

**REGULAR MEETING
CITY COUNCIL of
CITY OF DILLEY, TEXAS
MAY 12, 2020 at 6:30pm**

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

COUNCIL ABSENT: NONE

STAFF PRESENT: CITY ADMINISTRATOR JUAN F. ESTRADA, CITY SECRETARY JUANITA G. FONSECA, INTERIM POLICE CHIEF ANTHONY ZERTUCHE VIA ZOOM, HUMAN RESOURCES MANAGER RAQUEL YANEZ VIA ZOOM, CITY ATTORNEY MOLLY SOLIS VIA ZOOM

CITIZENS PRESENT: CHRIS EGUIA, TERRY HERNANDEZ, ADRIAN BENAVIDES, CARLOS COLINA VARGAS VIA PHONE, JEFF SNOWDEN VIA ZOOM, DEBRA HUGHES VIA ZOOM

1. **CALL MEETING TO ORDER**
Meeting was called to order @ 6:33P.M.

PLEDGE OF ALLEGIANCE
Pledge of Allegiance was recited.

2. **ROLL CALL**
Mayor Obregon called roll call, all council present, City Attorney present via Zoom

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 551.007. 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) COMMENTS WILL BE READ INTO THE RECORD BY THE CITY SECRETARY
City Secretary informed council that no citizen comments had been received via email to enter into the records.

4. **CONSENT AGENDA: DISCUSS/CONSIDER & ACT ON THE FOLLOWING ITEM(S):**

A. **APPROVE MINUTES OF THE APRIL 21, 2020 – SPECIAL MEETING**

APRIL 30, 2020 – EMERGENCY MEETING

B. **REVIEW AND APPROVE CITY BILLS**

C. **APPROVE EMPLOYEE INCENTIVES FOR THE MONTH OF MAY, 2020**

City Secretary informed city council that eight (8) certificates had been submitted for incentive pay for the month of May. All certificates received were for the required Cyber Security Training. The following individuals would be receiving an incentive in the amount of \$100 for the completion of the cyber security training. Anthony Zertuche, Sabrina Velasquez, Natasha Prado, Maria Gauna, Juan Mireles, JR., Raquel Yanez, Esequiel Vasquez & Omar Hernandez.

Motion made by Council Member Place 5 Joe Garcia to approve the consent agenda as presented

Motion made by Council Member Place 2 Joanne Rodriguez

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 DEPARTMENT REPORT**

No action informative department reports, submitted for review in packets.

6. **DISCUSS/CONSIDER & ACT TO AUTHORIZE THE FIRM OF CARLOS COLINA-VARGAS & ASSOCIATES TO INITIATE THE PROCESS OF PROCURING FUNDING FOR PARK IMPROVEMENTS, INCLUDING THE PREPARATION OF A PARK MASTER PLAN**

Carlos Colina-Vargas was connected to the meeting via cell phone. There was a very bad echo and it was very hard to hear Mr. Vargas. Mr. Colina-Vargas informed council that the city could apply for a Texas Parks & Wildlife grant to build a new park. He informed council that it was required that the city submit a new park master plan because the old one was out dated. He stated the application was due October 1, 2020. He stated the matching funds would be 50% of the 750,000. Mayor Pro-tem Castillo questioned that if we had the funds. Mr. Estrada reiterated that the match could be paid back in in-kind and volunteering. He further stated that he believed the more organizations could be involved the more donations the more points and the more in-kind could be used to come up with the funds. Council Member Place 5 Joe Garcia questioned the 5% of the grant total and the fee for the Park Master Plan. Council Member Place 1 Alexandria Inocencio stated that they needed to

move forward with the grant because the park was needed but they needed to iron out all the details. Council Member Place 5 Joe Garcia stated that if Colina-Vargas was proposing the park master plan they needed to come up an agreement that he needs to provide to see if it is feasible. He stated that they couldn't move forward until that agreement was on the table. Mr. Estrada pointed out that the Park Master Plan needed to be done before the application. Colina-Vargas stated that the grant allowed for 8% of the construction cost can be claimed for the preparation of the application.

