

**MINUTES OF REGULAR MEETING
CITY COUNCIL, CITY OF DILLEY
JANUARY 14, 2020**

COUNCIL PRESENT: MAYOR MARYANN OBREGON, COUNCIL MEMBER PLACE 1 ALEXANDRIA INOCENCIO, COUNCIL MEMBER PLACE 2 JOANNE RODRIGUEZ, COUNCIL MEMBER PLACE 3 ALICIA MACHADO, COUNCIL MEMBER PLACE 5 JOE GARCIA, MAYOR PRO-TEM EVERARDO CASTILLO, JR.

STAFF PRESENT: CITY ADMINISTRATOR JUAN F. ESTRADA, FINANCE DIRECTOR IRMA RODRIGUEZ, UTILITY CLERK NATASHA GONZALES, HR MANAGER RAQUEL YANEZ, PW DIRECTOR JIMMY ORANDAY, INTERIM POLICE CHIEF ANTHONY ZERTUCHE

CITIZENS PRESENT: PATSY STEPHENSON, MOLLY SOLIS, REBECCA CANTU, MICHAEL CANTU, GILBERT VILLANUEVA, MARC ROBERTSON, JOSE ASUNCION, EDDIE INOCENCIO

1. CALL MEETING TO ORDER – By Mayor Mary Ann Obregon @ 6:30.

PLEDGE OF ALLEGIANCE – Pledge of Allegiance recited.

2. Roll Call – MAYOR OBREGON CALLED ROLL CALL COUNCIL PRESENT. ALEXANDRIA INOCENCIO -COUNCIL MEMBER PLACE 1, JOANNE RODRIGUEZ -COUNCIL MEMBER PLACE 2, ALICIA MACHADO-COUNCIL MEMBER PLACE 3, EVERARDO CASTILLO -MAYOR PRO-TEM, JOE GARCIA- COUNCIL MEMBER PLACE 5, MARY ANN OBREGON - MAYOR.

3. CITIZENS TO BE HEARD

This is the opportunity for citizens, visitors and guests to address the City Council on any issue or any item on the agenda, in compliance with LGC Section 551.007. City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. Citizens to be heard are limited to three (3) minutes each. (Attorney General opinion - JC-0169)

1. Mrs. Stephenson- wanted to speak about the lights on the water tower, are they supposed to have lights on the tower, asking why the city is not responsible for them and the disappointment with the City of the termination of former Police Chief Armando Romo.
2. Molly Solis- wanted to explain why she left Tapia & Pena Law Firm, it was to focus more on city law and that city law was what she wanted to work on rather than criminal and family. Also wanted to inform the City of the new

law firm she is with and for the City to consider the firm.

3. Rebecca Cantu and Michael Cantu- wanted to inform the city that there was an agreement from the Past City Administrator Noel Perez that put in writing that the City will help clear out Mrs. Cantu's property but nothing had been done. The property had a trailer that burned down 5 years ago, Michael Cantu did mention that if the City does not clear it, he will clear it out and dump in the middle of the street leaving the City no choice but to get it.

4. Consent Agenda: discuss/consider & act on the following item(s):

CALL TO MOTION APPROVE THE MINUTES FOR DECEMBER 10TH,2019,
REVIEW CITY BILLS AND EMPLOYEE INCENTIVE FOR THE MONTH OF
JANUARY 2020: JOE GARCIA
2ND: ALEXANDRIA INOCENCIO
ALL IN FAVOR
MOTION CARRIES

A. Approve minutes of the December 10,2019 - Regular Meeting

B. Review City Bills

C. Approve employee incentives for the month of January 2020
Employee incentive \$100: Anna Aguilar

5. Department Reports - (submitted for information purposes only)

A. Library Report

B. Court Report

C. Fire Report

D. City Admin Report

E. City Secretary Report.

F. Finance Report

G. Human Resources Report

H. Police Department Report

I. Public Works Report

NO ACTION INFORMATIVE UPDATES

6. Discuss/consider & act on legal service contract with Pena Tapia Law Firm.

All were present for Pena & Tapia, Mr. Pena wanted to inform the City that their commitment to Dilley will not change, they have designated Mr. Chris Hugg to replace Molly Solis. Mr. Hugg will be for city law, he's been in city law for 6years, is from Floresville Tx, has worked with government law, rural law, USDA Rural development, Infrastructures and TML and other issues pertaining to City. Mayor wanted to make a note to get on this as soon as possible.

