

**MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE – CIVIC CENTER
THURSDAY, JULY 22, 2004 AT 7:00 P.M.**

- 1) **CALL TO ORDER AND ROLL CALL.** Mayor Santee called the special meeting to order at 7:00 PM with the following council members Pfeifer, Hildebrand, Beyer, Plumley and Carusi in attendance, a quorum was present.
- 2) **CONSIDER AND POSSIBLY TAKE ACTION ON APPROVING THE ANNUAL FINANCIAL STATEMENT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2003 AS PRESENTATION BY MR. BURL HARPER, C.P.A.**

Mr. Harper presented an oral report.

Councilman Carusi stated that he would abstain from the vote. There was no motion to approve the budget and Mayor Santee declared that the action to approve the annual budget for 2002, 2003, and 2004, failed.

Questions and discussion was held in regards to the CPA position for the city and questions were asked regarding Mr. Harper's ethics, and bonding certification.

Mayor Santee read the Team Concept, General Law Textbook for Mayors and City Council Members, page 24.

Mayor Santee went into great detail to explain the financial situation of the City of Cottonwood Shores.

Mayor Santee made the statement in order to bring unity and reconciliation and the lack of information revolving from the official officers, in a gesture of unity and reconciliation, Mayor Santee rescinded the disciplinary of Ms. Amy Ferguson and further stated that her loss of pay would be restored. Mayor Santee asked if it was satisfactory to Mrs. Maxwell and to Ms. Amy Ferguson who both agreed.

Mayor Santee stated that there was another area of contention and in order to create good will between the Community Church will be solved and put behind so that the church can get on with being a church. Mayor Santee stated that whatever needs to be done, get it done so that this issue will be resolved.

Mayor Santee gave his notice that he would resign as of August 15, 2004.

- 3) **CONVENE INTO EXECUTIVE SESSION PURSUANT TO TEX. GOVT. CODE, § 551.074 TO DELIBERATE THE EMPLOYMENT EVALUATION, DISCIPLINE, DUTIES, OR TERMINATION OF THE UTILITY BILLING CLERK – HEAR THE APPEAL OF DISCIPLINE OF AMY FERGUSON. THE CITY COUNCIL RESERVES THE RIGHT TO ENTER OR REMAIN IN EXECUTIVE SESSION TO CONSULT WITH THE CITY ATTORNEY PURSUANT TO TEX. GOVT. CODE, § 551.071, AND SECTION 1.05, TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT, TO CONSULT WITH LEGAL COUNSEL REGARDING THIS ITEM.**

No executive session was conducted.

- 4) **RECONVENE INTO PUBLIC SESSION AND TAKE ACTION AS APPROPRIATE IN THE COUNCIL'S DISCRETION REGARDING THE EMPLOYMENT, EVALUATION, DISCIPLINE, DUTIES, OR TERMINATION OF THE UTILITY BILLING CLERK – DETERMINE APPEAL OF DISCIPLINE OF AMY FERGUSON.**


A motion was made by Councilman Plumley to rescind the disciplinary action with restored pay to Ms. Amy Ferguson. The motion was seconded by Councilman Hildebrand and was passed.

Councilman Plumley asked if the city council members had been made aware of the financial situation and Mr. Burl Harper. Councilman Plumley also questioned who wrote the checks and Mr. Harper stated that they wrote the checks. A lengthy discussion continued regarding the situation.

- 5) **ADJOURNMENT.** Mayor Santee adjourned the meeting (No time was given).

