

**MINUTES OF REGULAR MEETING
CITY COUNCIL CITY OF DILLEY
MARCH 10, 2020**

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

All council present on 3/11/2020

COUNCIL ABSENT: NONE

STAFF PRESENT: CITY ADMINISTRATOR JUAN ESTRADA, CITY SECRETARY JUANITA FONSECA, FINANCE DIRECTOR IRMA RODRIGUEZ, INTERIM POLICE CHIEF ANTHONY ZERTUCHE, POLICE SECRETARY ANA LISA AGUILAR

Same Staff was also present on 3/11/2020

CITIZENS PRESENT: GILBERT ORTIZ, SHAWN MARLOWE ARMANDA GUERRA, MARC ROBERTSON, JESSICA RAMIREZ, PETRA BENAVIDES, TERRY BENAVIDES

Citizens present on 3/11/2020

ARMANDO GUERRA, MARC ROBERTSON, JESSICA RAMIREZ, EDDIE INOCENCIO, CARLOS COLINA VARGAS VIA CELL PHONE

1. CALL MEETING TO ORDER

Meeting was called to order @ 6:35P.M.

Meeting was reconvened @6:33 P.M. on 3/11/2020

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited

2. ROLL CALL

Mayor Obregon called roll call. Council Member Place 2 Joanne Rodriguez arrived @ 6:41P.M. on 3/10/2020 & @ 6:40P.M. on 3/11/2020

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 OF THE AGENDA, IN COMPLIANCE WITH LGC SECTION 551.071. 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)

No citizen comments were made 3/10/2020

No citizen comments were made on 3/11/2020

4. CONSENT AGENDA: DISCUSS/CONSIDER & ACT ON THE FOLLOWING ITEM(S):
 - A. APPROVE MINUTES OF THE JANUARY 14, 2020 - REGULAR MEETING
FEBRUARY 11, 2020 - REGULAR MEETING
FEBRUARY 18, 2020 - SPECIAL MEETING
 - B. REVIEW OF CITY BILLS
 - C. APPROVE EMPLOYEE INCENTIVES FOR THE MONTH OF MARCH, 2020
Motion made by Mayor Pro-tem Everardo Castillo, Jr. to approve the consent agenda as presented. Employee Incentives \$100, Estella Guzman Criminal Justice Information Systems Level 1, \$100 Norma Herrera Summer Reading Youth Preparation & Youth Share & \$ 100 James Shotwell TWUA Basic Water
Motion seconded by Council Member Place 1 Alexandria Inocencio
All in favor
Motion carries unanimously
5. DEPARTMENT REPORTS - (SUBMITTED FOR INFORMATIONAL 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 department updates
6. DISCUSS/CONSIDER & ACT ON WATER PLANT WELL CLEANING
Presentation by Advanced Water Well Technologies. He had a water well demonstration on the cleaning of the well jetting and agitating. Council Member Place 5 Joe Garcia had concerns regarding the methods of cleaning. He questioned why the chemical cleaning couldn't be done first. He stated it seemed like if they were paying double the fee for what could be done first. The process was explained that brushing had to take place first then put the chemicals for a better result. If the walls of the well weren't brushed then the chemical agitating was not going to turn out well. The jetting did not take care of the chemical building up on the wells, jetting was to get down to the bottom and flush out what has been sitting at the bottom. A video recording would be produced for council to review.
Motion made by Council Member Place 5 Joe Garcia to approve the water plant

water well cleaning for a quote of \$49,980.00 from Advanced Water Well Technologies

Motion seconded by Council Member Place 2 Joanne Rodriguez

All in favor

Motion carries unanimously

** Mayor Obregon called for a five minute recess due to the water outage issue @ 7:20PM**

** Back from Recess @ 7:37P.M., Mayor Obregon announces that council will be covering items 7,9,10 & 13 and then they will recess the meeting until tomorrow 3/11/2020 due to water outage**

Item 10 was next on the agenda.