Motion made by Council Member Place 5 Joe Garcia to authorize the firm of Carlos Colina Vargas and associates to initiate the process of procurement for park improvements to include the preparation of the park master plan with the agreement that he submits an agreement that the \$15,000 that will be paid to him will be deducted from the percentage of the grant

Motion seconded by Council Member Place 2 Joanne Rodriguez

All in favor

Motion carries unanimously

7. DISCUSS/CONSIDER & ACT ON CENSUS BLUE RIBBON PROJECT

Mrs. Debra Hughes was connected to meeting via zoom. She was requesting a donation from City Council to provide gift card incentives or rewards for Dilley Citizens to motivate them to fill out their Census information. She wanted to randomly reward citizens for filling out their census. She stated that Dilley was the lowest in census responses. She further informed council of the blue-ribbon project. Mr. Garcia questioned Mrs. Hughes as to what she was looking for as far as donation. She stated \$500. Mayor Obregon informed Mrs. Hughes that the city could not provide donations. Mrs. Hughes replied that the council members could donate individually. Mrs. Hughes stated that she could have been told over the phone that the city wasn't allowed to give donations. Mrs. Molly questioned Mrs. Hughes that if they city wasn't able to donate that if they weren't going to work the census in Dilley. Mrs. Hughes stated that it was volunteer work they were not getting paid. Council Members agreed to provide a small donation individually as council members and not the City of Dilley. Mr. Estrada informed Mrs. Hughes that maybe they could do private donations because the city could not use tax payers money. She stated that any donations would help.

Motion made by Council Member Place 2 Joanne Rodriguez to take no action

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

All in favor

Motion carries unanimously

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

Adrian Benavides informed council that he went out to speak to property owners and wanted to inform council that he had gotten them agree not to charge to place sign on their property. Mrs. Machado questioned the process from council when project began. She asked what the fee was. Mr. Garcia informed council that the fee was only \$50,000 if Adrian Removed the signs. Mayor Pro-tem Everardo Castillo informed Adrian that the council did not want him to remove the signs. Council Member Place 5 Garcia added that Mrs. Terry

Hernandez had quoted at a previous meeting that the lowest they could go would be \$48,000. Mr. Adrian Benavides stated that he did not have a problem with the \$48,000. Mayor Obregon questioned where the signs would go. He replied on Hwy 35 by Christian Faith Church (agreed to be moved a little bit forward from current position), 35 coming from Cotulla would be on Alex Leal of Laredo's property. Hwy 117 would be Mr. Surles by the storage. Hwy 85 would be somewhere between prison and hotel. The last one was on Eagle Ford Shale and they had not made contact with them. Council Member Place 1 Alexandria Inocencio questioned the time frame. Mr. Benavides stated that estimated about 2 and a half months. Mayor Obregon questioned if property owners would be signing legal documents authorizing the placing of signs. She also stated that the taking down of the old signs would be the city's responsibility not Adrian's. Council Member Place 3 Alicia Machado questioned the previous city administrator's info stating that CCA would be paying signs in full. Mayor Pro-tem Castillo stated that had been mis informed. Three signs were ready to go, property owners agreed to the sign placement.

Motion made by Council Member Place 1 Alexandria Inocencio to approve the "Welcome to the City of Dilley" Highway sign project agreement to proceed with the design and construction agreement with Mr. Benavides for the amount of \$48,000 contingent on the sign agreement by property owners to place sign on their property and adding to the time of completion 6 months from the date of the start of the project (6months for all five signs)

Motion seconded by Council Member Place 5 Joe Garcia

All in favor

Motion carries unanimously

9. DISCUSS/CONSIDER & ON RESOLUTION NO. 20-05-12, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DILLEY, TEXAS AUTHORIZING THE APPOINTMENT OR RE-APPOINTMENT OF A CITY REPRESENTATIVE TO THE FRIO COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE 2020-2021 TERM

City Secretary Juanita Fonseca informed council that Frio County Appraisal District had been audited and were required to have a resolution by each entity appointing a board member rather than appointed by minutes like the practice had been in the past. This resolution reiterated council motion to appoint Mrs. Alexandria Inocencio as the Board Member appointed for Dilley.

