

MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
CITY OF LIVE OAK  
WILL BE HELD IN CITY HALL, 8001 SHIN OAK DRIVE,  
TUESDAY, MARCH 11, 2008, AT 7:00 P.M. OR  
IMMEDIATELY FOLLOWING THE TIRZ BOARD MEETING

1. CALL TO ORDER

Mayor Henry O. Edwards Jr., called the Regular City Council Meeting to order on February 13, 2008 at 7:00 p.m.

2. INVOCATION/PLEDGE OF ALLEGIANCE

A moment of silence was observed and the Pledge of Allegiance was recited.

3. ROLL CALL

Mayor Henry O. Edwards Jr.  
Councilwoman Anne Mancillas, Place 5  
Councilwoman Anne Jorrie, Place 4  
Councilman Emilio Serrano, Place 3  
Councilwoman Pat Kauts, Place 2  
Councilman CJ Diegel, Place 1

4. ANNOUNCEMENT OF VIP/DV AND COMMENTS BY VIP/DV

Mayor Henry O. Edwards Jr., acknowledged former council members Al Hernandez and Loretta Kusek

5. SPECIAL CONSIDERATION

A. Proclamation Presented To Mary Dennis In Memory Of Her Husband Roger Dennis Jr.

Mayor Edwards read and presented the Proclamation to Mary Dennis. Ms. Dennis thanked City Council, staff and audience for their thoughtfulness and prayers.

6. CITIZENS TO BE HEARD

1. Mark Cymbalist, 7545 Old Spanish Trail, Live Oak – Mr. Cymbalist came before City Council to express his anger and concern at seeing Agenda Item A, which concerned the Mark Jackley investigation and its cost. He believed that it was essential to have the City Attorney attendance at regular meetings.
2. Bill Umphlett, 7501 Avery Road, Live Oak – Mr. Umphlett came before City Council to thank them for Mary Dennis' Proclamation, he asked for the status of the traffic light at O'Connor Road, and the city attorney fees. Additionally he offered his services as a moderator for a Meet the Candidates for the citizens of Live Oak.
3. Jesse D. Beinhower, 13905 Belgravia Forest, Live Oak – Mr. Beinhower came before the City Council to ask the City Council for the status of repair construction on the main entry to his street.

7. CONSENT AGENDA

A. Approval Of Minutes

1. February 26, 2008

B. A Resolution Authorizing The City Manager Of The City Of Live Oak To Accept A Report Prepared By Arbitrage Compliance Specialists, Inc

Councilwoman Mancillas made a motion to approve the Consent Agenda; seconded by Councilwoman Jorrie

Vote FOR: Councilmembers Mancillas, Jorrie, Serrano, Kauts, and Diegel – Passed 5/0

8. OLD BUSINESS

A. Discussion And Possible Action Relating To The City Attorney Being At All City Council Meetings, And Cost To The City For The Investigation Of Mark S. Jackley Regarding Payment to Peden Investigation, Dated December 4, 2007 Indicating Invoice That Was Mailed Separately, And Investigative Report Dated January 7, 2008 And Any Other Charges Related To The Investigation By Peden Investigation

Councilwoman Kauts made a motion that this item be removed from agenda; motion died due to a lack of a seconded

Councilman Diegel asked for a consensus of City Council to have the Charles Zech, City Attorney at every City Council Meeting; seconded by Councilwoman Jorrie

Consensus FOR: Councilmembers Serrano, Kauts, Diegel, Jorrie and Mancillas – Passed 5/0

9. NEW BUSINESS

A. A Resolution By The City Council Of The City Of Live Oak Approving And Accepting A Bid For Construction Of A New Restroom And Storage Facility In Woodcrest Park Within The City Of Live Oak

Councilwoman Jorrie made a motion to approve the Resolution; seconded by Councilwoman Mancillas

Councilwoman Kauts made a motion to amend the original motion to include the contractor HB Newman Inc., and the construction amount of \$150,000.

