



City of La Vernia
CITY COUNCIL WORKSHOP
102 E. Chihuahua St., La Vernia, Texas 78121
March 12, 2025
6:30 PM

AGENDA

- 1. Call to Order**
- 2. Invocation & Pledge of Allegiance**
- 3. Citizens to Be Heard**
(At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to Be Heard section, no council action may take place, and no council discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the council may extend this time at their discretion.)
- 4. Discussion Only**
 - A.** Discuss the LVLL Contract
 - B.** Discuss Baseball field lighting
 - C.** Discuss the Parks and Recreation Commission Ordinance
- 5. Items Specific to Future Line Items on the Agenda**
- 6. Adjourn**

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.

The City Council for the City of La Vernia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), and §551.087 (Economic Development), and any other provisions under Texas law that permit a governmental body to discuss a matter in closed executive session.

The City of La Vernia Council meetings are available to all persons regardless of disability. The facility is wheelchair accessible and parking spaces are available. Request for accommodations, should you require special assistance, must be made 48 hours prior to this meeting. Braille is not available. Please contact the City Secretary at (830) 779-4541 or email mfarrow@lavernia-tx.com.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above named La Vernia City Council is a true and correct copy of said Notice and that I posted true and correct copy of said Notice on the bulletin boards of the City Hall of said La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **March 06, 2025 at 5:30 PM** and remained so posted continuously for at least 72 Hours preceding the scheduled time of said meeting.

Madison Farrow, City Secretary

RESOLUTION NO. 01192023-01

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A ONE YEAR FACILITIES USE AGREEMENT BETWEEN LA VERNIA LITTLE LEAGUE AND THE CITY OF LA VERNIA, TEXAS FOR USE OF THE CITY OF LA VERNIA BASEBALL AND SOFTBALL FIELDS.

WHEREAS, the City of La Vernia and La Vernia Little League (hereinafter referred to as the League), believes that the use of the City Park Baseball and Softball Fields by the League is a wise use that benefits both the citizens and the youth of La Vernia, Texas; and

WHEREAS, the City of La Vernia hereby agrees to cooperatively provide the use of the park facilities at which the League will conduct their baseball and softball programs;

NOW THEREFORE: BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA VERNIA, TEXAS:

1. The City of La Vernia and the League do hereby enter into an agreement pursuant to Exhibit "A" attached hereto and incorporated herein for all purposes is hereby approved.
2. The City Administrator is hereby authorized to execute said Agreement on behalf of the City of La Vernia.

PASSED AND APPROVED THIS 19th DAY OF January 2023.

Martin Poore, Mayor
City of La Vernia

ATTEST:

Lindsey Boyd-Wheeler, City Secretary
City of La Vernia

APPROVED AS TO FORM:

City Attorney
City of La Vernia

EXHIBIT "A"

FACILITIES USE AGREEMENT

I.

The City of La Vernia, Texas hereinafter referred to as "City" and La Vernia Little League hereinafter referred to as "League" enter into this Agreement governing the usage of athletic fields and facilities, lights, and all other supportive items of public property owned by the City.

The City does hereby grant to the League the right and privilege to use the Baseball and Softball Fields located in La Vernia City Park, La Vernia, Texas for pre-season, regular season, post-season, or tournament play for a term of 1-year from January 1, 2023 through December 31, 2023.

II.

In consideration for such privilege herein granted by the City, the League shall:

A. Covenant and agree that the use of lights will be according to the Lighting Section of City Ordinance No. 47 and use of other supportive items will be within reason and utilized only within a time limit specified by the City.

B. THE LEAGUE UNDERTAKES AND AGREES TO INDEMNIFY AND HOLD HARMLESS CITY, CITY'S OFFICIALS, EMPLOYEES, AND AGENTS, FROM ANY LIABILITY, COSTS OR DAMAGES (INCLUDING ATTORNEY'S FEES) THAT MAY BE INCURRED BY CITY, CITY'S OFFICIALS, EMPLOYEES, OR AGENTS AS A RESULT OF ANY CLAIMS DEMANDS, COSTS, SUITS, ACTIONS, OR JUDGMENTS ARISING OUT OF THE USE OF SAID FIELDS, FACILITIES, AND OTHER PROPERTY PURSUANT TO THIS AGREEMENT. During the term of this agreement, the League undertakes and agrees to carry at its own expense and with a company acceptable to City, liability insurance that is an admitted carrier with a Best Rating of "A" or better, to protect City, City's officials, employees, and agents, and any third party or parties from any liability or damages whatsoever, including those referred to herein. The limits of liability shall not be less than \$500,000 combined single limits per occurrence, or equivalent. League shall name the City of La Vernia as an additional insured on all such insurance and shall furnish proof of said coverage to City prior to use of the facilities.

