

**MINUTES OF REGULAR MEETING
CITY COUNCIL, CITY OF DILLEY
NOVEMBER 12, 2019**

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 ESTRADA, CITY SECRETARY JUANITA G. FONSECA, FINANCE DIRECTOR IRMA RODRIGUEZ, HR MANAGER RAQUEL YANEZ, PW DIRECTOR JIMMY ORANDAY, POLICE CHIEF ARMANDO ROMO, POLICE SECRETARY ANA AGUILAR, POLICE LT. ANTHONY ZERTUCHE, POLICE CORPORAL JUAN MIRELES, WATER LABORER GUADALUPE NAVARRO, CITY ATTORNEY MOLLY SOLIS

CITIZENS PRESENT: JOE PHILLIPS, JOSIE MORALES, JUAN MORALES, JAMES BENAVIDES, JUAN BENAVIDES, MICHELLE BRYAN, MRS. STEPHENSON, BRYAN RAMIREZ, COMMISSIONER PCT. # JOSE ASUNCION, KURT MCCLAIN, EDDIE INOCENCIO

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

3. CITIZENS TO BE HEARD

Mr. Jose Asuncion, Commissioner Pct. 4 informed council of a county food distribution on November the 19. He stated that county had paid for the food but no volunteers so if City could spare an employee. Commissioner also stated that he believed funds were available to sponsor a food distribution every other month. He further stated that he had a question about policy and email retention. He asked if emails from city staff to council or vice versa would have to be retained indefinitely. City Attorney Molly Solis replied that they were subject to the records retention Plan. He also asked for recommendations between city email / personal email without combining both. Mrs. Solis stated that it would be recommended to keep separate and they could also use personal email and adopt a policy if a

business email was received that it be forwarded immediately to the business email.

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

- A. APPROVE MINUTES OF THE OCTOBER 8, 2019 - REGULAR MEETING
OCTOBER 22, 2019 - SPECIAL MEETING
OCTOBER 29, 2019 - SPECIAL MEETING

B. REVIEW OF CITY BILLS

C. Approve employee incentives for the month of November, 2019

City Secretary informed council that there were no incentives submitted for item C. She further requested that on Item A the minutes for October 8, if they could be taken out of this item due to them not being detailed enough to present and she would bring back at the next meeting.

Mayor Obregon questioned Finance Director if her reimbursement was showing on her expense. Finance Director stated that it was not showing but that yes, she had reimbursed \$91.00. Mayor Obregon informed council that for the records she was informing them that of the \$261.00 expense for the TML conference she reimbursed \$91.00 because she did not travel in her vehicle. Council Member Place 2 asked on Vendor Frank Cisneros. She questioned if this was the first time the city had used this vendor. She questioned if he was related to Esmie Cano. Finance Director informed Mrs. Rodriguez that we have used this vendor for a while and he is related to Mrs. Cano. Mayor also added that Mr. Cisneros was very familiar on the electric panels and wells so he was reached out to, so that Public Works Director could be updated on the electrical issues of the city. Mayor Pro-tem question Finance if we had any open invoices with the Maldonado Law Firm. She stated that she yes that she had made a payment just today for \$4,140 but that it did not state final.

Motion made by Mayor Pro-tem Everardo Castillo, Jr. to approve the minutes of October 22, 2019 Special Meeting, October 29, 2019 – Special Meeting and also review of City Bills

Motion seconded by Council Member Place 3 Alicia Machado

All in favor

Motion carries

5. DEPARTMENTAL 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 on item, informative department updates

6. DISCUSS & CONSIDER REQUEST TO INSTALL 17 (SEVENTEEN) MODULAR BUILDINGS AT 828 S BUSINESS I-35, PRESENTATION BY JIMMY WASHULESKI, DIRECTOR OF FACILITIES DEVELOPMENT MAALT/VISTA

Mr. Washuleski informed council of his intentions to bring modular housing to staff his employees. Council expressed some concerns regarding the water demand to supply the modular homes and the highway not being narrow enough for 18 wheelers to come in and out of property. Sewer was also an issue because city sewer was not available in area. Mayor Obregon suggested to council to take more time to review and bring back at a later date. City Secretary informed council that item was just a presentation no action was needed at this point.

