

MINUTES OF A REGULAR MEETING

On the 11th day of April 2023, the City Council of Taft, Texas, convened in a regular meeting at 402 Park Street, Kiva Hut, at 6:30 p.m. with the following members present:

#1. CALL TO ORDER AND QUORUM CHECK

Randy Powell	Mayor
Rolando Rodriguez	Mayor Pro-Tem
Leonard Vasquez	
Chris Keeney	Absent
Alonso Molina	

There being a quorum, the meeting was called to order by Mayor Powell.

Others Present: Sid Arismendez, Interim City Manager; Molly Topper, Finance Director/City Secretary; Bernie Saenz, PW Director (see attached list for guests present)

#2. INVOCATION AND PLEDGE

Councilman Rodriguez led the Invocation and Pledge of Allegiance.

#3. VISITORS

David McCarty requested a presentation regarding his business at the next regular meeting.

#6. PRESENTATION FROM PAUL FRITSH, GCGV PRESIDENT & DR. VINCENT TORRES, UNIVERSITY OF TEXAS ASSOCIATE DIRECTOR, CENTER FOR ENERGY & ENVIRONMENTAL RESOURCES ON AIR MONITOR PROGRAM

Paul Fritsh introduced Dr. Vincent Torres who gave a presentation regarding air monitor statistics near the New Growth Ventures facility in Gregory, Texas.

#4. APPROVAL OF MEETING MINUTES

Councilman Rodriguez motioned, seconded by Councilman Molina, to approve the regular meeting Minutes of March 14, 2023.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina

Noes: None

Absent: Keeney

The motion carried.

#5. DISCUSS, CONSIDER AND ACT ON ACCEPTING THE FISCAL YEAR 2021-2022 CITY OF TAFT FINANCIAL AUDIT

Mr. Phil Vaughn, auditor, was unable to attend this meeting. Councilman Rodriguez motioned, seconded by Councilman Molina to table this item.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina
Noes: None
Absent: Keeney
The motion carried.

#7. DISCUSS, CONSIDER AND ACT ON APPOINTING A PERSON TO FILL A VACANT POSITION ON THE CITY OF TAFT PLANNING AND ZONING COMMITTEE

Councilman Molina motioned, seconded by Councilman Vasquez, to appoint Glenn Searcy to the Taft Planning and Zoning Committee.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina
Noes: None
Absent: Keeney
The motion carried.

8. DISCUSS, CONSIDER AND ACT ON THE AWARD OF THE ENGINEERING SERVICES CONTRACT FOR THE PREPARATION OF THE CITY'S 2023-2024 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG) APPLICATION AND SUBSEQUENT ENGINEERING CONTRACT IF FUNDED

Councilman Vasquez motioned, seconded by Councilman Rodriguez, to award the engineering services contract to Ardurra for the preparation of the City's 2023-2024 Texas Community Development Block Grant (TXCDBG) application and subsequent engineering contract.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina
Noes: None
Absent: Keeney
The motion carried.

Councilman Rodriguez motioned, seconded by Mayor Powell, to amend the prior motion to include the language identifying street improvements as the grant project.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina
Noes: None
Absent: Keeney
The motion carried.

#9. DISCUSS CONSIDER AND ACT ON RESOLUTION NO. 668 AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND AND ADOPTING THE FOLLOWING CIVIL RIGHTS POLICIES: 1. A1003 EXCESSIVE FORCE POLICY; 2. A1015 FAIR HOUSING POLICY; 3. A1004 SECTION 504 POLICY AND GRIEVANCE PROCEDURES; 4. CODE OF CONDUCT POLICY; AND 5. CITIZEN PARTICIPATION PLAN.

Mayor Powell motioned, seconded by Councilman Vasquez, to accept resolution No. 668 as read.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina

Noes: None

Absent: Keeney

The motion carried.

#10. DISCUSS, CONSIDER AND ACT ON RESOLUTION NO. 669 AUTHORIZING CITY REPRESENTATIVES TO ACT IN MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

Discussion included the language "The Mayor, City Manager and Interim City Manager" and amending the resolution to remove Interim City Manager.

