

**CITY COUNCIL AGENDA
CITY OF GREY FOREST, TEXAS
GREY FOREST COMMUNITY CENTER
18249 SHERWOOD TRAIL
HELOTES, TX 78023**

February 8, 2022, 6:30 PM

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE AND INVOCATION

IV. PRESENTATIONS BY CITIZENS AND VISITORS *(Comments by members of the public are limited to three (3) minutes for any one speaker. Citizens may submit a written statement to the Office of the City Secretary at citysecretary@greyforest-tx.gov no later than thirty (30) minutes prior to the start of the meeting. Copies of statements will be provided to the City Council. A city official may make a statement of specific, factual information in response to an inquiry made by a member of the public, or a recitation of existing policy in response to an inquiry made by a member of the public.)*

V. ANNOUNCEMENTS / REPORTS / MAYOR AND CITY EMPLOYEES

- a) Mayor Announcements
 - 1) Financials
- b) Council/Staff Announcements
- c) Committee Announcements/Reports
- d) Grey Forest Community Board Update
- e) Senator Frank L. Madla Natural Area Update
- f) Board of Adjustment Update
- g) Police Department Monthly Report
- h) Public Works Monthly Report
- i) Fire Department Monthly Report
- j) Grey Forest Utilities Update

VI. PUBLIC HEARING

- a) The City of Grey Forest will conduct a public hearing to hear public testimony on the city contracting with the law firm of Linebarger, Goggan, Blair, and Sampson, LLP as special counsel to perform legal services necessary to collect unpaid fines, fees, and court costs as provided in Tx Code of Criminal Procedure Art. 103.0031.

THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:

VII. CONSENT AGENDA

- a) Approval of Minutes: November 23, 2021 Regular Meeting and December 22, 2021 Special Meeting

VIII. NEW BUSINESS

- a) Discuss and take possible action on recommendation(s) for appointment to the City of Grey Forest Community Board: Tanya Granados
- b) Discussion regarding the City of Grey Forest Emergency Management Plan.
- c) Discuss and take possible action accepting the City of Grey Forest Financial Audit fiscal

- year ending September 30, 2021 from Armstrong, Vaughan, & Associates, P.C.
- d) Discuss and take possible action on the Written Notice to the public pursuant to Texas Government Code Section 2254.1036, for the Contract for legal services with Linebarger, Goggan, Blair, & Sampson, LLP to collect Delinquent Court Fines and Fees.
 - e) Discuss and take possible action on Resolution No. 2022-18R, a resolution by the City Council of the City of Grey Forest, Texas authorizing the City to enter into a collection contract with Linebarger, Goggan, Blair, & Sampson, LLP for delinquent court fees and fines by authorizing a collections fee in the amount of thirty percent (30%) of the total amount of such fines and fees to defray costs of collecting such delinquent fines and fees more than 60 days past due as ordered by the Municipal Court serving the City of Grey Forest pursuant to Article 103.0031 of the Texas Code of Criminal Procedure for a term of one year and may automatically renew for an additional one-year term.
 - f) Discuss and take possible action on Resolution No. 2022-19R, a resolution of the City of Grey Forest authorizing the submission of an application for funding from the Fiscal Year 2022 allocation of Bexar County's Community Development Block Grant (CDBG), Home Investment Partnerships Program (HOME), and Emergency Solutions Grant (ESG) Programs for up to \$21,600 for a Community Center Handicap Accessible Ramp and hereby approve the use of local funds in the amount of \$2,000 as a match contribution for the activities listed in the application.
 - g) Discuss and take possible action on Ordinance No. 2022-02-13, an Ordinance of the City of Grey Forest, Texas amending the City Code of Ordinances Chapter 3 Building Regulations, Article 3.01.003 Fences Generally, Subsection (C) Maximum Height to remove the six (6) feet default maximum height requirement of fences within the City and stating that maximum height shall be within the Building Official's discretion based on security stability and compliance with other provisions of the Building Code; providing a cumulative clause, a severability clause, and an effective date.
 - h) Discuss and take possible action allowing the Mayor to enter into a Joint Election Agreement with Bexar County Elections Administrator, acting on behalf of Bexar County, to conduct the General Election and Special Election to be held on May 7, 2022 for the City of Grey Forest.
 - i) Discuss and take possible action on Ordinance No. 2022-02-14, an ordinance ordering a General Election in the City of Grey Forest, Texas, to be held on May 7, 2022 for the election of Mayor and two Council Members for Place Two (2) and Place Four (4), the term of such offices to be for two (2) years, terminating when their successors are elected and qualified; and establishing procedures for said General Election.
 - j) Discuss and take possible action on Ordinance No. 2022-02-15, an ordinance by the City Council of the City of Grey Forest, Texas calling a Special Election to be held in the City of Grey Forest, Texas on May 7, 2022 to submit a proposition on the question of reauthorization of a Local Sales and Use Tax under the provisions of the Texas Tax Code to continue providing revenue to maintain and repair municipal streets; making provisions for the conduct of such election and resolving other matters related to the conduct of such election; and providing an effective date.