CALL MOTION TO TABLE: ALICIA MACHADO
2ND: EVERADO CASTILLO JR
ALL IN FAVOR
MOTION CARRIES

7. DISCUSS/CONSIDER & ACT ON NEW LEGAL SERVICE CONTRACT.

- 1.) Molly Solis presented the Law firm Davidson, Troilo Ream & Garza to be considered for possible hire. Presented other attorneys within the firm and their qualifications. The firm only represents Municipal Entities, works with Poteet, Sabinal, Cotulla.
- 2.) Bojorquez Law Firm- submitted statement of qualifications, firm is located in Austin, has 1 active attorney in San Antonio. This was the 2nd firm that was considered before Tapia, Pena & Solis was hired.

Council member Alicia Machado stated that she had no knowledge of Molly Solis leaving the law firm, was never notified about this. Ms. Solis stated that she notified City Administrator about her leaving Pena & Tapia, and informed the Council what steps that were needing to take regarding this matter.

Everardo Castillo Jr. stated that this was a lot of information given today, and wanted to take time to review all that has been submitted, would like to table.

CALL MOTION TO TABLE ITEM 7: EVERARDO CASTILLO JR

2ND: JOE GARCIA
ALL IN FAVOR
MOTION CARRIES

8. DISCUSS/CONSIDER & ACT ON WATER & SEWER RATE STUDY.

Presentation done by Mr. Vela, has been working on study for a 1 year, did his best to try and work with the citizens of the community, has come With a water rate proposal#1-in which a rate increase for water and sewer services will be needed for the city to meet its anticipated debt obligations, operate and maintain its water system and implement needed capital repairs, replacements and improvements. Residential rates-\$22.66 with 3,000 gallons and \$5.02 per 1,000 gallon after that. Outside residential rate-\$38.66 with 0 gallons Bulk water - \$78.03/ 0 gallons/ \$26.01 per 1,000 gallons. Sewer proposed charge for 4,500 gallons of usage residential meter- \$32.42

Council and staff worked to see how the comparison of the proposed rates met the current rates.

Mayor Mary Ann Obregon calls a 5 min break at 7:51pm will resume at 8:01pm

CALL MOTION TO ACCEPT & APPROVE WATER & SEWER RATE STUDY
BY CESARIO VELA- EVERARDO CASTILLO

2ND: JOE GARCIA
ALL IN FAVOR
MOTION CARRIES

9. Discuss/consider & act on Capital Recovery Fee (Equity Buy-In Fee).

Presentation done by Mr. Cesario Vela, in regards to set amount it is up to council

TO SET AMOUNT. MONEY RECEIVED THROUGH THIS WILL BE USED TO MAKE IMPROVEMENTS TO WATER AND SEWER SYSTEM NOT TO MAKE UP THE BUDGET.

CALL MOTION TO CONSIDER AND ACT CAPITAL RECOVERY FEE TO BE ACCEPTED BY CESARIO VELA EFFECTIVE IMMEDIATELY- JOE GARCIA 2ND-JOANNE RODRIGUEZ

ALL IN FAVOR

MOTION CARRIES

10. Informational - Texas Department of Agriculture, Texas Community Development Block Grant Phase One (Contract No. 7217099) update.
NO ACTION INFORMATIVE UPDATE ON PROJECT.

11. Informational - Texas Department of Agriculture, Texas Community Development Block Grant Phase Two (Contract No. 7219111) update.
NO ACTION INFORMATIVE UPDATE ON PROJECT.

12. Informational - Prison Sewer Line project update.

13. Discuss/consider & act on revised Pavilion City Park engineering project.
For the total revised of the Pavilion City Park is \$800,000.00 but they do not need the full amount, can do in phases, restrooms will be the beginning phase which comes out to \$320,000.00. There is a time frame in order to have restrooms done for 4th of July, the city wants to look into 8 stalls instead of 16.

CALL MOTION TO TABLE ITEM FOR A LATER DATE NEED TO LOOK INTO FUNDING TO BE ABLE TO PAY: ALICIA MACHADO

2ND: EVERARDO CASTILLO

ALL IN FAVOR

MOTION CARRIES

14. Informational - Performance Services Inc. (PSI) report on their findings of the preliminary audit of city-owned facilities.

NO ACTION INFORMATIVE UPDATE ON PROJECT. SMART METER PRESENTATION.