7. DISCUSS/CONSIDER & ACT ON ACCEPTING UTILITY EASEMENT DEED FROM FRIO LODGES, LLC FOR PURPOSES OF MAINTAINING CITY OWNED LIFT STATION

Mr. Joe Phillips requested a 2-foot easement waiver from City Council and he also wanted to deed an easement to city. Correction to item 7 utility easement deed was not to maintain city owned lift station. The Easement was as indicated on field notes the easement was on the RV park where the City has a man hole and no easement. Motion made by Council Member Place 5 Joe Garcia to accept utility easement deed from Frio Lodges, LLC

Motion seconded by Council Member Place 2 Joanne Rodriguez

All in favor

Motion carries unanimously

8. DISCUSS/CONSIDER & ACT ON WAIVING 2 (TWO) FEET OF EASEMENT TO FRIO LODGES, LLC

Motion made by Mayor Pro-tem Everardo Castillo, Jr. to granting the waiver of 2 feet easement to Frio Lodges

Motion seconded by Council Member Place 5 Joe Garcia

All in favor

Motion carries unanimously

** Mr. Philips will send pdf's to Mrs. Solis for review and she will submit to city for recording purposes**

9. DISCUSS/CONSIDER & ACT ON AUTHORIZING WORKFORCE SOLUTIONS ALAMO TO PLACE A KIOSK IN CITY HALL LOBBY

Tony Martinez & Ricardo Ramirez of Workforce Solutions Alamo briefed council on their proposal to place a KIOSK in city hall lobby. This Kiosk will allow constituents/citizens to upload documents, apply for services and search other job-related options. This is the first site in Texas a KIOSK will be placed and will be used as a trial and error for the Workforce Solution. Council Member Place 2 Joanne Rodriguez questioned Mr. Estrada as to how the KIOSK will work in the Lobby. Mr. Estrada stated that the only thing the City would need to provide is an internet line to connect the rest is already set to install the KIOSK. The gentlemen will be back at a future meeting with an agreement for council to review.

Motion made by Mayor Pro-tem to authorize Workforce Solutions Alamo to place a KIOSK in City Hall lobby

Motion seconded by Council Member Place 2 Joanne Rodriguez

All in favor

Motion carries unanimously

10. DISCUSS/CONSIDER & ACT ON APPROVING QUOTE FOR REPAIRS OF WATER PLANT WELL

Public Works Director Jimmy Oranday informed council that he wasn't able to get quotes until earlier that day that is the reason quotes were not in packet. He stated that the civic center water well was still down due to it being down longer than expected so the coliform test has not been passed. On this particular pump he was just looking at pulling out pump and repairing it and installing it back in getting up and running. Council Member place 2 Joanne Rodriguez questioned if the City paid the expense could it be reimbursed with grant money. Mr. Oranday replied that he did not think so. Council Member Place 5 Joe Garcia questioned Mr. Oranday if he had gotten with City Engineers to see if the Civic Center water well was still capable to produce the kind of water we need for our citizens. Mr. Oranday stated that he would not know until it was up and running but he believes that based on what the contractor stated there shouldn't be a problem. Council Member Place 3 Alicia Machado questioned Jimmy what vendor would he rather work with. Mr. Oranday replied that both vendors he had worked with so it didn't matter at this point. Due to discrepancies in invoice Mr. Oranday went ahead and reached out to Advanced Water Well. Council moved on to next item while Mr. Oranday proceeded to make a phone call. Mr. Oranday did inform council that based on the phone call he had made; the amount would be extra depending on the work that would be needed once parts were pulled out so invoice could be higher than the proposal of Alsay. Mr. Garcia questioned Mr. Oranday if he had reached out for a quote to Peerless. Quotes submitted Alsay Incorporated \$ 28,840, Advanced Water Well Technologies \$17,319.20