** Item #7 was first on the agenda on 3/11/2020

7. INFORMATIONAL - UPDATE ON THE STATUS OF PROCUREMENT OF FUNDING FROM THE TEXAS WATER DEVELOPMENT BOARD (TWDB) FOR WATER AND SEWER IMPROVEMENTS

Presentation by Armando Guerra of Premier Engineering & Carlos Colina Vargas via conference call

No action informative update

8. RECONSIDER/DISCUSS & POSSIBLE ACTION ON AGREEMENT FOR GRANT PROCUREMENT SERVICES WITH CARLOS COLINA VARGAS, AICP & ASSOCIATES, PREVIOUSLY APPROVED BY THE CITY COUNCIL AT THE FEBRUARY 11, 2020 MEETING

Mr. Colina Vargas sent a letter to council to review prior to meeting regarding his misdemeanor charges published in the Frio Nueces Current. Mr. Vargas was unable to attend meeting due to health issues. Mayor Obregon informed Mr. Vargas that she was concerned about an article in paper and the grant was very important to the city. She informed him that her concern was that the project would be dropped due to having him as part of the project. Council Member Place 1 Alexandria Inocencio questioned Mr. Vargas about the misdemeanor charges; she asked if it affected any grant awards. Mr. Vargas stated that it did not affect his projects being awarded because the charges had nothing to do with the project guidelines and requirements. He met all requirements. None of projects or applications have been affected.

Council Member Place 5 Joe Garcia questioned the agreement third paragraph of the consultant percentage fee of 5%. He questioned if Mr. Vargas stood firm on that percentage. Mr. Vargas stated that the percent was negotiable based on the projects. Mrs. Molly questioned Mr. Vargas contingent fee. She stated that Mr. Vargas would get paid from funding only, no upfront fee from the city. Mr. Vargas stated that the information Mrs. Molly provided was correct. Mrs. Molly questioned Mr. Vargas that even after the misdemeanor charges he had not been disqualified from any projects, he stated no. Mrs. Molly questioned Mr. Vargas so if the city was to be disqualified what would they city owe Mr. Vargas, Mr. Vargas stating nothing the city would not owe anything but he did request the right to resubmit when that time

came around again in other words keep trying.

Motion made by Council Member Place 5 Joe Garcia to move forward after consultation with Mr. Vargas, questions they asked, questions he answered, move forward with the agreement for grant procurement service with Carlos Colina Vargas AICP & Associates

Motion seconded by Council Member Place 1 Alexandria Inocencio

All in favor

Motion carries unanimously

9. DISCUSS/CONSIDER & ACT ON REVISED RECOMMENDATIONS ON CITY PARK PAVILION ENGINEERING PROJECT

Item tabled due to Mr. Estrada's Recommendation. Brain and Jessica Ramirez did not have all the information needed to conduct the study of heads in beds for funding so Mr. Estrada will be getting with Avenue to see about the heads and beds report to provide for funding.

Motion made by Mayor Pro-tem Everardo Castillo, Jr to table item

Motion seconded by Council Member Place 5 Joe Garcia

All in favor

Motion carries unanimously

10. DISCUSS/CONSIDER & ACT ON ENTERING AN HIGHWAY SIGN DESIGN AND CONSTRUCTION AGREEMENT WITH ADRIAN BENAVIDES TO PROCEED WITH DESIGN AND CONSTRUCTION OF THE "WELCOME TO THE CITY OF DILLEY" HIGHWAY SIGNS PROJECT

Due to Adrian Benavides not being able to attend meeting, Terry Benavides covered the item. Terry mentioned that the last time they met Adrian had stated he would do the seven signs for \$35,000. She further stated that Adrian had mentioned he would be coming down on the sign fee. She informed council that she had done research on the internet and the council was getting a bargain with Adrian for the signs and his work. City Attorney Molly Solis stated that the contract needed to have the price for each sign the price of material and the start and end time of the project. She stated she needed actual number to plug into the contract. She further stated she needed details to complete the contract. Terry stated that she couldn't complete the contract because she did not know what the council wanted to do. Council Member Place 2 Joanne Rodriguez stated that it seems like they had the details they just needed to plug the information into the contract. Mrs. Molly stated that last time they had a quote of \$7,000 for each sign (five signs) sizes 16X10 off of 85, 16X12 off of IH-35 and she stated now they were coming back with different sizes and different prizes. Mrs. Molly stated that the contract needed to be concrete set prizes with set sizes with a completion date and warranty. Mayor Obregon stated that they needed more information and detail on the item to be able to act on it.