ATTEST

TENA COLLIER, CITY SECRETARY


Laurel Kant, City Secretary
Replaces Original Minutes
Dec 22, 2005

CITY OF COTTONWOOD SHORES

3808 COTTONWOOD DRIVE
COTTONWOOD SHORES, TX 78654
(830) 693-3830 FAX: (830) 693-6436



ATTENDANCE RECORD
CITY COMMISSIONERS MEETING
CITY OF COTTONWOOD SHORES, TEXAS

DATE: July 27, 2004

PLEASE SIGN IN:

Joyt Taylor

Sylvia Lewis

Arden Lewis

Ava Vencher

Marjorie Phipps

Evelyn Phipps

Ray D. Puro Jr

Wanda Pfeifer

Judith Phipps

[Signature]

Curtis Wael Phipps

[Signature]

Andy Thomas

Melissa Maxwell

Rhonda Maxwell

Jayme Austin

[Signature]

[Signature]

Darlene Day

CITY OF COTTONWOOD SHORES

3808 COTTONWOOD DRIVE
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(830) 693-3830 FAX: (830) 693-6436



AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: 07/22/04

Subject to be Addressed: Consider if possibly take action on letter of agreement with GDS for the purpose of income surveying for the 2005 CDBG Application Cycle.

Informational Presentation: Yes No

Requires Action By Council: Yes No - your call.

Name(s) of Requester: Katerina Ditemore, GDS

Address: PO Box 33043
Austin TX 78764

Phone No.: 512/707-0455

Katerina R Ditemore Requester 07/16/04 Date

Received by City Employee _____ Date _____ Time _____ am/pm

Attached: 3 page letter of Agreement.



Grant Development Services

FAXMEMO

Date 16 July, 2004

Number of pages including cover sheet 5

TO: Mayor Donald Santee
City of Cottonwood Shores

Phone 830.693-3830
Fax Phone 830.693-6436

FROM: Katerina Dittimore
Grant Development Services
PO Box 33043
Austin, TX 78764

Phone 512/707-0455
Fax Phone 512/707-7211

CC: Tena Collier, City Secretary

REMARKS: Urgent For your review Reply ASAP Please Comment

RE: Letter of Agreement for Door To Door Income Survey Services
2005 CDBG Application Cycle

Please find attached the Agenda Item Request and the Letter of Agreement. As per our earlier discussion and direction given at yesterday evening's council meeting, this is being submitted for consideration and approval.

If these services are deemed to require council action, GDS requests for this item to be on the agenda for the 22nd. As we discussed, our surveyor is only available until August 2nd. If we wait until your next regular meeting, we will not be able to provide a surveyor.

We are interested pursuing the next grant project to include the lower income area which has the highest number of mobile homes in the city. I understand this area is named "Driftwood Section 2" located east of Driftwood Street in the central section of the city.

Total cost of the contract: no more than \$ 1000. \$5.00 per survey plus \$ 100 tabulation for the target area.

I look forward to further discussion regarding the new grant application. Please let us know if you would need for us to attend this council meeting. You may contact me at 512/707-0455 and Mr Burrus may be reached at 512/301-2682 or 512/560-4477.

TEXAS SALES AND USE TAX RETURN (Rev. 1-04/26) 26140

I. OUT OF BUSINESS DATE DO NOT ENTER UNLESS no longer in business.

* RETURN MUST BE FILED * * EVEN IF NO TAX IS DUE *

Form with fields for Taxpayer number (1-74-2518756-8), Filing period (QTR END 06-30-2004), Outlet no./location (00005), Due date (07-20-04), and Address (3808 COTTONWOOD DR).

Table with 10 rows for tax calculations: 1. TOTAL SALES (16,788.00), 2. TAXABLE SALES (16,716.00), 3. TAXABLE PURCHASES (+), 4. Total amount subject to tax (16,716.00), 5. Tax due (1,211.91), 6. TIMELY DISCOUNT (6.06), 7. Prior payments, 8. Net tax due (1,205.85), 9. Penalty & interest, 10. TOTAL AMOUNT DUE AND PAYABLE (1,205.85).

CITY OF COTTONWOOD SHORES DBA CITY OF COTTONWOOD SHORES 3808 COTTONWOOD DR COTTONWOOD SHORES TX 78657-9433 RECEIVED JUN 10 2004

TAXPAYER COPY / WORK SHEET MAIL ORIGINAL ONLY

Use this work sheet for figuring your tax due, then enter the figures on the original return.