Motion made by Mayor Pro-tem to approve the quote submitted by Advanced Water Well Technologies not to exceed an amount of \$28,840.00 (Original quote \$ 17,319.20)

Motion seconded by Council Member Place 5 Joe Garcia

All in favor

Motion carries unanimously

11. DISCUSS/CONSIDER & ACT TO PROCEED WITH THE ADVERTISEMENT OF THE CITY OF DILLEY, TEXAS PRISON WASTEWATER TREATMENT PLANT SEWER DIVERSION PROJECT (TCEQ-SUPPLEMENTAL ENVIRONMENTAL PROJECT DOCKET NUMBER: 2017-0051-MWD-E)

Mr. Estrada informed Council that this was an Engineer item. Council had previously approved this project and Engineers completed specs and were ready to request bids, project involved effluent at the prison.

Motion made by Mayor Pro-tem Everardo Castillo, JR. to authorize Premier to go out for bids

Motion seconded by Council Member Place 1 Alexandria Inocencio

All in favor

Motion carries unanimously

12. DISCUSS/CONSIDER & ACT ON APPROVAL OF AUDITOR'S ENGAGEMENT LETTER FOR FISCAL YEAR 2018-2019

Mr. Estrada informed council that just earlier the city had received an additional proposal so if council wanted, he could bring back at a special meeting to review both or they could decide to go with the current auditor.

Item was tabled

13. DISCUSS/CONSIDER & ACT ON THE REVISED CITY OF DILLEY ORGANIZATIONAL CHART

HR Manager Mrs. Raquel Yanez updated council on the proposed organizational chart. She informed council that this new proposal included the positions that the Chief had wanted which included the Lieutenant and the Corporal/Investigator. The Item will be discussed after item 19. After discussion on item #18 council came back to take action on item #13

Motion made by Council Member Place 3 Alicia Machado to accept the revised City of Dilley Organizational Chart to add the Lieutenant and Corporal position
Motion seconded by Mayor Pro-tem Everardo Castillo, Jr.

All in favor

Motion carries unanimously

14. DISCUSS/CONSIDER & ACT ON SOCIAL MEDIA POLICY FOR THE CITY OF DILLEY

HR Manager Mrs. Yanez informed council that the policy proposed in packet was previously sent to previous counsel. She also stated that she had sent it for review to new counsel so she would recommend item be tabled because Mrs. Molly did have some changes.

Motion made by Council Member Place 3 Alicia Machado to table item.