Motion made by Council Member Place 1 Alexandria Inocencio to table item until they receive contract from Adrian Benavides stating the project design from start to finish

Motion seconded by Council Member Place 2 Joanne Rodriguez

All in favor

Motion carries unanimously

Mayor called item 7 next on the agenda, Mr. Estrada informed council that he had spoken to Engineers and Mrs. Ramirez and they were ok to be back tomorrow 3/11/2020 due to water outage.

Motion made by Council Member Place 1 Alexandria Inocencio to recess the meeting for tomorrow 3/11/2020 @ 6:30P.M. Due to the water issue, situation that needed to be taken care of.

Motion seconded by Council Member Place 2 Joanne Rodriguez

Meeting was recessed at 8:09P.M.

11. PUBLIC HEARING TO BE HELD TO HEAR FROM CITIZENS ON THE ABANDONMENT OF A PORTION OF MEERSCHIEDT STREET, 0.179 ACRE TRACT OF LAND BEING PORTION OF MEERSCHIEDT STREET, CITY OF DILLEY, FRIO COUNTY, TEXAS AS SHOWN ON THE ORANGE GROVE ADDITION ACCORDING TO THE PLAT RECORDED IN ENVELOPE 55 OF THE PLAT RECORDS OF FRIO COUNTY TEXAS
Public Hearing opened @ 7:52P.M. Mayor called for public comments, no comments were made from the public. Public Hearing was closed @ 7:53P.M.
 - A. OPEN PUBLIC HEARING, CITIZENS WILL HAVE 3 MINUTES EACH TO SPEAK DURING THIS PUBLIC HEARING REGARDING THE CITY'S CONSIDERATION OF ABANDONING A PORTION OF MEERSCHIEDT STREET
 - B. CLOSE PUBLIC HEARING
Motion made by Mayor Pro-tem Everardo Castillo, Jr. to close public hearing
Motion seconded by Council Member Place 5 Joe Garcia
All in favor
Motion Carries unanimously

12. DISCUSS/CONSIDER & ACT ON ADOPTING ORDINANCE NO. 20-03-10, AN ORDINANCE OF THE CITY OF DILLEY, ABANDONING A PORTION OF MEERSCHIEDT STREET, 0.179 ACRE TRACT OF LAND, BEING A PORTION OF MEERSCHIEDT STREET, CITY OF DILLEY, FRIO COUNTY, TEXAS AS SHOWN ON THE ORANGE GROVE ADDITION, ACCORDING TO THE PLAT RECORDED IN ENVELOPE 55 OF THE PLAT RECORDS OF FRIO COUNTY, TEXAS; RETAINING A UTILITY EASEMENT THEREIN, DECLARING A PUBLIC PURPOSE; INCORPORATING RECITALS; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY AND DECLARING AN EFFECTIVE DATE
Mr. Estrada informed Mayor & Council that this item had been reviewed under previous attorney Mr. Maldonado and Mrs. Molly had received the material and reviewed it and was recommending the following. He reminded council that it was

the property involving Mr. Elmer Carcamo and that he had been at a previous council meeting to request the property from council. Mrs. Molly informed council that according to the Texas Government Code Section 272.001(b) there are allowances for the city to abandon a portion of city street or alley way that is no longer being used or hasn't been used that real property that is abandoned can be conveyed to an adjoin property owner for fair market value. The city would vote to abandon the property and once the fair market value is paid the deed is awarded. Mrs. Molly informed council that Mr. Carcamo had all documents in order. She stated the fair market value for the property was \$5,850. The city would retain a utility easement. Value was based on .75 cents per square foot. City Secretary informed City council that previous council had authorized Mr. Carcamo to take care of survey and property expenses to clear up and that would be all the cost.