Motion made by Council Member Place 5 Joe Garcia to approve Resolution NO. 20-05-12 as presented

Motion seconded by Council Member Place 3 Alicia Machado

All in favor

Motion carries unanimously

10. DISCUSS/CONSIDER & ACT ON THE ACCEPTANCE OF THE FY 2018-2019, FINANCIAL AUDIT Item tabled due to audit not being ready for presentation. Council Member Place 1 Alexandria Inocencio informed council that she had placed item on the agenda for record purposes stating that the city in good faith was working on the budget.

Motion made by Council Place 3 Alicia Machado to table item for another month

Motion seconded by Council Member Place 5 Joe Garcia

All in favor

Motion carries unanimously

11. **DISCUSS/CONSIDER & ACT ON CITY OF DILLEY, TEXAS SEVENTH AMENDMENT OF DECLARATION OF LOCAL STATE OF DISASTER DUE TO PUBLIC HEALTH EMERGENCY**
Council Member Place 1 Alexandria Inocencio questioned City Administrator on what his plan was to have ready for May 18 regarding the new order and the opening of businesses. Mr. Estrada stated that he was following the governors order and legal recommendations. Mrs. Inocencio stated "so you don't have a plan for May 18" and Mr. Estrada stated that it would depend on the governor's recommendation. Mrs. Molly stated that the declaration was allowing businesses to open that were forced to close but under letter I municipality could operate based on the local government decision. Mrs. Inocencio stated that she understood that but were asking what the city plan was to open the lobby and protect the citizens and employees. Mrs. Machado and Mayor Pro-tem questioned the Administrator also and he stated that it would be up to the governor's recommendation. Mayor Obregon and Council Member Place 2 Joanne Rodriguez stated that they did not want to rush the opening due to re- occurrences in other areas. Council Member Place 1 Alexandria Inocencio questioned if there had been any complaints about Public Works working the skeleton crew. Mayor Pro-tem Castillo stated that he felt the office employees should come back to work on May18. He stated that he had received positive and negative feed back from employees in public works.
Motion made by Council Member Place 1 Alexandria Inocencio to accept & approve the Seventh Amendment of Declaration of Local State of Disaster Due to Public Health Emergency with modification that City Office Employees come back to work beginning May 18, 2020, Office doors will remain closed to public, Public Works will continue to operate as skeleton Crew
Motion seconded by Mayor Pro-tem Everardo Castillo, Jr.
All in favor
Motion carries unanimously
12. **DISCUSS/CONSIDER & ACT ON INSTALLING SPEED BUMPS ON DESIGNATED STREETS AS REQUESTED BY INTERIM POLICE CHIEF ANTHONY ZERTUCHE**
Interim Chief Anthony Zertuche via Zoom presented council with the recommended streets to install speed bumps. Council suggested extra speed bumps be ordered. The following is a listing of the Streets. East Harris, East Hugo, East Miller, East Frio, East Kinsel, East Salinas, Obregon Street, Colugo Street, West Nueces, Harriman, Crosscreek & Houston Street.
Motion made by Council member Place 1 Alexandria Inocencio to approve designated streets as presented by Interim Police Chief Anthony Zertuche to include CrossCreek & Houston Street and additional purchase of street signs and speedbumps to equal 50 speed bumps and 26 warning signs.
Motion seconded by Mayor Pro-tem Everardo Castillo, Jr.
All in favor
Motion carries unanimously
13. **DISCUSS/CONSIDER & ACT ON RATE STUDY FOR THE CITY OF DILLEY**
City Administrator informed council that as they recall that had approved Cesario Vela with communities unlimited to do a water and sewer rate study. He stated that last month he had attempted to look at numbers with Mr. Vela and that Mr. Vela didn't get the numbers