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

All in favor

Motion carries unanimously

15. DISCUSS/CONSIDER & ACT ON FOURTH OF JULY FESTIVAL UPDATE

Item tabled due to Mr. Ramirez not being able to attend the meeting

16. DISCUSS/CONSIDER & ACT ON ADOPTING INFRASTRUCTURE IMPACT FEES

Items 16 & 17 tabled due to Mr. Vela not being able to attend the meeting

17. DISCUSS/CONSIDER & ACT WATER & SEWER RATE STUDY

Items 16 & 17 tabled due to Mr. Vela not being able to attend the meeting

18. DISCUSS/CONSIDER & ACT ON POLICE DEPARTMENT PROPOSALS PRESENTED BY POLICE CHIEF ARMANDO ROMO

Chief Romo informed council of the structure of the Police Department. He stated that the case load was a lot so he would pass a lot of the work down to the Lieutenant and the Corporal. The case load was being divided by the two (2) experienced officers. Council Member Place 2 Joanne Rodriguez questioned Chief Romo if any cases had been rejected by the District Attorney's Office, Chief Romo replied that cases with the DA were old cases and they were asking to submit with what they had on file. Council Member Place 2 Joanne Rodriguez questioned Chief Romo if under his administration any cases have been kicked back for lack of information, and he stated that not under his administration. Council Member Place 1 Alexandria Inocencio questioned Chief that why weren't these proposals submitted when department heads were asked to present their wish list. Chief stated that he had asked for a Lieutenant but not a corporal but the work load is to much so that is why he is asking now. Mayor added that the Lieutenant had been talked about. Chief then questioned about the impound. Mayor informed Chief to get with Mr. Estrada because they thought they might have a piece of property that could be used as an impound. Council Member Place 3 Alicia Machado questioned if these employees were already hired. Chief replied that yes, they were hired already he just wanted to assign the titles. Council Member Place 3 Alicia Machado stated that she did not have a problem. Mayor Obregon stated that she agreed with Council Member Place 3. Chief then proposed the impound fee. City Attorney Molly Solis requested how the item was placed on the agenda and what information was included in the packet for council review. City Secretary stated that the item had been requested by a council member and details were not provided that is the reason the item could not be placed in executive session. City Attorney then stated that Chief could present his proposal. Chief mentioned to council that Tijerina Towing was interested in working with City and taking the impound vehicles at a 25% charge based on profit. He felt that this was the best option because he didn't want to add more work to his secretary. Council recommended that Chief get with Mr. Estrada regarding the towing proposal.

Motion made by Council Member Place 3 Alicia Machado to approve the position of Lieutenant and appoint Anthony Zertuche as recommended by Chief Romo's Proposal and approve a Corporal position and appoint Juan Mireles as recommended by Chief Romo's proposal

Motion seconded by Council Member Place 5 Joe Garcia

All in favor

Motion carries unanimously

19. DISCUSS/CONSIDER & ACT ON K-9 PROPOSAL, PRESENTATION BY
POLICE CHIEF ARMANDO ROMO

Chief Romo informed city council of the K-9 price and handling of the animals. Chief Romo informed council that he had never heard of a K-9 needing liability insurance so he would need to look into that. He also stated that the animal would require two (2) large kennels, one for the home and one for the office. He stated that to feed the K-9 it was iffy because it depended on how much the dog would eat so that would just have to be played out. On the handler and transportation, he was not sure because he as the handler would have to take the dog home and he needed to know about the unit. He stated that the animal was his responsibility and he would need to use the unit to take the dog home to transport the animal. Council had questions regarding the total cost because a total cost was not provided. Chief replied that he had just received the email today so he didn't have enough time to prepare for the item. Council asked Chief to bring back a proposal with a total cost for them to review.

Motion made by Alicia Machado to table item and Chief to come back with numbers

Motion seconded by Mayor Pro-tem Everardo Castillo Jr.

All in favor

Motion carries unanimously

20. DISCUSS/CONSIDER & ACT ON MAINTENANCE OF OLD CEMETERY
(KINSEL & SHEEPHILL)

No action, item tabled and not discussed.

21. DISCUSS/CONSIDER & ACT ON LEGAL SERVICE CONTRACT BETWEEN
THE CITY OF DILLEY & THE LAW FIRM OF PENA, TAPIA & SOLIS

Contract was sent to council for review in packets. Mrs. Molly was available for questions. Council did not have any questions.

Motion made by Council Member Place 3 Alicia Machado to accept and approve the contract for Legal Services between the City of Dilley & the Law Firm of Pena, Tapia & Solis as presented

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

All in favor

Motion carries unanimously

22. 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):

Mayor Obregon asked Mr. Benavides if he wanted his item in open session. Mr. Benavides stated yes. Mayor Obregon announced that she would like to go into executive for consultation with attorney.

Motion was made by Council Member Place 3 Alicia Machado to go into executive session on all items

Motion seconded by Council Member Place 5 Joe Garcia.