C. Police and maintain in a clean and sightly manner the fields and surrounding area in compliance with all standards of public health. The "surrounding area" shall be construed to mean any property subject to trash or debris blown, carried by patrons, or otherwise distributed from such fields and such waste materials shall include all trash, paper, bottles, bottle caps, wrappers, cups, and other waste materials. Such waste materials shall be collected and disposed of before 9:00 a.m. of the day following an event of the League. The City shall have the right to suspend League play until further notice should the League fail to police and maintain in a clean and sightly manner any field and area surrounding it in compliance with all standards of public health. Notice of such suspension shall be delivered in writing to the League at least forty-eight (48) hours prior to the effective time of the suspension.

D. No permanent improvements may be constructed upon the premises without prior written approval of the City Administrator. Presentation of proposed projects to City Council may be required. Approved projects may be subject to the following requirements before construction may begin:

1. Submission of a site and/or project design for approval by the City of La Vernia's Building Official. Any structure erected on City property must have the appropriate engineering certificate by an engineer licensed to practice in the State of Texas. All work must be done by a licensed contractor registered with the City of La Vernia. All projects must meet the requirements of the Texas Architectural Barriers Standard.
 2. Obtain all necessary permits as required by City of La Vernia building officials for each stage of construction and schedule inspections with City of La Vernia building officials.
 3. Satisfy periodic and a final inspection by City of La Vernia building officials.
- E. Covenant and agree that the title to any and all improvements shall be vested in the City of La Vernia and revert to the City's control after completion.
- F. Covenant and agree that any other usage of the facility during this agreement that is not sponsored by the League or the City, must have written approval of the City. The City shall retain the right to rent the facilities when not in use by the League. The League Spring season is identified as January 15th through July 15th. The League Fall season is identified as August 15th through October 31st. Failure to provide schedule could result in city renting the fields to others.
- G. As consideration for the use of the facilities described above, the League agrees to pay to the City no later than the 1st day of January each year a fee of \$28,500.00. This fee is in accordance with the City of La Vernia Annual Budget Fee Schedule and cannot be subject to any discounts or deductions.
- H. Submit to the City the following league information seven (7) days prior to the beginning of the season:
1. Schedule of all League play including practices and games.
 2. Tournaments Scheduled. Any tournaments scheduled after the start of the season must be submitted fourteen (14) days prior to the date of the tournament.
 4. List of Little League officers and phone numbers.
- I. Upon requests, make available to City staff League accounting and bookkeeping records.
- J. Provide labor and materials to chalk or paint field and baselines.
- K. Ensure that the lights and sprinkler system are maintained and repaired as needed. Report Water leaks on a timely basis.
- L. Covenant and agree to maintain and operate the concession stand facility.
- M. Will maintain the restrooms during hours of Little League operation. Staff will ensure there is extra supplies and is stocked before the start of each day.

III.

- A. The City agrees to perform the following tasks as far as its resources shall allow:
 1. Will maintain two full-time parks employees (as allowed by budget).
 2. Maintain area around the playing fields.
 3. Mow fields on scheduled days, weather permitting
 4. Provide trash containers in order for the League to maintain the area in a clean and sightly manner.
 5. Will be responsible for monthly utilities.

IV.

This agreement shall be revocable at the option of either party for non-performance of any covenant contained herein or when the City Council, after study by the City Administrator or any Park Advisory Board, deems that such cancellation is in the best interest of the City.

Notice of such cancellation shall be delivered to the League by certified mail at least 30 days prior to the date of the termination of this League Agreement. "Delivered" as that term is used herein shall mean written notice with sufficient postage thereon properly deposited in the United States mail to the address of the League President.

Notice of cancellation by the League shall be delivered to City of La Vernia, c/o City Administrator, 102 E. Chihuahua Street, La Vernia, Texas, 78121.

V.

