

MINUTES OF REGULAR COUNCIL MEETING

On the 14th day of June, 2022, the City Council of Taft, Texas, convened in a regular session at 402 Park St., at the Kiva Hut, at 6:30 p.m. with the following members present:

Randy Powell Mayor
Rolando Rodriguez Mayor Pro-tem
Lolo Hernandez
JoAdrian Vara
Leonard Vasquez

Others present: Melissa Gonzales, City Manager, Donald Kubicek, Interim City Attorney, Mary Alice Sandoval, Finance Director and Jennifer Pineda, City Secretary.

#1. There being a quorum, the meeting was called to order at 6:32 p.m.

#2. Invocation & Pledge of Allegiance.

Councilman Hernandez led the Pledge of Allegiance and gave the invocation.

#3. Visitors.

Bryann Hamilton read a statement and asked that the audit is explained properly and make sure it is clarified.

Marcus Adams stated that he has not been given everything that he has asked for in an open records request and stated that he already has the documents he is looking for.

#4. Consider, discuss, and take action to approve the July 13, 2021 regular meeting minutes, July 27, 2021 regular meeting minutes, August 10, 2021 regular meeting minutes, August 12, 2021 special meeting minutes, August 24, 2021 regular meeting minutes, August 30, 2021 special meeting minutes, September 14, 2021 regular meeting minutes, September 28, 2021 regular meeting minutes, October 12, 2021 regular meeting minutes, November 9, 2021 regular meeting minutes, November 23, 2021 regular meeting minutes, December 14, 2021 regular meeting minutes, January 11, 2022 regular meeting minutes, January 25, 2022 regular meeting minutes, February 3, 2022 Special meeting minutes, February 8, 2022 regular meeting minutes, March 8, 2022 regular meeting minutes, March 22, 2022 regular meeting minutes, April 12, 2022 regular meeting minutes, and May 10, 2022 regular meeting minutes. (city staff)

There were a few changes that needed to be made to the minutes. Item #12 of the July 13, 2021 minutes had Councilman Rodriguez as both making the motion and seconding the motion. Item #15 of the March 22, 2022 had that the police department not fire department stated that they had already sold their equipment. Item #10 of the August 10, 2021 minutes had a duplicate ordinance number.

Councilman Rodriguez made a motion to approve all the minutes to include the changes stated. The motion was seconded by Councilman Hernandez.

The following votes were polled:

Ayes: Vasquez, Vara, Rodriguez, Hernandez, Mayor

Nays: none

The motion carried.

#5. Presentation by Brenda P. McElwee, CPA on the Procedural Audit. (city staff)

Brenda McElwee did a PowerPoint presentation on the procedural audit and passed out her report. She explained the difference between a financial audit and a procedural audit. Mrs. McElwee also stated that the internal controls for error and fraud are in place and working. She said that the way vendors are inputted has been tweaked to make sure that they are better

trackable. She also touched on the pooled cash, revenue procedures, and the cash balance from 2011 to now.

#6. Discuss, consider and act on the Financial Plan for funding city projects, presented by Robert Tijerina, Financial Advisor. (city staff)

Robert Tijerina stated that the city is just shy under the 3 months recommended reserves. He went over the different options that the city has in regards to getting certificates of obligations or loans in order to pay for some of the projects that the city has. The council does need to make a decision by August 4, 2022.

Councilman Vara made a motion to table this item. The motion was seconded by Councilman Rodriguez.

The following votes were polled:

Ayes: Vasquez, Vara, Hernandez

Nays: Rodriguez, Powell

The motion carried.

#7. Discuss, consider and act on the appointing the firm Denton, Navarro Rocha, Bernal & Zech, P.C. for City Attorney/Prosecutor Services (city staff)

Adolfo Ruiz introduced himself and stated that the firm only represents municipalities and that they have several seasoned attorneys.

Councilman Vasquez made a motion to appoint the firm Denton, Navarro Rocha, Bernal & Zech, P.C. for City Attorney/Prosecutor Services. The motion was seconded by Councilman Hernandez.

The following votes were polled:

Ayes: Vasquez, Vara, Hernandez

Nays: Rodriguez, Powell

The motion carried.

#8. Discuss, consider and act on awarding an administrative services contract for the preparation of the City's 2022 Texas Community Development Block Grant (TxCDBG) Downtown Revitalization Program application and subsequent administrative services contract if funded. (city staff)

Mrs. Gonzalez informed the council that this project would include redoing the sidewalk on the opposite side of Green Ave and some lighting.

Councilman Vasquez made a motion to award an administrative services contract for the preparation of the City's 2022 Texas Community Development Block Grant (TxCDBG) Downtown Revitalization Program application and subsequent administrative services contract if funded. The motion was seconded by Councilman Vara.

The following votes were polled:

Ayes: Vasquez, Vara, Rodriguez, Hernandez, Mayor

Nays: none

The motion carried.

#9. Discuss, consider and act on reorganization of the Public Works Department. (Mayor Powell)

Mayor Powell discussed with the council hiring a public works supervisor instead of a public works director.

Councilman Vara made a motion to table this item. The motion was seconded by Councilman Vasquez.

The following votes were polled:

Ayes: Vasquez, Vara, Rodriguez, Hernandez, Mayor

Nays: none

The motion carried.

#10. Discuss, consider and act on street sweeper services (Mayor Powell)

Mayor gave the council a quote from Bay Ltd. in the amount of \$5,598.00.

Councilman Vara made a motion to approve and utilize Bay Ltd on the quote provided. The motion was seconded by Councilman Hernandez.