City Attorney Molly Solis informed council that they would need to hear the discussion of the facts would need to be done in open per Mr. Benavides request, the consultation would only be the legal action of the item. Mayor Pro-tem Castillo stated that he believed it should be heard in open session so that they could hear Mr. Benavides out and then go consult with attorney on the legal action.

Motion did not pass to go into executive. 2-3 so council remained in open session Mr. Benavides approached council to request his item be open and he stated that he was asked to give a breathalyzer test because he believed that someone was spreading rumors. He stated that if he had a bible, he could swear that he was not drinking on the job. The night before he stated that he did have a drink with dinner. The next day he was asked to take a breathalyzer he stated that he believed it was like .1 or something like that. He further stated that he understood that he was on call but he had the drink to relax for having a long week it was not to have fun. He apologized for having the drink and stated that he was not aware that while being on call, he could not have a drink he did not remember signing any documents related to not having drinks while on call. He also stated that without mentioning other employee names they have confirmed that they have a drink with dinner while on call. Mr. Benavides stated that he was before council with his family asking for another chance.

At this point Mr. Jose Asuncion question City Attorney Molly Solis about going into executive session after it had been requested to be in open session, he asked her to double check the grounds. Mrs. Solis replied to Mr. Asuncion that council could go into executive to consult the legality of the item and this could be held in closed doors. Mr. Asuncion stated that there was no pending litigation so the item should remain in open session. Mrs. Solis stated that she disagreed and that council could go into executive on the possible legalities. Mr. Asuncion stated that he was not the attorney but that he disagreed. Mrs. Solis reinforced the legality issue and then stated that actually this discussion (with Mr. Asuncion) was not on agenda and they could not have a back and forth discussion and that Mr. Asuncion did not ask the Mayor for permission to speak and that he had not signed up to speak. Mr.

Asuncion asked Mayor for permission to speak and it was not granted. Mrs. Solis stated to Mr. Asuncion that she wasn't trying to be rude but the discussion was off topic and they were there to speak about Mr. Benavides not what Mr. Asuncion felt or not felt. Mr. Asuncion stated that he understood but that this was the one change to get it right in his opinion. Mrs. Solis stated that or his opinion could be wrong. That she didn't have a problem talking with him after the meeting. Mr. Asuncion stated that he could and Mayor read the statement again that she read at the beginning. Mr. Asuncion stated that that had to be adopted by council, Mrs. Solis stated that it didn't have to be it was state law as of September 1, 2019, Mr.

Asuncion stated that state law as of September 1st said that they could speak during an agenda item. Mrs. Solis stated unless you are signed up for public comments at the beginning of the meeting and because you have been you can not speak on any

agenda item, please read the law again. She further stated that you have to have citizen comments otherwise you can speak on any item.

