program)

### 2. Public Safety

By the community, for the community was truly the motto for this year's Blue Santa program. Flatonia First Responders, the City of Flatonia, and the generous citizens and businesses of Flatonia came together once again this year to serve our community through their contributions to the Blue Santa Program.

As highlighted in the Argus, Flatonia Blue Santa received sizable donations from the

Lions Club, Flatonia National Bank and Penn Virginia this year which were instrumental in ensuring that we (as a community) can lift up Flatonia families in need and provide children of those families with gifts to open during the holidays.

The Flatonia Blue Santa Program would like to extend a sincere thank you for the generous donations made to the program this year! This year has been challenging for many and through the outstanding support of our community and community partners, we were able to make this season brighter for 126 children and 52 families. Every aspect of this program was made possible through the generous donations of time, money, toys and resources.

### **3. COVID - 19**

#### **Vaccination updates**

##### **City of Flatonia (Precinct 3)**

- a. The current number of positive cases in precinct 3 is **0**. The current number of probable cases in precinct 3 is **8**. You can find most recent updates at: <https://www.co.fayette.tx.us/>

##### **Fayette County**

- a. The total number of confirmed active cases in Fayette County is **8**. Total number to date (including confirmed, probable, recovered, deaths and lost to follow up) is 1316.
- b. For the most current case count inside Fayette County, please visit: <https://www.co.fayette.tx.us/>.

##### **Statewide**

- a. According to the website below, **1,666,487** total cases have been confirmed state-wide, with an estimated **1,522,105** having recovered. **28,938** fatalities. **326,600** estimated\* active cases.
- b. For state of Texas information, please visit: <https://txdshs.maps.arcgis.com/apps/opsdashboard/index.html#/ed483ecd702b4298ab01e8b9cafc8b83>

### **4. Parks**

- a. The Parks Committee met on October 28, 2020 where the committee discussed each park as well as the installation of dog waste bag stations in the most heavily used parks to address recent complaints. The City has ordered 5 stations and signage to be installed according to staff availability.
- b. Solar up-lighting has been purchased and installed on several of the trees within Central Memorial Park.

## **5. Code Enforcement**

- a. Informational brochures detailing the commonly reported municipal codes will be included as an insert on the utility bills for all City of Flatonia customers.
- b. The first Code Enforcement Committee meeting was held on Thursday, January 8 at 6:00 PM. Committee members are:
  1. Lt. Norma Pritchard
  2. Richard Schacherl
  3. Mike Steinhauser
  4. Chief Lee Dick
  5. Angela Beck
  6. Sarah Novo

This group has focused initially on the review of Ch 214 of the Local Government Code, potential establishment of a Building and Standards Commission, and enforcement mechanisms for Ch 3, 6 and 8 of the Code of Ordinances. The next committee meeting is scheduled for Wednesday, February 3<sup>rd</sup> at 6:00 PM in City Hall.

## **6. Planning, Building and Zoning**

- a. The P&Z Commission did not hold a meeting on January 4<sup>th</sup>.
- b. The Donut shop is working to finalize their electrical permit. Once the permit is complete, we will issue a Certificate of Occupancy and open the business.
- c. The Lyric Theater has renovated the marquis sign and has performed substantial interior and exterior work to the building.

- d. El Toro Viejo - 1143 E Old Hey 90 Suite 100 (the former car lot location). This restaurant is open!

**7. Election**

The City will be holding a General election for 3 council seats currently held by councilmembers Geesaman, Sears and Steinhauser. The first date to file for a place on the ballot is January 13<sup>th</sup>, 2021. As consistent with the November 3, 2020 election, this election will be administered by the Fayette County elections administrator.

**8. Public Services (Utilities)**

- a. Our Public Services staff are working diligently to take down lights and holiday décor.
- b. In coordination with our water/sewer line repair grant, Supak construction is continuing work in the N. Converse alley. According to the contract this company has until mid-February to complete work although they are just wrapping up their final stages of construction.
- c. TX DOT is coordinating two major projects scheduled for Flatonia to include installation of sidewalks (US 90 & FM 609) and US 90 Pavement Repair. The sequence for the sidewalk project will require the contractor to finish all other work prior to starting the sidewalk in Flatonia, three other locations. Based on the contractors schedule we anticipate that work would begin in Flatonia on US 90 around July 2022. This is assuming that the contractors start when we assume, have the same production rates, and allows for average weather delays. This schedule will require some overlapping of the projects, but the projects will not be working in the same area, (one is inside the curb and gutter and the other outside of the curb and gutter.) When the sidewalk project starts on US 90 the work on the full depth reclamation would be completed and the contractor would be working to complete the median curb and final overlay.

**9. Administration**

City Hall has seen some recent interior and exterior updates. The landscape has been manicured, a new 'City Hall' sign was placed above the entry doors, and the interior has received a fresh coat of paint compliments of staff member Ignacio 'Nacho' Puente. You'll also notice that City Hall also has installed Covid and sanitation precautions to include the installation of sanitizer dispensers and a plexiglass barrier at the public counter. Staff remain vigilant and focused on doing our part to stop the spread of Covid while continuing to provide excellent service to the community.

### **Past Events**

The Christmas in Flatonía event and Flatonía tree lighting ceremonies organized by the Flatonía Chamber of Commerce were both very well attended by Flatonía families. The night featured Santa escorted to the village by a Flatonía Fire Truck and parade of floats. Santa was available to the community for visits and photos.