15. Discuss/consider & act to select Performance Services in. (PSI) for an Energy Professional Services Contract pursuant to the Inter local Purchasing System. Authority for such services is granted under Texas Government Code Sections 791.001 et seq as amended. PSI is a pre-approved vendor under Contract No. 170103 with The Inter local Purchasing System for Energy Professional Services. The City attorney Mr. Pena has not reviewed contract.
CALL MOTION TO TABLE ITEM UNTIL THE CITY ATTORNEY HAS REVIEWED CONTRACT: EVERARDO CASTILLO
2ND: JOE GARCIA
ALL IN FAVOR
MOTION CARRIES

16. Discuss/consider & act on entering into a Project Development Agreement with Performance Services, Inc. (PSI), in accordance with the Texas Government Code 2254.004 for engineering services associated with the performing an Investment Grade Audit of all City-owned facilities.
CALL MOTION TO TABLE ITEM TIL PENDING LEGAL REVIEW:
EVERARDO CASTILLO
2ND: JOE GARCIA
ALL IN FAVOR
MOTION CARRIES

17. Discuss/consider & act on transferring employee hiring/firing responsibility to City Administrator.
Council Member Joe Garcia stated that they have been down this road before and this matter has been back and forth, wants to table item.
Mayor Mary Ann Obregon stated that before that motion is put in wanted to know other Council member's opinion on this matter.
Mayor Pro-tem Everardo Castillo seeks counsel from City Attorney Mr. Pena on how this is usually done.
City Attorney Mr. Pena stated that the Council usually have a policy for the Administrator to have the hiring/firing responsibility that is how most Cities have it. Council Member Alicia Machado asked Mr. Pena that if it is allowed for Council to hire and fire. Mr. Pena said yes that it was allowed.
Mayor Pro-Tem Everardo Castillo asks HR Raquel Yanez how is it stated in our policy as of right now.
HR Raquel Yanez states that Council has the hiring/responsibility, that staff can only put in recommendations and council approve it, council will do terminations.
CALL MOTION FOR THIS ITEM TO BE TABLED FOR LATER DATE: JOE GARCIA
2ND: ALEXANDRIA INOCENCIO
MOTION OPPOSED BY: EVERARDO CASTILLO
MOTION CARRIES 4-1
CORRECTION- ALL IN FAVOR TO TABLE ITEM, MAYOR PROTEM WAS CONFUSED, WAS IN FAVOR TO TABLE HE ONLY OPPOSED IF IT WAS TO

GIVE BACK THE HIRING/RESPONSIBILITY TO THE CITY
ADMINISTRATOR,
ALL IN FAVOR TO TABLE ITEM
MOTION CARRIES

18. DISCUSS/CONSIDER & ACT ON APPROVING 4TH OF JULY FESTIVAL
PERFORMANCE CONTRACT (HOT TAX FUNDING 351.101 GOV CODE)
PRESENTED BY BRYAN RAMIREZ.

Information presentation done by Jessica Ramirez. Would like to come into contract for the beer sale, came up with a rough draft of contract for 3 years but are willing to do a year to year regarding beer sale. The contract will honor everything like last year, cover all fees for permits, insurance, all our personnel will be TABC certified, beer will only be sold in cans, will provide clean up. Open to any changes that the City has, but wanted to state that in the contract coordinator will be in charge of aspects of the event booking of bands, security, vendors, parking, staff, set up, clean up, will discuss ideas to City administrator & council but will definitely have the final say so on he/she feels will be in the best interest, wants to ensure that the coordinator is not liable for how the City of Dilley allocate the money generated from the festival.

Update on items for festival- waiting on quotes on Best Western/Relax Inn/Super 8/Motor Inn.

Booking teams for softball tournament.

If an Officer can be there at on the grounds for the week of festival.

Renegotiating for a big band The Mafia as a headliner.

Contracts that are set are Ramon Ayala, Tribute to George Strait, Raulito Naivara

Looking into Los Tigrillos if the Mafia falls through and also a conjunto Band.

Vendor Applications will be from Jan.15-May 15, \$75 per day, 25-35 vendors.

Cut-off will be in May due to other factors that relate to generators, port a pottys.

Fireworks will be on both days.

Looking into the Dancing Robots for the kids, paddle boats, will definitely have the double amount for the kiddie corner.