Mrs. Solis then called the Human Resources Manager to give the City Side of the item. Mrs. Raquel stated that on Thursday morning around 10:15, she was notified by a supervisor of Public Works that there was possible suspicion/concern of alcohol. There had been three (3) statements by three gentlemen that there was alcohol in the truck or the smell of alcohol in the truck the odor. The trainer certified by the drug and alcohol certification also identified that he had the order at the same time there is a checklist of glossy eyes and irritability. I also had the second person who is also certified state Mr. Benavides was suspicious. From a distance Mr. Benavides was avoiding Mrs. Raquel so she contacted PAPS who is the Drug & Alcohol Administrator, who directed her to conduct an investigation. She documented her investigation and waited for the statements to come in from the certified personnel to conduct the investigation. The investigation allows for a 24-hour window. The A-1 dependable which is the clinic certified to perform the testing closes at 4:30PM. Mrs. Raquel, Mr. Oranday and Mr. Estrada met that afternoon and concluded that there was a suspicion based on the investigation. At the same time Mr. Benavides was in a company vehicle and oncall so Mrs. Yanez informed Mr. Oranday that if Mr. Benavides got a call for Mr. Gutierrez to assist him due to not being able to test him yet. The following morning, she proceeded to call Mr. Benavides into the office and explain to him the procedures and investigation that took place. She observed Mr. Benavides the following morning in the same fidgeting as the day before. Mrs. Yanez explained to Mr. Benavides that she was going to have to send him for alcohol testing due to the outcome of the investigation and if he was cleared it would be dropped and he could return to work. Mrs. Yanez added that Mr. Benavides did hesitate but he didn't say anything. Mr. Oranday was instructed to take Mr. Benavidez to perform the testing. Upon returning Mr. Oranday, Mrs. Yanez and Mr. Estrada met with Mr. Benavides. Results were over the limit. The first test was 1.25 the second test 15 minutes later tested 1.27 for alcohol. Mr. Yanez then contacted PAP who confirmed to her the results were over the policy limit of .01. Mrs. Yanez stated that PAP policy was .01 and in city policy the limit is .03. Council Member Place 5 Joe Garcia questioned Mrs. Yanez as to how many hours had lapsed from Point A to Point B. Mrs. Yanez stated 24 Hours. Mrs. Yanez stated that she followed protocol to protect both City and Mr. Benavides and she completed her investigation in her 24-hour allotted time frame. Mrs. Yanez further stated that based on the 24-Hour window the alcohol level should have come down. Mrs. Molly questioned Mrs. Yanez if employees have to sign acknowledgment of alcohol policy and Mrs. Yanez stated that yes, it's in the manual they sign before they begin work and the acknowledgement signature is in the employee file. Mrs. Molly further questioned what the policy states can happen for violating, consequences of the policy, disciplinary action and Mrs. Yanez replied that it states further disciplinary action up to termination. Mrs. Molly questioned what were the other alternatives besides termination. Mrs. Yanez replied disciplinary action, suspension just depends. Mayor Pro-tem Castillo questioned Mrs. Yanez if Mr. Benavides had any prior write ups. Mrs. Yanez replied that he had been placed on a staff development plan to improve his performance prior to

this incident. Drug and Alcohol Policy is 702 in the handbook and 711 is the testing which states reasonable suspicion. Mayor asked council if there were any further questions. Council Member Place 2 Joanne Rodriguez questioned if this was Mr. Benavides first possible suspicion or if there had been others. Mrs. Yanez stated that there had been some but not enough to visually see. Council Member Place 2 Joanne Rodriguez questioned Mrs. Yanez that if there were prior suspicions why wasn't Mr. Benavides offered help. Mrs. Yanez replied that based on the checklist what she could see there was not reasonable suspicion. Council Member Place 3 Alicia Machado questioned who was certified to do observations. Mrs. Yanez stated that she was, Jimmy Oranday & Zeke Vasquez. Mrs. Machado further questioned how long Mr. Benavides had been with the City and Mrs. Yanez stated 11 Months. Mr. Castillo questioned if he had been evaluated. Mrs. Yanez replied that his evaluation was coming up in January 2020 so that is why employees are placed on a staff development plan so that they can improve performance prior to the evaluation. Mrs. Molly reinforced that the issue was no alcohol not one drink while on call. The metabolism should not interfere in this case because you can be called right at dinner and you would need to operate a city vehicle and the policy states .01 which means no alcohol while on duty. Mr. Benavides was called to the podium again to see if there was anything else, he would like to add. He stated that he knew the write up had been brought. He further stated that overtime he met with HR and Jimmy he had always been told this is not a write up. He stated there was a lot of gossip and favoritism in public works that council should be aware of. He stated that he had seen good hands come and go if you're not a favorite they find ways to let you go. He stated that office staff was not like that they were nice and sweet and would treat you with respect but public works was a different animal. He stated that because of all this is why he came to try and protect his job. He believed he was one that was not a favorite and with the names mentioned those were favorites. He further stated that there was a lot of stuff hidden and needs to come out. Mrs. Machado stated that the issue was the time frame of the alcohol and the level. The other was that he was on call and consuming alcohol. She further stated that she somewhat felt what he was stating needed to be looked at due to not being the first time she has heard this. Mrs. Joanne Rodriguez stated she believed in progressive discipline and she felt if there was something, he needed help with maybe that could be an option. Mr. Benavides stated that in all honesty he did not know the oncall/alcohol policy and his intention was not to violate the policy it was to have a drink with dinner.