INSTRUCTIONS FOR COMPLETING TEXAS SALES AND USE TAX RETURN - SHORT FORM

WHO MAY FILE THE SHORT FORM - You may file the short form if you meet ALL of the following criteria:

- your business has a single location (just one outlet) in Texas;
• you report applicable local taxes only to the entities (city, transit authority, county, or SPD) in which your business is located;
• you do not ship or deliver taxable items outside the transit authority in which your business is located;
• you do not prepay your state and local taxes;
• you do not have a credit to take on this return for taxes you paid in error on your purchases; and
• you do not have customs broker refunds to report.

WHEN TO FILE - Returns must be filed or postmarked on or before the 20th day of the month following the end of each reporting period.

INSTRUCTIONS FOR FILING AMENDED TEXAS SALES AND USE TAX RETURN - To request blank forms to file an amended return, call 1-800-252-5555, toll free, nationwide.



File Texas Style with WebFile!

www.window.state.tx.us Have this form available when you file your short form electronically using WebFile.

BUSINESS CHANGES - Blacken the box to the right of the signature line if you are out of business or if your mailing or outlet address has changed.

If hand printing, please enter all numbers within the boxes, as shown. USE BLACK INK.

Handwritten numbers in boxes: 0 1 2 3 4 5 6 7 8 9

If typing, numbers may be typed consecutively.

Typed numbers in boxes: 0123456789

Instructions continued on back.

PLEASE DETACH AND RETURN ORIGINAL ONLY

TEXAS SALES AND USE TAX RETURN (Rev. 1-04/26) 26140

I. OUT OF BUSINESS DATE DO NOT ENTER UNLESS no longer in business.

ORIGINAL

Form with fields for Taxpayer number (1-74-2518756-8), Filing period (QTR END 06-30-2004), Outlet no./location (00005), Due date (07-20-04), and Address (3808 COTTONWOOD DR).

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26140174251875687 04240000507250027 CITY OF COTTONWOOD SHORES DBA CITY OF COTTONWOOD SHORES 3808 COTTONWOOD DR COTTONWOOD SHORES TX 78657-9433

I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief. sign here Taxpayer or duly authorized agent Date Daytime phone

Blacken this box if out of business or address has changed.



TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

AUSTIN, TEXAS 78774-0100

July 16, 2004

TREASURER
CITY OF COTTONWOOD SHORES
3915 COTTONWOOD DRIVE
COTTONWOOD SHORES TX 78654

Authority code is 2027054

Mixed Beverage Gross Receipts Tax Allocation Summary
SECOND QUARTER (APRIL, MAY & JUNE) 2004

(1) Total Period Collections	+	\$	1,645.51
(2) Carry Forward from Prior Allocation..	+	\$	0.00
(3) Retained Amount Balance	-	\$	0.00
(4) Net Payment (1 + 2 - 3 = 4)	=	\$	1,645.51

NOTE: A negative figure in item 3 represents an outstanding amount owed to the State.

The Net Payment shown above is your quarterly allocation payment, which includes revenue from monthly reports plus collections derived from audit payments. It has been deposited directly to your account. If for some reason your payment could not be deposited, a warrant is enclosed.

Each month the mixed beverage and private club registration permittees remit a 14 percent mixed beverage gross receipts tax to the Comptroller's Office. We allocate 10.7143 percent of the total tax remittances for each calendar quarter to the counties where permittees are located. If the permittees are also located in an incorporated city, an additional 10.7143 percent is allocated to that city. By law, the remainder of those receipts is transferred to the General Revenue Fund. Allocation payment information is also available online through the Comptroller's Window on State Government Web site at www.window.state.tx.us/cgi-bin/mixbevhist .