Motion made by Council Member Place 5 Joe Garcia to adopt Ordinance No. 20-01-10, abandoning the street and retaining a utility easement, motion amended by Mr. Garcia to include giving Mr. Carcamo credit for expenses so he would owe difference of total \$2,650 to total Fair Market Value of \$5,850

Motion seconded by Council Member Place 3 Alicia Machado
All in favor

Motion carries unanimously

13. DISCUSS/CONSIDER & ACT ON REVISED AGREEMENT FOR EVENT COORDINATOR SERVICES WITH BRYAN RAMIREZ FOR THE 2020-4TH OF JULY FESTIVAL (HOT FUNDING SECTION 351.101 OF TEX. GOVT. CODE)

Presentation by Jessica Ramirez. Mrs. Molly stated the changes to the contract to section 2 letter A, services to be performed, added booking of bands entertainment contracts and softball tournament. Jessica questioned if the cook-off had been added. It had not but Mrs. Molly said it could be added. Item E, Keep accurate records of all transactions, vendor contracts and provide the city a copy of all documents, keep accurate records, copies of vendor fees collected and sales of ice to vendors and remit payment on same to the city of Dilley within 30 days after the festival to be placed in a fourth of July festival scholarship fund for Dilley High School Students. Mayor Pro-tem Everardo Castillo questioned if there would be a washer pitcher tournament. Mrs. Ramirez replied they were unsure because at this point they did not have room due to expecting to double or triple on attendees. The contract was set for one year, paragraph B terms and conditions August 1, 2020, additional terms may be extended upon approval by council and acceptance by coordinator. Vote to renew contract would take place after the festival. Mrs. Ramirez informed council that the headliners were all set so they would not have any issues getting the fill in bands.

Motion made by Mayor Pro-tem Everardo Castillo, Jr. to approve the agreement for event coordinator services with Bryan Ramirez for the 2020, 4th of July Festival (Hot funding section 351.101 of TEX.GOV. CODE) to include the cook-off on section A first page and washer pitcher tournament / Corn Hole

Motion seconded by Council Member Place 3 Alicia Machado
All in favor

Motion carries unanimously

14. DISCUSS/CONSIDER & ACT ON ADOPTING ORDINANCE NO. 20-03-10-A, AN ORDINANCE AMENDING ORDINANCE NO. 18-05-08-A, PROVIDING FOR THE INSTALLATION, FIXING PENALTIES AND FINES FOR FAILURE TO STOP AT SAID DESIGNATED STOP SIGNS IN THE CITY OF DILLEY AT THE INTERSECTIONS HEREIN SET OUT

Item tabled due to Police Department not having information need to complete the ordinance

Motion made by Mayor Pro-tem Everardo Castillo, Jr. to table item

Motion seconded by Council Member Place 1 Alexandria Inocencio

All in favor

Motion carries unanimously

15. DISCUSS/CONSIDER & ACT ON REPAIRS TO THE AMERICAN LEGION BUILDING

Mayor Pro-tem Castillo informed council that he along with Mrs. Inocencio at two Public Works Employees did a walk-through of the building and it needs a lot of work. He informed council that they had been approached by Commissioner Asuncion to hold off and next year when the city turns 100 year old, the city could apply for a historical grant to repair the building. Mrs. Inocencio suggested looking into the historical grant because the building needed a lot of work. She would like to see the building repaired for the Veterans to come back and utilize the building.