Vote FOR: Councilmembers Serrano, Kauts, Diegel, Jorrie and Mancillas – Passed 5/0

Vote FOR Basic: Councilmembers Serrano, Kauts, Diegel, Jorrie and Mancillas – Passed 5/0

B. An Ordinance Repealing Ordinance Number 480; And Providing For An Occupational Tax For Coin Operated Machines Within The City Limits Of Live Oak

Councilwoman Jorrie made a motion to approve the Ordinance; seconded by Councilwoman Mancillas

Vote FOR: Councilwoman Mancillas, Jorrie, Serrano, Kauts, and Diegel – Passed 5/0

C. An Ordinance Repealing Ordinance Number 1283 And Authorizing The City Manager To Enter Into An Agreement With The Greater Randolph Little League For The Use Of

The City Of Live Oak Baseball Fields, Concession Stand, And Exterior Youth Building Rest Room; To Include Update Of Opening Ceremony And Parade

Councilman Diegel made a motion to approve the Ordinance; seconded by Councilwoman Jorrie

Vote FOR: Councilmembers Diegel, Kauts, Serrano, Jorrie and Mancillas – Passed 5/0

D. Update, Discussion And City Council Questions Concerning The Latest Cost Estimate Relating To The New Public Safety Building, Equipment And Furniture

Update of the new Public Safety Building cost was provided by Chief Dan Pue; discussion and questions by City Council; no other action was taken.

E. Discussion And Possible Action Concerning The Continuation Of The City Of Live Oak Memorial Day and Live Oak's 4<sup>th</sup> Of July Parades

Consensus of City Council to host a Memorial Day Parade and discontinue the Live Oak 4<sup>th</sup> of July Parade

Consensus FOR: Councilmembers Diegel, Kauts, Serrano, Jorrie and Mancillas – Passed 5/0

F. Discussion On The Necessity To Provide Annual Evaluations Pursuant To The Personnel Policy

This item was addressed during Executive Session.

G. Discussion Regarding The Continuation Of The Services Of The Interim Finance Director

Discussion and determination was made concerning Ms. Nixon service. It was discussed that she would be needed in the Finance Department through the end of March. Additionally, City Council made mention of the possibility of using her services through mid April, as she was working on bank reconciliations and other financial internal controls.

H. Update And Discussion Pertaining To The "No Parking" Signs On Village Oak And Oak Terrace

Mr. Wagster provided an update of the "No Parking" signs on Village Oak and Oak Terrace.

10. GENERAL ANNOUNCEMENTS

A. Announcement of Annual Live Oak Easter Egg Hunt, March 16, 2008 At 1:00 P.M.

Announcement of the Easter egg hunt; no other action taken.

B. Announcement Of The Live Oak Park Day, April 12, 2008

Announcement of the April 12<sup>th</sup> Park Day; no other action taken.

C. "Clean- Up, Paint-Up And Fix-Up Week", March 17 Through March 23, 2008, With Pick-Up Starting On March 24, 2008

Announcement of the Clean- Up, Paint-Up And Fix-Up Week; no other action taken.

D. Status Of Candidates Who Have Filed For The May 2008 City Of Live Oak Joint General Election

Ms. Goza made an announcement of who had filed for the May 2008 Election.

11. EXECUTIVE SESSION

City Council and Matt Smith convened for Executive Session at 8:35 p.m.

A. The City Council shall meet in Executive Session under Texas Government Code 551.074 *Personnel Matters* to evaluate the performance and discuss the duties of the City Manager

12. RECONVENE FROM EXECUTIVE SESSION

City Council and Matt Smith reconvened from Executive Session at 10:15 p.m.

13. ADJOURNMENT

As there was no further business, Councilwoman Jorrie made a motion to adjourn; seconded by Councilman Diegel. The Regular City Council meeting adjourned at 10:16 p.m.

APPROVED:

---

Henry O. Edwards Jr., Mayor

ATTEST:

---

Deborah L. Goza, City Secretary