

**MINUTES
AGENDA
TOWN OF ANTHONY, TEXAS
REGULAR COUNCIL MEETING
JUNE 10, 2019 AT 6:30 PM
401 WILDCAT DR, ANTHONY TX 79821**

THIS IS A DULY CALLED REGULAR COUNCIL MEETING OF THE TOWN OF ANTHONY, TEXAS POSTED IN ACCORDANCE WITH SECTION 551.002 AND 551.041 OF THE OPEN MEETINGS ACT OF THE TEXAS GOVERNMENT CODE.

PUBLIC PARTICIPATION DURING THE PORTION OF THE AGENDA FOR PUBLIC COMMENT IS LIMITED TO THAT PORTION ONLY. AT ALL OTHER TIMES DURING THE COUNCIL MEETING, THE AUDIENCE SHALL NOT ENTER INTO DISCUSSION OR DEBATE ON MATTERS BEING CONSIDERED BY THE PRESIDING OFFICER.

- I. CALL TO ORDER -NO START TIME GIVEN
- II. INVOCATION/MOMENT OF SILENCE
- III. QUORUM CHECK Councilman Chavez✓ Councilman Alfaro✓ Mayor Pro Tem Weeks✓ Councilman Garcia✓ Mayor Romero✓ = We have a quorum
- IV. OPEN FORUM FOR THE PUBLIC LIMITED TO TWO (2) MINUTES

INTRODUCING PUBLIC COMMENT

“The Council encourages comments from citizens of the “Town”. Anyone wishing to speak, either as an individual or as a representative of a group, may do so at this time. The Town Council asks that comments pertain to “town” issues and be no longer than two (2) minutes.”

“Remember that the Town Council may not discuss or act upon any issues that are not posted on the agenda for tonight’s meeting. If an issue is listed on tonight’s agenda, the Board will defer discussion until the appropriate time during the meeting.”

V. DISCUSSION AND ACTION ON THE FOLLOWING NEW BUSINESS:

1. **DISCUSSION, CONSIDERATION, AND ACTION ON BID PROPOSSAL FOR WELL No. 2 PRESENTED BY MARK SANCHEZ PARKHILL SMITH & COOPER**

Mark Sanchez, Project Manager from Parkhill, Smith & Cooper, Inc presented two bids received for the Well No. 2 Project on February 26, 2020. Base bid low bidder is Hydro Resources, Inc of Garden City, Kansa in the amount of \$986, 640.00 and the second bidder is R.M. Wright of El Paso, Texas in the amount of \$1,073, 765.00. Mark stated that the low bid is over the engineers’ estimate and is over the Town’s Construction budget. Therefore, Town Attorney and Texas Water Development Board advised that reducing the low bidder’s price cannot be legally negotiated prior to award and the Town of Anthony, Texas does not have the additional funds available. Mark recommends rejecting both bids and rebid with additional alternates to allow adjustments. Motion made by Councilman Garcia 2nd by Councilman Garcia
Motion Passes 4-0

2. **DISCUSSION, CONSIDERTION, AND ACTION ON AN ORDINANCE OF THE TOWN OF ANTHONY, TEXAS ADOPTING A MORATORIUM OF THE PROHIBITION ON THE SALE AND IGNITION OF FIREWORKS UNDER THE ANTHONY MUNICIPAL CODE, TITLE 8 “HEALTH AND SAFETY”, CHAPTER 8.08 “FIREWORKS, FIREARMS AND EXPLOSIVES”, SECTION 8.08.010 “RESTRICTION GENERALLY”, FOR THE FOURTH**

**OF JULY HOLIDAY OF THE YEAR 2019, WITH A LIMITED DURATION AND SCOPE
PRESENTED BY MAYOR ROMERO**

The moratorium will be effective beginning June 23, 2019 and end midnight on July 4, 2019 for the sale of fireworks. The fireworks are only allowed to be ignited on July 4th from 7:00am until 11:59pm. Any violations will be cited and fireworks will be confiscated. Motion made by Councilman Chavez 2nd by Councilman Alfaro Abstained by Mayor Pro Tem Weeks Motions Passes 3-1-0

**3. DISCUSSION, CONSIDERATION, AND ACTION ON WATER AND SEWER RATES AS
RECOMMENDED BY RATE STUDY PRESENTED BY MAYOR ROMERO**

Nelisa Heddin Consulting, LCC (NH Consulting) presented the results of a cost of service and rate design study for the water and wastewater utility. The study is intended to achieve a water and wastewater rate structure that will ensure revenues for operations and annual debt service. For the Town to become self-sustaining, it is recommended for water and wastewater rate increases. The Town is funding the water and wastewater debt through General Fund.