quite right so that he had been forced to look at other sources. He further stated that Finance Director & City Secretary had informed him of a numbers specialist they had worked with in the past, Jeff Snowden specialist in rate studies. He stated that he had made contact with him and the proposal is what they had to review. Mr. Estrada also informed council that in speaking with Mr. Snowden he was confident that he could get the study done. Mr. Garcia stated that his proposal exceeded \$50,000 so that they would need to go out for bids. Mr. Estrada stated that not really because the previous study was only water & sewer so that is what he was proposing unless council wanted to include other services. He stated that the gas was not very efficient so that he could look into that also. City Secretary informed Council that Jeff had also worked on the city's gas rates. Council Member Place 5 Mr. Garcia questioned how long ago and City Secretary informed him that it had been about 8 years. Jeff Snowden was asked by Mr. Estrada to join the meeting via zoom. Mr. Snowden informed council that he had worked on the city's rates back in 2013 and that he also worked on a reimbursement with TDCJ and he would be glad to be of service to the city. Council Member Place 5 Joe Garcia stated that their mission was to lower the rates not increase the rates. Mr. Snowden stated that he had conducted a study for Asherton and they had lowered the rates by \$36 a month. He also stated that he looks at all services and debt the city has and if overall they can be lowered he would definitely work with that. He further stated that the same consultant worked on Ashertons rates and had increased them over \$100 a month. Mayor Obregon questioned Mr. Estrada's recommendation and Mr. Estrada recommended Mr. Snowden for the rate study. Council Member Place 1 Alexandria Inocencio questioned where the monies would be paid from. Mr. Estrada stated that he had asked finance and she said it wasn't budgeted so an amendment would be needed. Motion made by Council Member Place 1 Alexandria Inocencio to proceed to decline rate study prepared by Cesario Vela and Communities Unlimited & proceed to hire Jeff Snowden with Capex Consulting to conduct a water and sewer rate study for the City of Dilley in the amount of \$25,000

Motion seconded by Council Member Place 5 Joe Garcia

All in favor

Motion carries unanimously

14. EXECUTIVE SESSION – CALLED PURSUANT TO THE TEXAS GOVERNMENT CODE CHAPTER 551, SUBCHAPTER D, SECTION 551.071 CONSULTATIONS WITH ATTORNEY & 551.074 PERSONNEL MATTERS TO DISCUSS & CONSIDER THE FOLLOWING ITEM:
Item closed to executive session @ 9:52P.M.

A. DELIBERATION REGARDING, THE HIRING OF A POLICE CHIEF

15. OPEN SESSION – TAKE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION
Reconvene to open session @ 10:44P.M.

A. ACTION REGARDING, THE HIRING OF A POLICE CHIEF


Motion made by Council Member Place 1 Alexandria Inocencio to open up the position of Police Chief beginning May 13, 2020 and close on June 3, 2020

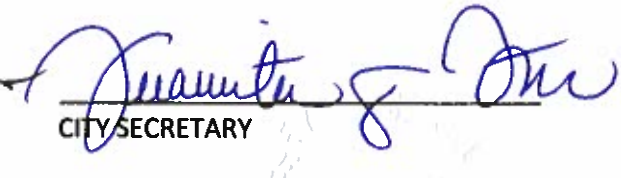
Motion seconded by Mayor Pro-tem Everardo Castillo, Jr.

All in favor
Motion carries unanimously

16. ADJOURNMENT

Motion made by Council Member Place 1 Alexandria Inocencio to adjourn meeting
Motion seconded by Council Member Place 3 Alicia Machado
All in favor
Motion carries unanimously


MAYOR


CITY SECRETARY

