

**MINUTES OF SPECIAL MEETING
CITY OF DILLEY, CITY COUNCIL
JANUARY 23, 2020**

COUNCIL PRESENT: MAYOR MARY ANN OBREGON, MAYOR PRO-TEM EVERARDO CASTILLO, 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, FINANCE DIRECTOR IRMA RODRIGUEZ, HR MANAGER RAQUEL YANEZ, PW DIRECTOR JIMMY ORANDAY, ASST. PW DIRECTOR JOSE MARTINEZ SR., WATER LABORER GUADALUPE NAVARRO, SR. ACO OMAR HERNANDEZ, REPRESENTING CITY ATTORNEY JENNIFER TAPIA,

CITIZENS PRESENT: MOLLY SOLIS, ARNULFO CRUZ

1. CALL MEETING TO ORDER

Mayor Obregon called meeting to order.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance recited

2. ROLL CALL

Mayor Obregon called roll call, 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 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)

No citizen comments were made.

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

Item withdrawn from the agenda, added by error.

5. DISCUSS/CONSIDER & ACT ON LEGAL SERVICE CONTRACT WITH PENA TAPIA LAW FIRM

Mayor Obregon opened items 5 & 6 for discussion, City Secretary Juanita Fonseca advised Mayor Obregon that Item 5 would need to be discussed and acted on first before item 6 could be discussed due to an active and current contract with Pena Tapia Law Firm. City Secretary Further stated that the contract would need to be terminated before any additional legal services could be considered otherwise council would have two law firms representing the City. Mayor retracted item 6 and asked Mrs. Tapia if she would like to address the council regarding the current contract. Mrs. Tapia informed council that Pena Tapia Law Firm was the current attorney for the city and they would like to remain as the city attorney. She assured council that they had the staff to fulfill the city's needs. Council Member Place 5 Joe Garcia questioned if the city decided to terminate the contract, the city would not owe the firm any monies. Mrs. Tapia replied that the city would owe up to the work that had been done prior to the termination of the contract. Mr. Garcia further questioned that if Mr. Pena if anything occurs would he be interested in being the City Attorney just for truancy. Mrs. Tapia questioned that if it would be just court and Mr. Garcia replied that it would just be court. Mayor Obregon questioned Mr. Garcia on the current legal representation of the court, and Mr. Garcia replied that the court currently had Mr. Pena. Mrs. Molly asked Mayor to approach council. She informed council that she as the attorney with Pena, Tapia & Solis would conduct court and she no longer was with court.

Motion made by Council Member Place 2 Joanne Rodriguez to table item 5 and discuss item 6 then come back to item 5 to make a decision

Motion seconded by Council Member Place 5 Joe Garcia

All in favor

Motion carries unanimously

Item 6 was then discussed

Back to item 5 from item 6

Motion made by Council Member Place 5 Joe Garcia to remove Molly Solis from Pena, Tapia law firm and look to see which one bets fits to represent the City of Dilley

Motion seconded by Council Member Place 3 Alicia Machado

All in favor

Motion amended by Council Member Place 5 Joe Garcia to amend to include the removal of Pena Tapia Law Firm and provide the 30days notice as per contract

Motion seconded by Council Member Place 1 Alexandria Inocencio

In favor of motion Council Member Place 5 Joe Garcia, Council Member Place 1 Alexandria Inocencio, Council Member Place 2 Joanne Rodriguez, Mayor Pro-tem Everardo Castillo, Jr.

Motion opposed by Council Member Place 3 Alicia Machado

Motion carries 4-1

6. DISCUSS/CONSIDER & ACT ON LEGAL SERVICE CONTRACT

Molly Solis approached council to inform council that she no longer was a partner at Tapia law firm and would like council through her work ethic to contract with Davidson, Trolio, Ream & Garza, P.C (DTRG). Mrs. Molly further informed

council that she was the attorney assigned to the city with Pena, Tapia & Solis and believes that she established a good working relationship with the city and with like to continue serving as the city attorney though DTRG, P.C

Gentlemen with Sylvia Rodriguez law firm informed council that Mrs. Rodriguez was unable to make meeting due to being out of the country but as representative of the firm he would like council to consider the Law Office of Sylvia Rodriguez as the City Attorney.

Motion made by Council Member Place 2 Joanne Rodriguez to table item 6 and revisit item 5 and then come back to item 6

Motion seconded by Council Member Place 1 Alexandria Inocencio

All in favor

Motion carries unanimously

Back to item 6

Motion made by Council Member Place 5 Joe Garcia to keep Molly Solis as city attorney with the City of Dilley with the new law firm DTRG, P.C

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

At this point City Secretary Informed council that the contract with Tapia law firm was not terminated therefore there would be 2 (two) Attorneys representing the city. She further informed council that they could go back to item 5 and amend motion to include the termination with Tapia Law firm, due to item being seconded motion needed to be carried out. Motion was withdrawn from the table from Council Member Place 5 Joe Garcia, back to item 5.