Councilman Rodriguez motioned, seconded by Mayor Powell, to approve Resolution No. 669 Discuss, Consider And Act On Resolution No. 669 Authorizing City Representatives To Act In Matters Pertaining To The City's Participation In The Texas Community Development Block Grant Program to remove Interim City Manager and include the language "City Secretary and/or City Council".

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina

Noes: None

Absent: Keeney

The motion carried.

#11. DISCUSS, CONSIDER AND APPROVE A RESOLUTION TO ESTABLISH BOUNDARIES OF A HISTORIC DOWNTOWN/COMMERCIAL DISTRICT FOR THE PURPOSE OF APPLYING FOR FINANCIAL ASSISTANCE FROM THE TEXAS DEPARTMENT OF AGRICULTURE.

Councilman Rodriguez motioned, seconded by Councilman Vasquez, to approve Resolution No. 670 To Establish Boundaries of a Historic Downtown/Commercial District for the Purpose of Applying for Financial Assistance from the Texas Department of Agriculture.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina

Noes: None

Absent: Keeney

The motion carried.

#12. DISCUSS, CONSIDER AND APPROVE A RESOLUTION TO DECLARE AN AREA OF THE DESIGNATED HISTORIC DOWNTOWN/COMMERCIAL DISTRICT AS A SLUM/BLIGHTED AREA

Councilman Rodriguez motioned, seconded by Councilman Vasquez to approve Resolution No. 671 to Declare an Area of the Designated Historic Downtown/Commercial District as a Slum/Blighted Area.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina

Noes: None

Absent: Keeney

The motion carried.

#13. DISCUSS, CONSIDER AND APPROVE A RESOLUTION AUTHORIZING THE SUBMISSION OF A DOWNTOWN REVITALIZATION PROGRAM (DRP) APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE

Councilman Rodriguez, motioned, seconded by Councilman Vasquez, to approve Resolution No. 672 authorizing the submission of a Downtown Revitalization Program (DRP) application to the Texas Department of Agriculture.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina

Noes: None

Absent: Keeney

The motion carried.

#14. DISCUSS, CONSIDER AND APPROVE A RESOLUTION AUTHORIZING THE SIGNATORIES FOR THE 2023 DOWNTOWN REVITALIZATION PROGRAM (DRP) APPLICATION AND FUTURE GRANTS ADMINISTERED THROUGH TEXAS DEPARTMENT OF AGRICULTURE TDA GO GRANTS ONLINE

Council discussed the language that included "Interim City Manager" and "City Secretary and City Council" on the resolution.

Councilman Rodriguez motioned, seconded by Councilman Vasquez, to Approve Resolution No. 673 Authorizing The Signatories for the 2023 Downtown Revitalization Program (DRP) Application and Future Grants Administered Through Texas Department of Agriculture TDA Go Grants Online with the removal of Interim City Manager and include the language City Secretary/and or City Council.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina

Noes: None

Absent: Keeney

The motion carried.

#18. DISCUSS, CONSIDER AND ACT ON \$200,000 PAYMENT FROM TAFT EDC TO THE CITY OF TAFT FOR PURCHASE OF STREET PATCHING MACHINE

Mr. David Smith, President of Taft EDC, responded to this item saying that the process for any payments of this nature are challengeable. He requested that this item be tabled until further notice because procedural criteria must be met.

Councilman Vasquez motioned, seconded by Mayor Powell, to table this item.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina

Noes: None

Absent: Keeney

The motion carried.

#15. DISCUSS, CONSIDER AND ACT ON INSPECTION REPORT OF WATER STORAGE TANKS WITHIN THE CITY OF TAFT BY U.S. UNDERWATER

Mr. Arismendez reported that an inspection had been made inside and outside of the elevated water storage tank and that the ground storage tanks had also been inspected. He will repost this agenda item so that Council can consider taking action for repairs.

Councilman Rodriguez motioned, seconded by Councilman Vasquez to table this item.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina

Noes: None

Absent: Keeney

The motion carried.