IX. UNFINISHED BUSINESS

- a) Discussion regarding pending City Council topics:
 - 1) Roadway Easement/Right of Way
 - 2) Website
 - 3) Road Repair
 - 4) Mailbox area cover design

X. EXECUTIVE SESSION

- a) City Council will receive an update from the City Attorney regarding the status of the Scharf v. City of Grey Forest litigation pursuant to Texas Government Code Section 551.071 (consultation with legal counsel).
- b) City Council will receive an update from the City Attorney regarding the status of former City Secretary Shannon Kinsley pursuant to Texas Government Code Section 551.071 (consultation with legal counsel).

XI. GENERAL ANNOUNCEMENTS & FUTURE AGENDA ITEMS REQUESTED

- a) None

XII. ADJOURNMENT

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING: *The City of Grey Forest meeting place is wheelchair accessible, and accessible parking spaces are available. In compliance with Americans with Disabilities Act, the City of Grey Forest will provide reasonable accommodations for persons attending the meeting. To better serve you, requests should be received 48 hours prior to the meeting. Please contact the City Secretary's Office, at 210-695-3261 ext. 1, or 711 Texas Relay.*

DECORUM REQUIRED: *Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.*

ACTION BY COUNCIL AUTHORIZED: *The City Council may vote and/or act upon any item within this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code § 551.072 (Deliberations about Real Property); § 551.073 (Deliberations about Gifts & Donations); § 551.074 (Personnel Matters); § 551.076 (Deliberations about Security Devices); § 551.087 (Economic Development Negotiations); and, § 551.071 to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The attorney may appear in person or appear in executive session by conference call in accordance with applicable state law.*

EXECUTIVE SESSIONS APPROVED BY CITY ATTORNEY: *This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.*

ATTENDANCE BY OTHER ELECTED OR APPOINTED OFFICIALS: *It is anticipated that members of the City Council, or other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.*

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Grey Forest is a true and correct copy of said Notice and was posted on the bulletin board at City Hall of said City in a convenient place to the public and said Notice was posted on the 4th day of February 2022 at 9:26 A.M., more than seventy-two (72) hours prior to the meeting on 8th day of February 2022.


By: _____

Miguel Cantu, TRMC
City Secretary



**WRITTEN NOTICE TO THE PUBLIC
PURSUANT TO TEXAS GOVERNMENT CODE SECTION 2254.1036 FOR THE
CONTRACT WITH LINEBARGER GOGGAN BLAIR & SAMPSON, LLP
FOR COURT FINES AND FEES COLLECTION**

Pursuant to Sec. 2254.1036 of the Texas Government Code, the Contract for Fines and Fees Collection Services with Linebarger Goggan Blair & Sampson, LLP hereby provided the following requisite written notice to the public and after exercising its due diligence, the City of Grey Forest finds that:

1. There is a substantial need for the legal services to be provided pursuant to the Contract for Fines and Fees Collection Services;

2. These legal services cannot be adequately performed by the attorneys and supporting personnel of the City at a reasonable cost;

3. These legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the collection fee authorized by the Texas Code of Criminal Procedure Article 103.0031 and because the City does not have the funds to pay the estimated amounts required under a contract only for the payment of hourly fees;

4. Linebarger Goggan Blair & Sampson, LLP, is well qualified and competent to perform the legal services required to comply with the terms of this contract;

5. While Linebarger Goggan Blair & Sampson, LLP has not represented the City in the past in the collection of unpaid fines, fees and court costs, Linebarger Goggan Blair and Sampson, LLP has represented the City for the past forty (40) years with competence and professionalism, in the collection of delinquent property taxes beginning on October 1, 1981. In addition, Linebarger Goggan Blair & Sampson, LLP has represented numerous governmental entities over the past forty (40) years, including several in close proximity to the City, and they

have demonstrated years of competent representation with professionalism in the collection of unpaid fines, fees and court costs in the representation of those entities.

6. The contract with Linebarger Goggan Blair & Sampson, LLP is the result of an arm's length transaction between the City and Linebarger Goggan Blair & Sampson, LLP and is fair and reasonable.

7. It is in the best interest of the residents of the City of Grey Forest to enter into this contract for legal services with Linebarger Goggan Blair & Sampson, LLP.

PASSED AND ADOPTED, this 8th day of February, 2022.

CITY OF GREY FOREST, TEXAS

Charles M. Thornton Jr., Mayor

ATTEST:

Miguel Cantu, City Secretary

APPROVED AS TO FORM:

Ryan Henry, City Attorney