The following votes were polled:

Ayes: Vasquez, Vara, Rodriguez, Hernandez, Mayor

Nays: none

The motion carried.

#11. Discuss, consider and act on the development of the 23 acres owned by the city for use by the Taft Volunteer Fire Department. (Mayor Powell)

Mayor informed the council that currently this is the shooting range.

Councilman Rodriguez made a motion to act on the development of the 23 acres owned by the city for use by the Taft Volunteer Fire Department, Police Department, and EMS with costs ideas to be included. The motion was seconded by Councilman Hernandez.

The following votes were polled:

Ayes: Vasquez, Vara, Rodriguez, Hernandez, Mayor

Nays: none

The motion carried.

#12. Discuss, consider and act on approving Ordinance No. 1093, an setting the meeting location and time. (Councilman Rodriguez)

Councilman Rodriguez made a motion on approving Ordinance No. 1093, an setting the meeting location and time. The motion was seconded by Councilman Hernandez.

The following votes were polled:

Ayes: Vasquez, Vara, Rodriguez, Hernandez, Mayor

Nays: none

The motion carried.

#13. Update on the status of corrective action regarding the FY 2021 Audit findings/recommendations. (city staff)

Mrs. Gonzales informed the council that the minutes are now up to date. Mary Alice has been removed as a signatory on the bank accounts. The city manager and finance director are up to date on their investment training and the purchasing policy is up to date. Mrs. Gonzales also stated that in regards to the impound fees, the people could come to city hall first to make the payment for towing fees and then show the receipt to the police department.

Mayor moved to Item #17.

#17. Discuss, consider and act on the requirement or standards to be set by city council to employ future city managers. (Councilman Rodriguez)

Councilman Rodriguez stated that he thought that the city manager needed to have a bachelor's degree. Mayor named some cities that require a bachelor's degree.

Councilman Vasquez made a motion to table this item. The motion was seconded by Councilman Vara.

The following votes were polled:

Ayes: Vasquez, Vara, Rodriguez, Hernandez

Nays: Mayor

The motion carried.

Mayor went back to Item #14.

#14. Update on the status of complaints on staff given to D. Kubicek, City Attorney for investigation. (Councilman Vasquez)

Councilman Vasquez wanted to know the status of the complaints. Mr. Kubicek stated that he didn't get any complaints.

#15. Discuss, consider and act on making adjustments to the City of Taft's Organizational Chart. (Councilman Vasquez)

Councilman Vasquez made a motion to move the animal control from the police department to the city manager. The motion was seconded by Councilman Hernandez.

The following votes were polled:

Ayes: Vasquez, Hernandez

Nays: Vara, Rodriguez, Powell

The motion failed.

#16. Discuss, consider and act on all departments reporting directly to the City Manager. (Councilman Vasquez)

Councilman Vasquez made a motion to have all departments reporting directly to the City Manager and not to any Mayor or Council Member. The motion was seconded by Councilman Hernandez.

The following votes were polled:

Ayes: Vasquez, Hernandez

Nays: Rodriguez, Powell

Abstain: Vara

The motion carried.

#18. Discuss and consider update regarding the city's financial condition as it relates to bonded debt, past dues, recurring payments, revenues and expenditures. (city staff)

Mary Alice went over the bank accounts beginning and ending balances. The city taxes collections were at 88.20% and for the deannexed area 75.46%. She went over the revenues and expenses and answered questions from the council.

#19. Discuss monthly reports for police department, animal control, code enforcement, public works, and fire department. (city staff)

Mayor went over the reports for the police department, animal control, code enforcement, and public works. Scott Patton went over the report for the fire department.

#20. City Council Requests and Announcements.

Councilman Vara would like open records requests on the next agenda.

Councilman Hernandez would like to discuss animal control and have one specific person to do that.

Mayor would like the qualifications for the public works director, the survey or deed for the city hall block, and to have Commissioner Lopez do an update on Rincon Road.

#21. Executive Session:

1. **Convene into executive session pursuant to Section 551.071 of the Texas Open Meetings Act to meet with its Attorney to seek legal advice on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding agreement with Taft Volunteer Fire Department.**
2. **Convene into executive session pursuant to Section 551.074 Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Manager Melissa Gonzalez. (Councilman Rodriguez)**
3. **Convene into executive session pursuant to Section 551.074 Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: discussion regarding renewal of contract of City Manager Melissa Gonzalez. (Councilman Vasquez)**

Councilman Rodriguez made a motion to enter into executive session. The motion was seconded by Councilman Vara.

The following votes were polled:

Ayes: Vasquez, Vara, Rodriguez, Hernandez, Mayor

Nays: none

The motion carried.

#22. Consider action, if necessary on any item(s) discussed in Executive Session.

Item #1 was tabled.

On Item #2 and #3, Councilman Rodriguez made a motion to end the employment of Melissa Gonzalez and we start the search for a new city manager at the end of her contract July 4, 2022.

The motion was seconded by Councilman Vara.

The following votes were polled:

Ayes: Vara, Rodriguez, Powell

Nays: Vasquez, Hernandez

The motion carried.

#23. Adjournment.

There being no further business, a motion was made by Councilman Vasquez to adjourn the meeting. The motion was seconded by Councilman Rodriguez.

The following votes were polled:

Ayes: Vasquez, Vara, Rodriguez, Hernandez, Mayor

Nays: none

The motion carried.

CITY OF TAFT

Randy Powell

Randy Powell

Mayor

ATTEST:

Jennifer Pineda

Jennifer Pineda

City Secretary