Motion made by Council Member Place 1 Alexandria Inocencio to table item until it could be determined how old the building was and to look into restoration grants

Motion seconded by Council Member Place 2 Joanne Rodriguez

All in favor

Motion carries unanimously

16. DISCUSS/CONSIDER & ACT ON INSTALLING SURVEILLANCE CAMERAS IN CITY OFFICES

Council Member Place 5 Joe Garcia informed council that he had brought this item to the table because he felt it was important that public offices like where Judge Flores in front of school have surveillance cameras. He stated that back offices did not have cameras and it was the only area that did not have cameras. Mr. Garcia was informed that the back lobby area did have surveillance except for the 3 offices in the back, inside the office there was not. Other installation of camera area were mentioned but left out of minutes for security reasons

Motion made by Council Member Place to install security cameras at old Nix hospital now property of City of Dilley, the judges office across the High School and any other areas within city hall that Chief might want to look at for blind spot of all city employees

Motion seconded by Council Member Place 3 Alicia Machado

All in favor

Motion carries unanimously

17. DISCUSS/CONSIDER & ACT ON APPOINTING ELECTION JUDGE &

SETTING PAY FOR ELECTION JUDGE & CLERKS FOR THE MAY 2, 2020
MUNICIPAL ELECTION

City Secretary informed council that the only person that had expressed interest was Veronica Galindo. Council Member Place 5 Joe Garcia questioned last year's pay. City Secretary replied that it had been \$15 for the last several years. Council Member Place 2 Joanne Rodriguez questioned how the city advertised the judge position. City Secretary informed her that we did not place on website or advertise for the position pretty much either council suggests or someone expresses interest. Mrs. Joanne questioned if anyone wanted to work under the judge as a clerk how would that work. City Secretary replied that normally the council appoints the judge and the judge will appoint an alternate judge and four clerks.

Motion made by Council Member Place 5 Joe Garcia to appoint Veronica Galindo as the election Judge with a pay of \$18/per hour Alt. Judge \$17/per hour & Clerks \$16/per hour and Alt. Judge and clerks would be appointed at the discretion of the Judge.

Motion seconded by Mayor Pro-tem Everardo Castillo, Jr.

All in favor

Motion carries unanimously

18. 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 ITEM(S):

Item closed to executive session @8:43P.M.

- A. DELIBERATION REGARDING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE, CITY ADMINISTRATOR JUAN F. ESTRADA
- B. DELIBERATION REGARDING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE, INTERIM POLICE CHIEF ANTHONY ZERTUCHE

19. OPEN SESSION - TAKE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

Reconvene to open session @ 10:48P.M.

- A. ACTION REGARDING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE, CITY ADMINISTRATOR JUAN F. ESTRADA

Motion made by Council Member Place 1 Alexandria Inocencio to acknowledge the probationary period for Mr. Estrada to be complete with a favorable review and a salary increase of \$1,200 effective immediately

Motions seconded by Council Member Place 2 Joanne Rodriguez

All in favor
Motion carries unanimously

**B. ACTION REGARDING THE APPOINTMENT, EMPLOYMENT,
EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL
OF A PUBLIC OFFICER OR EMPLOYEE, INTERIM POLICE CHIEF
ANTHONY ZERTUCHE**

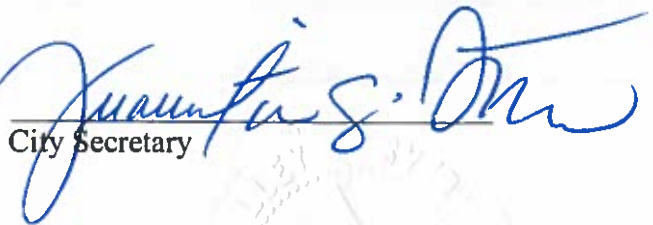
Motion made by Mayor Pro-tem Everardo Castillo, Jr. to take no action on item
Motion seconded by Council Member Place 5 Joe Garcia
All in favor
Motion carries unanimously

20. ADJOURNMENT

Motion made by Mayor Pro-tem Everardo Castillo to adjourn meeting
Motion seconded by Council Member Place 5 Joe Garcia
All in favor
Motion carries



Mayor



City Secretary