MOTION TO TABLE PENDING APPROVAL OF CITY ATTORNEY REVIEW

CONTRACT: JOANNE RODRIGUEZ

2ND: EVERARDO CASTILLO JR.

ALL IN FAVOR

MOTION CARRIES

19. DISCUSS/CONSIDER & ACT ON USING CORE CIVIC MOU MONIES TO
ASSIST IN CLEANING UP ABANDONED BURNED HOUSES WITHIN THE
CITY LIMITS.

The Mayor expressed her thoughts regarding this matter that there is legalities regarding this type of matter.

City Attorney has not reviewed document.

MOTION TO TABLE ITEM ON USING CORE CIVIC MOU MONIES TO
ASSIST IN CLEANING UP ABANDONED BURNED HOUSES WITHIN THE

CITY LIMITS: EVERARDO CASTILLO
2ND: ALEXANDRIA INOCENCIO
ALL IN FAVOR
MOTION CARRIES

20. DISCUSS/CONSIDER & ACT ON APPROVING NEW STOP SIGN LOCATIONS WITHIN THE CITY BOUNDARIES.

Council Member Joe Garcia stated that there are streets that have no stop signs, no speed bumps, the Mayor also stated that the Catholic Church were wanting speed bumps in front of the Church.

Police Chief Zertuche stated where the stop signs should be put in, and will be getting with Council for pricing.

CALL MOTION TO APPROVE THE STOP SIGN LOCATION AS PRESENTED:

JOE GARCIA
2ND: ALEXANDRIA INOCENCIO
ALL IN FAVOR
MOTION CARRIES

21. DISCUSS/CONSIDER & ACT ON WATER PLANT WELL CLEANING. PRESENTATION DONE BY PUBLIC WORKS DIRECTOR JIMMY ORANDAY, 2 QUOTES FOR WATER WELL CLEANING FOR THE WELL AT THE WATER PLANT.

MOTION TO GO WITH ADVANCED WELL TECHNOLOGIES FOR CLEANING FOR ULTRA SONIC CLEANING FOR \$43,625.00: EVERARDO CASTILLO JR

2ND: JOE GARCIA
ALL IN FAVOR
MOTION CARRIES

22. Discuss/consider & act on purchasing 2001 F-450 3yd dump truck for Public Works.

Council Alicia Machado and Joe Garcia believes that there are other options for a dump truck.

MOTION TO DENY PURCHASE, TO LOOK FOR REASONABLE DUMP TRUCK-EVERARDO CASTILLO JR.

2ND: JOANNE RODRIGUEZ
ALL IN FAVOR
MOTION CARRIES

23. Discuss/consider & act on purchasing a 3 yd mini combo truck for Public Works.

MOTION TO APPROVE THE PURCHASE OF 3YD MINI COMBO TRUCK FOR PUBLIC WORKS-JOE GARCIA

2ND: ALEXANDRIA INOCENCIO
ALL IN FAVOR
MOTION CARRIES

24. Discuss/consider & act on requesting bid proposals for the Waste Water Plant bar screen.

Presentation done by Public Works Director Jimmy Oranday with Premier Engineers is wanting to replace the original bar screen for the Waste water plant that is over 20 years old and has had to be repaired numerous times. Requesting for council to approve for a bigger bar screen and newer one, budgeted \$100,000.

MOTION TO ACT ON BIDS FOR THE WASTE WATER PLANT BAR

SCREEN: JOE GARCIA

2ND: ALEXANDRIA INOCENCIO

ALL IN FAVOR

MOTION CARRIES

25. DISCUSS/CONSIDER & ACT ON APPROVING EMPLOYEE JOB DESCRIPTIONS.

Employee Job Description presented by HR Manager Raquel Yanez, did a collection of surrounding cities of job descriptions and worked with departments regarding duties.

Council Member Alicia Machado requests to table item, Mayor Mary Ann Obregon doesn't understand why the item should be tabled. Council Member Joe Garcia asked regarding upon approving this where current employees stand that are employed but do not fit the criteria, HR Manager Raquel Yanez stated that current employees are grandfathered, these job descriptions are for future hires.

MOTION TO TABLE ITEM NO ACTION UNTIL ITEM HAS BEEN FULLY REVIEWED: ALICIA MACHADO

2ND: JOE GARCIA

IN FAVOR: JOANNE RODRIGUEZ, EVERARDO CASTILLO JR.