La Vernia Little League Officers:

President: _____

Address: _____

Phone: _____

Treasurer: _____

Address: _____

Phone: _____

Witness our hands this _____ day of _____ 20____

City of La Vernia

By: _____
City Administrator

ATTEST:

Lindsey Boyd-Wheeler, City Secretary
City of La Vernia

By: _____
League President

DESCRIPTION	PURCHASE	LAAS WITH FES
Capital Route - 1st investment	With or Without Finance 100% Client	No Capital Cost / No Finance
Interest (if financed)	Yes Fixed (if financed) 100% Client	No Capital Cost / No Finance
Financial Disclosure (if financed)	Yes Full Credit Application (if financed)	None Needed
Cost of Lights / Fixtures	100% All Client	100% FES
Cost of Labor	100% All Client	100% FES
Cost of Equipment, Rental (if any)	100% All Client	100% FES
Cost of Freight (if any)	100% All Client	100% FES
After Complete LED Failure - 2nd Investment	100% All Client	100% FES
Retain Savings Day One, with NO INVESTMENTS - Positive Cash Flow	None	Yes 25% Monthly Savings, Positive Cash Flow with No CapEx - Best ROI
Disposal of Old Fixtures	Unknown - To be Determined*	100% FES
Cost Disposal of Old Fixtures	Unknown - To be Determined*	100% FES
Will Engineers Visit Site(s) (for proper assessment)	Unknown - Limited & Determined*	100% FES
Cost of Photometric	Unknown - Limited & Determined*	100% FES
Are Savings Demonstrable	Unknown - Limited & Determined*	100% FES
Can Fixtures be Color Coded	Unknown - Limited & Determined*	Yes
Site Evaluation for Pre-Existing Electrical Issues (for no surprises)	Unknown - Limited & Determined*	Yes
Kilowatt Rate Increase Inflation Hedge	Increase - Inflation*	None - Locked for 15 years+
Warranty on Fixtures / Lights	5 Years - Limited*	15+ years
Warranty on LED Drivers	Unknown - Limited & Determined*	15+ years
Warranty on Labor	Limited & Determined*	15+ years
Cost on Expired Labor Warranty	To be Determined / Inflation*	None - 15+ years Warranty
Warranty on Equipment, Rental (if any)	Unknown - Limited & Determined*	15+ years
Cost on Expired Equipment Warranty, Rental (if any)	To be Determined / Inflation*	None - 15+ years Warranty
Warranty on Parts	Limited*	15+ years
Cost on Expired Warrantied Parts	To be Determined / Inflation*	None - 15+ years Warranty
Response Time Warranty / Maintenance	Unknown*	Within 3 Business Days
Responsibility for Warranting the Warranties and Warrantied Work	Unknown*	100% FES
Install Responsibility for City Violations (scope of work)	100% All Client	100% FES (scope of work, light for light)
Install Responsibility for City Violations (scope of work)	100% All Client	100% FES (scope of work, light for light)
* Is Limited & Determined by Vendor / Power Company / Contractor / Fixture Brand / Inflation Costs		

Ordinance No. 111424-03

AN ORDINANCE OF THE CITY OF LA VERNIA, CREATING THE LA VERNIA CITY PARKS & RECREATION COMMISSION, PRESCRIBING THE DUTIES AND QUALIFICATIONS OF ITS MEMBERS AND THEIR TERM OF OFFICE, PROVIDING FOR THE APPOINTMENT OF ITS MEMBERS, THE METHOD OF FILLING VACANCIES, PROVIDING FOR ADOPTION OF RULES AND REGULATIONS AND BYLAWS, AND PROVIDING A SAVINGS CLAUSE.

WHEREAS, there is hereby created and established within the City of La Vernia, Texas, a Parks and Recreation Commission; and

WHEREAS, the City Council of the City of La Vernia desire to adopt procedures for the Parks and Recreation Commission, NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA VERNIA, TEXAS:

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2.

**Chapter 2 of the La Vernia Code of Ordinances-
ADMINISTRATION ARTICLE IV. - BOARDS AND COMMISSIONS is hereby amended to
include DIVISION 4. - PARKS AND RECREATION COMMISSION**

(a) Creation. There is hereby created a parks and recreation commission.

(b) Membership, appointment, terms of office and removal from office.

- (1) The commission shall consist of seven members who shall serve without compensation and shall be appointed by the City Council. Members shall be appointed from the La Vernia Little League, La Vernia Historical Association, City Extra Territorial Jurisdiction, and Greater La Vernia Chamber of Commerce with three positions for La Vernia residents. If a member of the commission ceases to qualify for position the city council shall appoint a new commission member to fill the remainder of the resigning member's term. Administrative officials of the City may be appointed as ex-officio, nonvoting members of the commission.
- (2) The members of the commission shall serve four-year staggered terms with even-numbered positions being appointed in January of even-numbered years and odd-numbered positions appointed in January of odd-numbered years. An appointment to fill a vacancy shall be the unexpired terms. A member serving to fill an unexpired term shall be eligible for reappointment to serve a full term.
- (3) Unless otherwise required by state law, all members serve at the pleasure of the City Council and may be removed at any time with or without cause.