If you have any questions about your mixed beverage tax allocation payment, please contact us by e-mail at tax.allocation@cpa.state.tx.us , or call us toll free at 1-800-531-5441, extension 3-4530. The Austin number is 512/463-4530. From a Telecommunications Device for the Deaf (TDD), our hearing impaired customers may call 1-800-248-4099 toll free, or the direct number is 512/463-4621.

TEXAS MUNICIPAL REPORT

Energy Code Adoption and Enforcement Status

Jurisdiction: _____
County: _____

Contact Name: _____
Title: _____
Telephone: _____
E-mail: _____

1. How many building permits were issued in 2003? (January 1, 2003 to December 31, 2003)

Occupancy Type	New Construction:	Remodel/Additions:
Single family residential		
Duplexes		
Multi-family		
Commercial/Industrial		

2. What energy code has your jurisdiction adopted for one and two family and townhome residential construction? Date of Adoption _____

- 2000 International Residential Code
- 2000 International Residential Code with 2001 Supplement
- 2003 International Residential Code
- 2000 International Energy Conservation Code
- 2000 International Energy Conservation Code with 2001 Supplement
- 2003 International Energy Conservation Code
- Other (please specify) _____

3. Has your jurisdiction adopted local amendments to the energy efficiency chapter of the International Residential Code or to the International Energy Conservation Code affecting residential construction? Yes No Date of Adoption _____

If yes: what is your opinion of how these amendments affect stringency of the residential energy provisions? More stringent Equal Less stringent

4. What energy code has your jurisdiction adopted for all other residential, commercial and industrial construction?

- 2000 International Energy Conservation Code
- 2000 International Energy Conservation Code with 2001 Supplement
- 2003 International Energy Conservation Code
- Other (please specify) _____

5. Has your jurisdiction adopted local amendments to the International Energy Conservation Code affecting commercial construction? Yes No Date of adoption _____

If yes: what is your opinion of how these amendments affect stringency of the Commercial energy provisions? More stringent Equal Less stringent

(Please continue on reverse)

SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF COTTONWOOD SHORES, TEXAS
4111 COTTONWOOD DRIVE – CIVIC CENTER
THURSDAY, JULY 22, 2004 AT 7:00 P.M.

AGENDA

- 1) CALL TO ORDER AND ROLL CALL.
- 2) CONSIDER AND POSSIBLY TAKE ACTION ON APPROVING THE ANNUAL FINANCIAL STATEMENT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2003 AS PRESENTATION BY MR. BURL HARPER, C.P.A.
- 3) CONVENE INTO EXECUTIVE SESSION PURSUANT TO TEX. GOV'T. CODE, § 551.074 TO DELIBERATE THE EMPLOYMENT EVALUATION, DISCIPLINE, DUTIES, OR TERMINATION OF THE UTILITY BILLING CLERK – HEAR THE APPEAL OF DISCIPLINE OF AMY FERGUSON. THE CITY COUNCIL RESERVES THE RIGHT TO ENTER OR REMAIN IN EXECUTIVE SESSION TO CONSULT WITH THE CITY ATTORNEY PURSUANT TO TEX. GOV'T. CODE, § 551.071, AND SECTION 1.05, TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT, TO CONSULT WITH LEGAL COUNSEL REGARDING THIS ITEM.
- 4) RECONVENE INTO PUBLIC SESSION AND TAKE ACTION AS APPROPRIATE IN THE COUNCIL'S DISCRETION REGARDING THE EMPLOYMENT, EVALUATION, DISCIPLINE, DUTIES, OR TERMINATION OF THE UTILITY BILLING CLERK – DETERMINE APPEAL OF DISCIPLINE OF AMY FERGUSON.
- 5) ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 19TH DAY OF JULY, 2004 AT 5:30 P.M.

ATTEST:


DONALD E. SANTEE, MAYOR


TENA COLLIER, CITY SECRETARY



VOTE OF CONFIDENCE

The City Council of Cottonwood Shores, Texas wishes to let City Secretary, Tena Collier know that we have the utmost confidence in her abilities to conduct the City business and the day to day care of the City's physical and financial affairs.