Mayor stated that she would like to go into executive session for legal consultation. Mrs. Molly questioned that if it would be all items or just item A. Mayor stated that they would close for item A-D if there was not anyone else that wanted open session.

Motion made by Council Member Place 1 Alexandria Inocencio to into executive on Items A-D under Consultation with Attorney 551.071 and Personnel Matter on B-C 551.074

Motion seconded by Mayor Pro-tem Everardo Castillo

All in favor

Motion carries unanimously

Item Closed to executive session @ 9:06P.M.

- A. DELIBERATION REGARDING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE, WATER LABORER JAMES BENAVIDES
- B. POSSIBLE SALARY ADJUSTMENT OF ANA LISA AGUILAR, POLICE SECRETARY
- C. POSSIBLE SALARY ADJUSTMENT OF ANTHONY ZERTUCHE, POLICE OFFICER
- D. POSSIBLE SALARY ADJUSTMENT OF JUAN MIRELES, POLICE OFFICER

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

Reconvene into open session @ 10:12P.M.

- A. ACTION REGARDING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE, WATER LABORER JAMES BENAVIDES
Motion made by Mayor Pro-tem Everardo Castillo, Jr. regarding Water Laborer James Benavides based on the violation of the City of Dilley Employee Policy of Alcohol use and admission of alcohol use while oncall by Mr. James Benavides I move for separation of employment effective immediately
Motion seconded by Council Member Place 5 Joe Garcia
All in favor
Motion carries unanimously
- B. ACTION REGARDING THE POSSIBLE SALARY ADJUSTMENT OF ANA LISA AGUILAR, POLICE SECRETARY
Motion made by Council Member Place 5 Joe Garcia to take no action on item B
Motion seconded by Mayor Pro-tem Everardo Castillo, Jr.
All in favor
Motion carries unanimously
- C. ACTION REGARDING THE POSSIBLE SALARY ADJUSTMENT OF ANTHONY ZERTUCHE, POLICE OFFICER
Motion made by Council Member Place 5 Joe Garcia to increase salary due to promotion of Anthony Zertuche to Police Lieutenant, base salary increase to \$22/per hour and upon successful completion of 90-day probation increase to \$23/per hour, promotion to take effect immediately
Motion seconded by Mayor Pro-tem Everardo Castillo, Jr.
In favor of Motion Council Member Place 5 Joe Garcia, Mayor Pro-tem Everardo Castillo Jr., Council Member Place 2 Joanne Rodriguez, Council Member Place 3 Alicia Machado
Motion opposed by Council Member Place 1 Alexandria Inocencio
Motion carries 4-1

D. ACTION REGARDING THE POSSIBLE SALARY ADJUSTMENT OF JUAN MIRELES, POLICE OFFICER

Motion made by Council Member Place 5 Joe Garcia to increase salary due to promotion of Juan Mireles to Police Corporal, base salary increase to \$18/per hour and upon successful completion of 90-day probation increase to \$19/per hour, promotion to take effect immediately

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

In favor of Motion Council Member Place 5 Joe Garcia, Mayor Pro-tem Everardo Castillo Jr., Council Member Place 2 Joanne Rodriguez, Council Member Place 3 Alicia Machado

Motion opposed by Council Member Place 1 Alexandria Inocencio

Motion carries 4-1

24. ADJOURNMENT

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

Motion seconded by Council Member Place 3 Alicia Machado

All in favor

Motion carries, meeting adjourned at 10:17P.M.


Mayor


City Secretary