#16. DISCUSS COMPLIANCE OF NEW COUNCIL MEMBER TRAINING CERTIFICATIONS ON "OPEN MEETINGS ACT TRAINING AND CYBERSECURITY TRAINING"

Mr. Arismendez reported the mandated trainings on the Open Meetings Act and Cyber Security. Councilman Molina reported that he had taken the Cyber Security training on-line and would bring a copy of his certificate. All agreed to comply with the mandates.

#17. DISCUSS, CONSIDER AND ACT ON AUTHORIZING INTERIM CITY ATTORNEY, EPI YSASSI TO SEEK A DECLARATORY JUDGMENT FROM THE FEDERAL ORDER ENTERED IN CIVIL ACTION CAUSE NO. C-84-230, BEFORE THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF TEXAS, CORPUS CHRISTI DIVISION

Interim City Attorney, Epi Ysassi asked Council to consider questions and authorizing him to seek a Declaratory Judgment from a Federal Court to interpret the Order handed down in 1989 asking whether the City operates under a City Manager form of government or Mayor and City Council

Councilman Vasquez motioned, seconded by Councilman Molina, to authorize Interim City Attorney, Epi Ysassi to Seek a Declaratory Judgment from the Federal Order Entered in Civil Action Cause No. C-84-230, before The United States District Court, Southern District of Texas, Corpus Christi Division.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina

Noes: None

Absent: Keeney

The motion carried.

#19. DISCUSS, CONSIDER AND ACT ON SELECTING THREE MEETING DATES TO 1.) TO NARROW SELECTION OF CITY MANAGER APPLICANTS; 2). CONDUCT INTERVIEWS; AND 3.) MAKE FINAL SELECTION FOR CITY MANAGER OF THOSE APPLICANTS INTERVIEWED

Discussion occurred as follows:

Mayor Powell: "My first question is do we have any new applications in February?" "No right?" "We chose five before we decided to extend, right?"

Arismendez: "Correct"

Mayor: "So we have those five." "So to me, Item #1 to narrow the selection of city manager applicants, we've already done that."

Vasquez: "We already did."

Mayor: "That's already been handled." "And your list that I got from you, Molly, it was Brandon Dross, Robert Eads, Sid Arismendez, Brent Sheets, F. E. Angell, and you have Vance Lipsey, but I think you forget William Linn before on the one we had,"

Unrecognized voice: "It was on there".

Powell: "But, on your list Brandon Dross is no longer interested and uh you were able to contact some of them that were interested."

Topper: "There was two that were not interested, and"

Vasquez: "We have three of the five,"

Topper: "Yes, there were three of the original group"

Vasquez: "The three that were interested were F. E. Angel,

Topper: "and then I included the other five"

Vasquez: "Brent Sheets and Sid Arismendez"

Mayor: "I've got Robert Eads was interested, Mr. Arismendez, we've got F. E. Angell and William Linn."

Topper: "of the original"

Mayor: "of the original, by my list".

Topper: " yeah, of the original, that' what it is"

Vasquez: "Who was the other one?"

Mayor: "William Linn, F. E. Angell, I mean she said Brandon Dross was no longer interested, so we took him off so I've got four left. I've got four of the five on my list."

Topper: "And then there was one of them that the email I guess changed or was different, did not respond it."

Powell: "Still, if you want to go through them, we can do it real quick, we can do it again. Uh, the ones that I have left are Robert Eads, Mr. Arismendez, William Linn and F. E. Angell."

Vasquez: "Those are the four we are going to interview, correct?"

Powell: "Well, that's just, we can pick our list. Just the names on the list."

Arismendez to Ysassi: "They can't do it today, the agenda is worded to just pick the dates. The agenda is worded to just pick the dates."

Ysassi: "Just pick the dates?"

Molina: "I really think that we need and dates and times so that we can (inaudible word) move into the interview process."

Arismendez and Ysassi speak at the same time unrecognizable on recorder.

Mayor: "Well, that's what I'm saying, we've got time, we can take five minutes to go ahead and just narrow it down, narrow down the selection because if it's different from what I've got, we're not in agreement, right? If mine is different from what ya'l have got, we're not in agreement. Narrow down the list, and then we can go ahead and set the date for applicants, for the interview process, excuse me set the date for the interviewing."