In this vein, we wish to make sure that Tena Collier, understands that she has the vote of the confidence of the City Council to talk to and conduct the business of the City, this includes, but is not limited to the City Attorney, the City's CPA, and any other contacts that the City may have in negotiating and instigating the City's business.


The Council therefore gives the City Secretary, Tena Collier the full authority to act on behalf of the City of Cottonwood Shores in all matters necessary, and report to the Council when needed.

APPROVED at a Special Meeting of the City Council of the City of Cottonwood Shores, Texas on this 5th day of August, 2004.


FRANK J. PFEIFER


OLLIE "TOOTSIE" BEYER


LEE HILDEBRAND


RICK CARUSI


BILL PLUMLEY

CITY OF COTTONWOOD SHORES

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AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: 07/22/04

Subject to be Addressed: Consider if possibly take action on letter of agreement with GDS for the purpose of income surcharging for the 2005 CDBG Application Cycle.

Informational Presentation: Yes No

Requires Action By Council: Yes No - your call.

Name(s) of Requester: Katerina Dittmore, GDS

Address: PO Box 33043
Austin TX 78764

Phone No.: 512/707-0455

Katerina R Dittmore Requester 07/16/04 Date

Received by City Employee _____ Date _____ Time _____ am/pm

Attached: 3 page letter of Agreement.

CITY OF COTTONWOOD SHORES

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AGENDA ITEM REQUEST

I hereby request the following subject be placed on the Agenda for the next Regular Meeting of the City Council of the City of Cottonwood Shores, Texas:

Date of next Regular Meeting: _____

Subject to be Addressed: The appointed mayor + Council
+ Constable.

Informational Presentation: Yes No

Requires Action By Council: Yes No

Name(s) of Requester: John LAMAR

Address: 713 Magnolia Ln
Marble Falls TX

Phone No.: 693-8039

John Lamar Requester 7-13-04 Date

Received by City Employee _____ Date _____ Time _____ am/pm

Confidence Vote

The Council wishes to let our City Secretary; Tena Collier, know that we have the utmost confidence in her abilities to conduct the City business and the day to day care of the Cities physical and financial affairs.

In this vein, we wish to make sure that Tena Collier, understands that she has the vote of the confidence and the permission of the City Council to talk to and conduct the business of the city, this includes the City Attorney, the City's CPA, and any other contacts that the City may have in negotiating and instigating the Cities business.

The Council therefore gives the City Secretary the full authority to act on behalf of the City in all matters necessary!

Friday, July 16, 2004

**Councilman Plumley
Councilman Hildebrand
Councilwoman Beyer
Councilman Pfeiffer
Councilman Carusi
Mayor Santee
City Secretary**

At the Regular City Council Meeting on Thursday, July 15, 2004 I was publicly attacked and humiliated by the Mayor, Don Santee. It was very disappointing to me that this was done in such a fashion that Mr. Santee felt that he had to not only attack me, but attempt to humiliate and discredit me in the eyes of the community. The behavior that he exhibited was bordering on liable in its intent.

I respectfully request that the Council listen to my complaint in open session at the next City Council meeting on July 22, 2004. I feel that as a citizen of the Community that the unprofessional behavior by our Mayor reflects poorly on the current Council and the City of Cottonwood Shores in general.

It is hereby requested that I be able to come before the Council with a request to Reprimand the Mayor for these actions! And, that Council will be fair in its hearing of this issue. I would like to have a public apology for these statements made against me. But, at the very least that he be disciplined for the action.

It is my understanding that anyone asking to be placed on a Council Agenda has that right. I therefore pray that you will hear my request and allow me to air my grievance in this setting.

Thank You,


**Janet Taylor
709 Aspen Lane
Cottonwood Shores, Texas**