MOTION OPPOSED: ALEXANDRIA INOCENCIO

MOTION CARRIES 4-1 TO TABLE ITEM

26. DISCUSS/CONSIDER & ACT ON APPROVING 2020 EMPLOYEE HOLIDAY SCHEDULE.

Council Member Joe Garcia asked how employees are paid for the ones that worked the holiday, ones that were off the holiday and the part timers. HR Manager Raquel Yanez verified how employees are paid. Council Member Joe Garcia proposed that Good Friday 1/2 day, Independence Day 1/2 day, New Year's Eve 1/2 day that is what he recommends. Council Member Alexandria Inocencio asked if Veterans day is always on the actual day, Finance director Irma Rodriguez said Yes.

MOTION ON THE 2020 HOLIDAY SCHEDULE AS PRESENTED EXCEPT FOR THE DAYS OF GOOD FRIDAY 1/2 DAY, INDEPENDENCE DAY 1/2 DAY AND NEW YEAR'S EVE 1/2 DAY AND FOR THE CITY ADMINISTRATOR TO MAKE SURE THE SCHEDULE AS LONG AS WE ARE SERVING OUR CUSTOMERS, HAVE ENOUGH PEOPLE UP THERE: JOE GARCIA

2ND: EVERARDO CASTILLO JR

ALL IN FAVOR
MOTION CARRIES

27. Executive session - called pursuant to the Texas Government Code Chapter 551, Subchapter D, sections 551.071 Consultations with Attorney, 551.074 Personnel Matters, to discuss & consider the following items(s):
CLOSED TO EXECUTIVE SESSION CALLED AT 10:32 PM
- A. Deliberation regarding the possible appointment of Jaime Ibanez to the code enforcement position.
Correction of Javier Ibanez not Jaime Ibanez made by Utility Clerk Natasha Gonzales
 - B. Deliberation regarding the resignation of officer Omar Salazar
 - C. Deliberation regarding the Hiring of two Police officers
 - D. Deliberation regarding the possible appointment of Anthony Zertuche as Interim Police Chief and possible salary adjustment.
 - E. Deliberation regarding the hiring of General Clerk Temporary Full Time Position.
28. Open session - take action on items discussed in executive session
RECONVIENE CALLED AT 11:21 PM
- A. Action regarding the possible appointment of Jaime Ibanez to the Code Enforcement position.
Correction Javier Ibanez
MOTION TO APPOINT JAVIER IBANEZ TO THE CODE ENFORCEMENT AND COME BACK AT A LATER TIME TO DISCUSS SALARY ONCE TRAINING IS COMPLETE BY EVERARDO CASTILLO JR
2ND: JOE GARCIA
ALL IN FAVOR
MOTION CARRIES
 - B. Action regarding the resignation of officer Omar Salazar.
MOTION TO ACCEPT RESIGNATION OF OFFICER OMAR SALAZAR BY JOE GARCIA
2ND: EVERARDO CASTILLO JR.
ALL IN FAVOR
MOTION CARRIES
 - C. Action regarding the Hiring of two Police Officers.
MOTION TO LET LT. ZERTUCHE AND HR MANAGER RAQUEL YANEZ TO LOOK OVER APPLICATIONS TO HIRE TWO POLICE OFFICERS BY EVERARDO CASTILLO JR.
2ND: ALEXANDRIA INCOCENCIO
ALL IN FAVOR
MOTION CARRIES
 - D. Action regarding the possible appointment of Anthony Zertuche as Interim

Police Chief and his salary adjustment.
MOTION TO APPOINT ANTHONY ZERTUCHE AS INTERIM POLICE
CHIEF AND A SALARY ADJUSTMENT OF \$27 HR. BY EVERARDO
CASTILLO JR.
2ND: ALICIA MACHADO
ALL IN FAVOR
MOTION CARRIES

E. Action regarding the hiring of General Clerk Temporary Full Time Position.
MOTION TO TABLE ITEM DUE TO WORDING IS INCORRECTLY BY
ALICIA MACHADO
2ND: EVERARDO CASTILLO JR.
ALL IN FAVOR
MOTION CARRIES

29. Adjournment
MOTION TO ADJOURN BY ALICIA MACHADO
2ND: EVERARDO CASTILLO JR
ALL IN FAVOR
MOTION CARRIES
ADJOURNMENT AT 11:25PM



Mayor



City Secretary