Arismendez and Ysassi whisper at the same time Mayor is speaking: (inaudible)

Ysassi: "I think right now, the way it's written, you need to set a date to select, to narrow the selection of the city managers, and then go into your, another date to conduct the interviews, and then a third date to make your final selection."

Vasquez: "We've got to set the three dates?"

Ysassi: "Yes sir, that's the way it's worded."

Rodriguez: "We already selected four though right?"

Mayor: "We selected five."

Rodriguez: "Five"

Vasquez: "We selected five and two out of the five from what I've seen are out, this is the way I read it on the e-mail that Molly sent us."

Mayor: "So we've already selected one. We've already selected the city manager applicants."

Guest: "So those five were before ya'l sent out for applications again?"

Mayor: "And no new ones came in so we are going to remain with those five. That was already approved by the Council. So we need a date to conduct interviews."

Discussion continued regarding setting dates for interviewing the candidates. Mayor Powell motioned, seconded by Councilman Rodriguez, to conduct interviews on Monday the 17th and make a final selection from those applicants interviewed on the 17th.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina

Noes: None

Absent: Kenney

The motion carried.

20. CITY MANAGER REPORTS/UPDATES

Fire Station: doors have been ordered and awaiting delivery

Wells Fargo Building: Chairs will be ordered for the next meeting and the drive thru will be opened tomorrow.

Alvarado Senior Center: it is completely finished. Senator Morgan LaMantia has agreed to help furnish computers.

Splash Pad: foundation has been poured and features added, except for the turtle. An electrician will supply power for lighting.

TCEQ Complaint: City needs to keep a complaint log. Bernie Saenz, Public Works Director reported on water & sewer plant offices and on-site reports; water and sewer line repairs procedures.

City Swimming Pool: a previous bid of \$700,000 for repairs had been submitted last year. A different company has been contacted for a quote for inspection and recommended repairs.

Revenue and Expenditures Report: City Manager explained the report and updated percentages of year-to-date expenses and revenues.

21. CITY COUNCIL AGENDA ITEM REQUESTS AND ANNOUNCEMENTS

Councilman Vasquez – would like an updated report on the TxDOT sidewalk project

Councilman Keeney – absent

Councilman Rodriguez – would like a report on the sidewalk and street repairs on Davis Road and Pecan Street left after a sewer repair; update on cement street sign removals

Councilman Molina – questioned street work on Oak Street and San Patricio Avenue; wants to review duties of City Secretary; agenda items being requested and not placed on the agenda (City Manager reported that not all items requested are agenda items, and that he had addressed each request by e-mail)

Mayor Powell – asked that Free Fall & Associates be added to the agenda for a presentation at the next meeting; a city manager report of the Retama Ave & Gregory Street RFPs (City Manager reported that Hector is working on an RFP with a 4" removal and will have a breakdown by project)

18. ADJOURNMENT

Councilman Vasquez motioned, seconded by Councilman Rodriguez, to adjourn the meeting at 8:53 pm.

The following votes were polled:

Ayes: Vasquez, Powell, Rodriguez, Molina

Noes: None

Absent: Kenney

The motion carried.

Randy Powell

Mayor

ATTEST:

Molly Topper

City Secretary

CITY OF TAFT
REGULAR MEETING
APRIL 11, 2023
6:30 P.M.

Please Sign In – PLEASE PRINT

- | | |
|--------------------|-----------|
| 1. DAVID SILVA | 19. _____ |
| 2. DAVID A. SMITH | 20. _____ |
| 3. VINCENT TORRES | 21. _____ |
| 3. Brady Fonteno + | 22. _____ |
| 5. PAUL FRITSCH | 23. _____ |
| 6. ROSENDO CRUZ | 24. _____ |
| 7. Bernie Saenz | 25. _____ |
| 8. Jay PhAGAN | 26. _____ |
| 9. David McCarty | 27. _____ |
| 10. Beth Bearn | 28. _____ |
| 11. Rose Seary | 29. _____ |
| 12. Ryan Smith | 30. _____ |
| 13. Al Bond | 31. _____ |
| 14. RL McCarty | 32. _____ |
| 15. _____ | 33. _____ |
| 16. _____ | 34. _____ |
| 17. _____ | 35. _____ |
| 18. _____ | 36. _____ |