

**EMERGENCY MEETING
CITY COUNCIL
APRIL 1, 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

COUNCIL ABSENT: NONE

STAFF PRESENT: CITY ADMINISTRATOR JUAN F. ESTRADA, CITY SECRETARY JUANITA G. FONSECA, CITY ATTORNEY MOLLY SOLIS VIA PHONE, PW DIRECTOR JIMMY ORANDAY VIA PHONE, INTERIM POLICE CHIEF ANTHONY ZERTUCHE, HUMAN RESOURCE MANAGER RAQUEL YANEZ VIA CELL PHONE

CITIZENS PRESENT: CHRIS EGUIA

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

PLEDGE OF ALLEGIANCE
Pledge of allegiance was recited

- 2. ROLL CALL**
Council Member Place 2 Joanne Rodriguez arrived at meeting @ 6:40P.M.
All council present

- 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)

No citizen comments were present, Council Member Place 3 Alicia Machado mentioned that there were no citizen comments due to agenda just being posted, City Secretary Juanita Fonseca informed Council Member Machado that the same processes was practiced at the previous meeting and one citizen did submit comment via email.

4. DISCUSS/CONSIDER & ACT ON THE CITY OF DILLEY, TEXAS FOURTH AMENDMENT OF DECLARATION OF LOCAL STATE OF DISASTER DUE TO PUBLIC HEALTH EMERGENCY-STAY HOME-WORK SAFE MEASURES

Mayor Obregon along with Council Member Place 1 Alexandria Inocencio read the bolded sections of the Fourth Amendment Declaration. The bolded areas were the changes that would take effect with the passing of the declaration. City Attorney Molly Solis along with City Administrator emphasized on the changes from the last declaration. Mayor Pro-tem Everardo Castillo brought some citizen concerns forward regarding the curfew. He questioned council on behalf of citizens why the curfew included the entire community and not just minors. Council Member Place 1 Alexandria Inocencio responded that it was their responsibility to take care of the entire community, the curfew was being enforced for the protection of the community. Mayor Pro-tem Everardo Castillo also added that citizens were approaching him and bringing concerns to his attention regarding the Police Department, these citizens felt harassed and that the Police Department was taking advantage of the declaration to search vehicles without probable cause. Council Member Place 5 Joe Garcia added that the curfew was set in place for a reason.

Interim Chief Anthony Zertuche was brought in to meeting to question the process of the traffic stops during the enforcement of the declaration. Interim Chief stated that the officers had sole discretion on traffic stops. He stated that if it was a routine stop due to curfew and there was an open container then that would lead to a different situation. He further stated that the officers were told to enforce the curfew 100% and that is what they were doing. Mr. Estrada added that he had mentioned to Chief to pass on to officers that first time offense should be a warning to advise of the curfew, but officers were using their discretion. Council Member Place 2 Joanne Rodriguez added that citizens needed to know that the curfew was in place for their safety and it was going to be enforced. Molly added that the governor was being a lot stricter with the measures taken, these highlights would be found on section 21 of the declaration.

Motion made by Council Member Place 2 Joanne Rodriguez to approve the City of Dilley, Texas Fourth Amendment of Declaration of Local State of Disaster Due to Public Health Emergency-Stay Home-Work Safe Measures

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

All in favor

Motion carries unanimously

5. DISCUSS/CONSIDER & ACT ON RESOLUTION NO. 20-04-01, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DILLEY, TEXAS, ORDERING THAT THE GENERAL ELECTION SCHEDULED TO BE HELD ON SATURDAY MAY 2, 2020, BE POSTPONED TO TUESDAY, NOVEMBER 3, 2020; MAKING FINDINGS RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE

Mayor Pro-tem Everardo Castillo, Jr. along with Mayor Obregon, read the resolution.

No discussion on resolution.