Back to item 6

Motion made by Council Member Place 5 to have DTRG, P.C, represent the City of Dilley for Municipal and with same motion have Pena, Tapia Law Firm represent the Truancy for the City of Dilley

Motion seconded by Council Member Place 2 Joanne Rodriguez

Motion opposed by Council Member Place 1 Alexandria Inocencio and Mayor Pro-tem Castillo

Motion abstained by Council Member Place 3 Alicia Machado

Motion tied 2-2

Mayor Obregon breaks tie voting against the motion

Motion dies

Motion made by Mayor Pro-tem Everardo Castillo to hire DTRG, P.C as the legal representation of the City of Dilley in all services to include court and to include approving the same rate schedule as with the Pena, Tapia & Solis Law Firm

Motion seconded by Council Member Place 3 Alicia Machado

All in favor

Motion carries

**** item 9 next on agenda****

7. Discuss/consider & act on revised Pavilion City Park engineering project
City Administrator Mr. Estrada informed council of funding that might be available through hot tax monies and research that needed to take place so he asked that the item be tabled until he could provide that information.

Motion made by Council Member Place 2 Joanne Rodriguez
Motion seconded by Council Member Place 1 Alexandria Inocencio
All in favor
Motion carries unanimously

8. Informational - Advance Water Well Company presentation

Mr. Jimmy Oranday Public Works Director asked council to table item, due to a prior commitment Advance Water Well was unable to attend meeting and make presentation.

Motion made by Council Member Place 5 Joe Garcia to table item
Motion seconded by Council Member Place 1 Alexandria Inocencio
All in favor
Motion carries unanimously

9. Discuss/Consider & act on contracting with sign company/artist to Finalize the "Welcome to the City of Dilley", highway signs

Mr. Adrian Benavides approached city council with new ideas for the "Welcome to Dilley Sign" Council Member Place 1 Alexandria Inocencio expressed a concern about the decision that had been made by prior council in changing the way the Welcome signs would be put up and to include answering to the students who had been selected. Mr. Benavides stated that he could have a paint and draw session with the students who had been selected to compensate them for their work and have their posters be put up at different areas in the city. He further stated that he could not guarantee the work if the council decided to keep the Welcome signs as the previous council had approved. He stated that it would be too difficult to complete that task and he could not guarantee it. Council liked the idea of having the artist perform a paint session with the selected students and advised Mr. Benavides to move forward with a quote and provide to Mr. Estrada for review and bring back to council for consideration.

Motion made by Council Member Place 2 Joanne Rodriguez to table item pending Mr. Benavides quotes
Motion seconded by Council Member Place 5 Joe Garcia
All in favor
Motion carries unanimously

10. Discuss/consider & act on waiving pavilion park fees for St. Joseph Church

Council was informed that the Watermelon festival sponsored by the Catholic church would be held the first weekend in June and Father Ruben Garcia on behalf of the Catholic Church was requesting to have fees waived.

Motion made by Council Member Place 1 Alexandria Inocencio to waive fees as requested by Catholic Church, deposit would still need to be paid as paid every year for cleaning up purposes
Motion seconded by Mayor Pro-tem Everardo Castillo, Jr.
All in favor
Motion carries unanimously

11. Discuss/consider & act on approving Employee Job Descriptions
Human Resources Manager Raquel Yanez informed council that all job descriptions handed at previous meeting were ok for approval with the exception of the Finance Director. The Finance Director job description needed additional information added that had been provided to her after it had been sent out.
Motion made by Council Member Place 1 Alexandria Inocencio to approve the job descriptions presented at last meeting with the exception of Finance Director, which would be brought back at another meeting for review and approval
Motion seconded by Mayor Pro-tem Everardo Castillo, Jr.
All in favor
Motion carries unanimously

12. Discuss/consider & act on approving revised 2020 Employee Holiday Schedule
Mr. Jimmy Oranday Public Works Director approached council to express the disappointment the employees had expressed regarding the half days that had been amended at previous meeting.
Council Member Place 2 Joanne Rodriguez replied to Mr. Oranday that she agreed with his concern regarding the half days. Council Member Place 1 Alexandria Inocencio added that she apologized also for not having further researched the days that had been presented.
Motion made by Council Member Place 2 Joanne Rodriguez to approve the 2020 Holiday Schedule as presented at previous meeting with full days on all Holidays presented
Motion seconded by Council Member Place 1 Alexandria Inocencio
In favor of motion, Council Member Place 2 Joanne Rodriguez, Council Member Place 1 Alexandria Inocencio, Council Member Place 5 Joe Garcia & Mayor Pro-tem Everardo Castillo, Jr.
Motion abstained by Council Member Place 3 Alicia Machado
Motion carries 4-1

13. 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):
Item closed to executive session @ 7:54P.M.
 - A. Deliberation regarding the hiring of General Clerk Full Time Position (TEMPORARY)

14. Open session - take action on items discussed in executive session
Reconvene to open session @ 8:27P.M.
 - A. Action regarding the hiring of General Clerk Full Time Position (TEMPORARY)
Motion made by Council Member Place 1 Alexandria Inocencio to go ahead and open up the General Clerk position which is temporary and on a week to week

basis, Mrs. Inocencio amended motion to opening up the General Clerk full-time position

Motion seconded by Council Member Place 2 Joanne Rodriguez

All in favor

Motion carries unanimously

15. Adjournment

Motion made by Council Member Place 5 Joe Garcia to adjourn meeting

Motion seconded by Council Member Place 2 Joanne Rodriguez

All in favor

Motion carries


Mary Ann Oliver

Mayor

Janette S. Oliver

City Secretary