(c) Power and duties of the commission

- (1) The Parks and Recreation Commission is tasked with the review, planning and providing recommendations of the development and improvement of the parks and recreational areas within the City of La Vernia.
- (2) May hear testimony and conduct public hearings as required.
- (3) Provide and/or coordinate volunteers to plan and implement city sponsored special events and activities such as LV Spirit of Christmas Tree Lighting.
- (4) Assist and coordinate with City Council, staff and possible outside professionals for obtaining and accomplishing grants for park or future park space.
- (5) Solicit and obtain suggestions from citizens for projects or activities that would improve the parks.
- (6) Prepare, present reports, and recommendations to the City Council as needed.

(d) Organization and meetings.

- (1) The commission shall have a chairperson and vice-chair-person elected from its membership to serve for a one-year term. Officers shall be elected annually at the first meeting in January by the commission. The chairperson shall preside over the commission and shall have the right to vote on all items before the commission. The vice-chairperson shall fulfill the duties of the chairperson when the chairperson is not available for any reason. The commission may elect other officers as necessary to conduct the business of the commission.
- (2) The commission may adopt and establish such rules, regulations or bylaws as necessary for the orderly conduct of its business subject to the approval by the City Council.
- (3) The commission should hold regularly scheduled monthly meetings. All meetings shall be at a time and place established by the commission and shall be held in accordance with the Texas Open Meetings Act. Special meetings may be called by the City Council, chairperson, administrative official, or upon written request of any three commission members.
- (4) A quorum shall consist of a majority of the members of the commission, except that when a vacancy exists, a quorum shall consist of a majority of the members without regard to the vacancy. The concurring vote of a majority of members present is necessary to make a valid motion, decision, or recommendation of the commission. The commission shall keep a record, which shall be reasonably available to the public, of its resolutions, proceedings and actions.
- (5) Recognizing that members serve voluntarily and that the business of the commission is advisory in nature, and keeping a proper balance between those principles and the important nature of the public business entrusted to the commission, the following attendance policy shall apply to all members of the commission:
 - a. If a member is absent for three consecutive meetings, unless otherwise excused as indicated herein, his appointment shall be terminated. In addition, any member who misses an unreasonable number of meetings, which may not necessarily be consecutive but

- without excuse as set forth, may be removed by majority vote of the City Council.
- b. Absences may be excused if caused as a result of illness, death of a family member or close personal friend, scheduled vacation, business, travel, or other extraordinary circumstances. The chairperson of the commission shall be responsible for determining whether an absence may be excused.
 - c. Members shall strive to notify the chairperson or other appropriate officer of the commission in advance of any known or planned absence to enable the chairperson or other officer to determine if a quorum will be present. Failure to give reasonable notice may be considered when determining whether an absence shall be excused.
- (6) A public record shall be kept of all transactions, findings, resolutions, determinations and actions of the commission as required by law. All public records shall be open to the public under the Texas Public Information Act.
- (7) A commission member having any potential conflict of interest on any policy decision, or determination before the commission shall disclose such conflict, shall recuse themselves from discussion on the topic involving such conflict and shall abstain from voting on such policy, decision or determination. The disclosure of a conflict of interest shall be recorded in the commission's minutes.

NOW THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA VERNIA, TEXAS:

Section 3. Fees

A schedule of fees, fines and rates for park use shall be established by resolution of the City Council. The fee schedule may be changed from time to time by resolution of the City Council, and made available for public examination in the office of the City Secretary.

Section 4. Severability

If any section, subsection, paragraph, or sentence, clause, phrase, or word in this Ordinance, or application thereof, to any person or circumstance is held invalid such holding shall not affect the validity of the remaining portions of the same and the City Council hereby declares it would have passed such remaining portions despite such invalidity.

Section 5. Cumulative

This ordinance is cumulative of all other laws addressing land use regulations and any prohibitions and sanctions that may be imposed under other laws relating to the subjects covered hereunder.

Section 6. Effective Date

This ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED: This the 14th day of November, 2024.

Martin Poore, Mayor
City of La Vernia

ATTEST:

Madison Farrow, City Secretary
City of La Vernia

APPROVED AS TO FORM:

City Attorney
City of La Vernia