Motion made by Council Member Place 2 Joanne Rodriguez to approve and pass Resolution No. 20-04-01, as read

Motion seconded by Council Member Place 1 Alexandria Inocencio

All in favor

Motion carries unanimously

6. DISCUSS/CONSIDER & ACT ON ESSENTIAL EMPLOYEES VS. NONESSENTIAL EMPLOYEES, CREATING CITY WORK SCHEDULES & WORKING REMOTELY, DUE TO COVID-19

City Administrator Juan Estrada informed council that he had brought this item forward due to trying to minimize the spread of the COVID-19 virus & complying with the social distancing requirements. He informed council that he had delegated to each department head to determine a plan for each department that would not disrupt services to citizens and keep the city functioning without disruption. He informed council that admin staff was equipped for work from home with the exception of the utility department. He stated that the utility department would rotate to have someone covering the office daily. PW supervisor Jimmy Oranday via phone answered questions council had as far as coverage of the public works department. He stated that he had contacted several cities and majority of them were working skeleton crew. He stated that he had come up with a plan to have employees rotate for example, one crew Work Monday Wednesday & Friday and the seconded crew work Tuesday & Thursday and then rotate the next week. Council Member Place 3 Alicia Machado questioned how many employees would work daily and Mr. Oranday stated that it would be a total of eight (8) employees daily. Council Member Place 5 Joe Garcia question PW Director if he would not take advantage of the situation as far as cleaning streets with the minimal traffic. Mr. Oranday stated that he was looking out for the safety of his department. Council Member Place 2 Joanne Rodriguez stated that the declaration that was just passed defined maintenance employees as essential. Mr. Estrada stated that city staff would still be required to work 8AM-5PM and if needing a day off they would be required to submit form. Council Member Place 1 Alexandria Inocencio stated that City Attorney had reiterated that City administrator had the discretion to assign work schedules as stated in section 17 of the declaration. Mr. Estrada stated that, it was correct but he had brought it forward to inform the council, he further stated that they were the council and could deny the request. Council Member Place 3 Alicia Machado added that this was already part of the declaration that the item should not have been placed on the agenda and they needed to move forward with the agenda. Mayor Pro-tem Everardo stated that this should have taken place since the first declaration, employees should have been sanitizing from the beginning. Council Member Place 1 Alexandria Inocencio stated that she wanted to make it clear that the safety of the employees was their priority. Motion made by Mayor Pro-tem Everardo Castillo, Jr. stating that even though he knew it was already on the declaration but they were the council & item was on the agenda, and believes action should be taken, and his motion is to deny the Essential Employees Vs. Non Essential and deny the schedule (Mayor read motion to deny the city work schedule)

Motion seconded by Council Member Place 1 Alexandria Inocencio

In favor of motion Mayor Pro-tem Everardo Castillo Jr., Council Member Place 1 Alexandria Inocencio & Council Member Place 2 Joanne Rodriguez

Motion opposed by Council Member Place 3 Alicia Machado & Council Member Place 5 Joe Garcia

Motion carries 3-2

7. DISCUSS/CONSIDER & ACT ON ADDRESSING THE EMERGENCY NEED TO FILL A POLICE OFFICER VACANCY DUE TO ADDRESS PATROLLING THE CITY OF DILLEY, DUE TO THE ADOPTION OF THE DISASTER DECLARATION

Interim Police Chief Anthony Zertuche informed council of the need to fill the vacancy at the Police Department. He stated that he needed an officer to rotate the night shift due to the enforcement of the declaration. He further stated that citizens along with council had approached him of the need to have additional officers patrol the city.

Motion made by Council Member Place 5 Joe Garcia to extend the resignation of Officer Gloria Ruiz an additional 30 days to assist with coverage during the enforcement of the declaration

Motion seconded by Council Member Place 1 Alexandria Inocencio

All in favor

Motion carries unanimously

8. ADJOURNMENT

Motion made by Mayor Pro-tem Everardo Castillo, Jr. to adjourn meeting

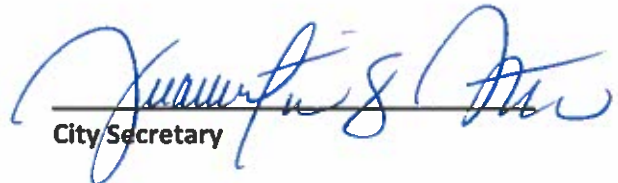
Motion seconded by Council Member Place 2 Joanne Rodriguez

All in favor

Motion carries



Mayor



City Secretary