NH Consulting has two rate designs for Town's consideration: Cost Based Rates or Transitional Rates. The Cost Based Rates recover the Town's costs beginning in FY2020. Transitional Rates moves toward cost based rates in a four-year period. The rate components to determine the water and wastewater utility fee structure is based on minimum bill and volumetric rate. Water Services will be structured with a minimum bill with a volumetric component. The first component is the minimum bill, which will be a fixed monthly fee with volumetric charge that will change depending on the amount of water used by the customer. The American Water Works Association provided guidelines to determine the minimum bill which will provide lifeline rates and customers will be aware of there base charge fee and the amount of water usage. Anthony, Texas Residents will be in control over there water bill. In order determine the minimum bill there are two options: meter size or equalized minimum bill. The first option is a minimum bill based on meter size. Under the State Law it is obligated to have a system capacity based on the number and size of connections the utility serves, the larger the meter the higher the demand on the system. The second option is equalized minimum bill in which all customers pay the same fee regardless of their meter size. NH Consulting advice minimum bill to be based on Meter Size because it will be fair and equitable means of billing customers.

The second component is the Volumetric Rate which will be the volume of water usage each customer will use each month. There are two options for volumetric rate design: customer class or equalized rate. Customer Class which will classify each customer into groupings depending how much water they use, for example, residential, commercial, apartments, irrigation and charge those groups different rates based on their usage patterns. Equalized Rates will charge all customers that same volumetric rate and NH Consulting advice to use Equalized Rate because its easy to understand and billing systems can accommodate these rates.

NH Consulting informed that the wastewater is not metered, and portion of the water use is for outdoor irrigation purposes therefore the water use is not representative to what is coming back to the system. NH Consulting advised that residential customers use winter averaging for wastewater use. Commercial customers are not irrigating therefore their water use comes back to the system as wastewater for that reason, billing will be used with water consumption as a foundation for wastewater billing. Approving rates will require an update on the software used for billing which is Utility Data Systems, Inc. The programming will take approximately 60 days and will provide training for the clerks. The amount will be \$1,500.00 for the UBSplus Budget Billing Module custom programming, setup, and training.

Motion made by Mayor Pro Tem Weeks 2nd by Councilman Alfaro to approve the recommendations from NH Consulting to charge water based on meter size and water consumption and sewer average by winter months Motion Passes 4-0

**4. DISCUSSION, CONSIDERATION, AND ACTION ON UPDATING CURRENT CHAIN OF
COMMAND FOR ALL DEPARTMENTS PRESENTED BY MAYOR ROMERO**

The chain of command will be structured as followed: Public Works Department will run as Public Works Crew and Shop Mechanic will report to Public Works Superintendent and/or Public Works Supervisor (when PW Superintendent is not present). For the Administration Chain of Command is as follows: Junior Court Clerk will report to Head Court Clerk who will report to Town Clerk and/or Deputy Town Clerk (when Town Clerk is not available). Clerks and Town Accountant will report to Town Clerk and/or Deputy Town Clerk (when Town Clerk is not available). Anthony Police Department Chain of Command is as follows: Patrol Officers report to Evening Corporal or Graveyard Corporal who report to Patrol Sergeant. Patrol Sergeant, Detective, and School

Resource Officers report to Lieutenant. Lieutenant, Secretary, Special Operations, and Communications report to Chief of Police. Motion to Approve by Mayor Pro Tem Weeks 2nd by Councilman Alfaro Motion Passes 4-0

5. DISCUSSION, CONSIDERATION, AND ACTION ON UPDATING CURRENT PUBLIC WORKS JOB DESCRIPTION AND TITLE PRESENTED BY MAYOR ROMERO

The public works maintenance position will be a full-time position which involves maintenance and improvement of the roads, parks, and other Town owned property and facilities within the Town of Anthony, Texas. The wage will be \$10.00 an hour. The job functions will be city-owned grounds and landscaping, maintains and installs park improvements, performs street maintenance, operates vehicles, assist with the maintenance of vehicles and public works equipment, maintain buildings, assist on water meter readings, and rotational assignment in wastewater, water and street programs. Public Works Maintenance require to exert of up to 75 pounds of force. Work is required to walk and stand to a significant degree on rough terrain. Motion to Approve by Mayor Pro Tem Weeks 2nd by Councilman Alfaro Motion Passes 4-0

6. DISCUSSION, CONSIDERATION, AND ACTION ON APPROVING ADDITIONAL \$455.00 FOR ELECTRICAL OUTLETS ON TOWN HALL REPAIRS PRESENTED BY MAYOR ROMERO

Changes are happening and Town Clerk, Deputy Town Clerk, and Town Accountant will be in the same office. This will maintain the staff working together and being in the same page to complete tasks and deadlines. The funds are needed to add more outlets in the officer to make sure the staff has the equipment needed to function. We don't want wires to be shown and look messy. The work will be done by JEJ Contractors and the work will be to relocate the 6 outlets and add 1 database. We have the IT working on making sure staff has internet connections and phone lines. Motion to Approve by Councilman Garcia 2nd by Councilman Alfaro Motion Passes 4-0

7. DISCUSSION, CONSIDERATION, AND ACTION ON TXDOT PAST DUE AMOUNT OF \$78,035.32 FOR WILDCAT PROJECT PRESENTED BY MAYOR ROMERO

The Town of Anthony, Texas has a past due invoice for a request for additional funds on December 10th, 2018 for the amount \$78, 035.32. Mayor Romero stated that there was heated discussions with TxDot because initially this project was approved but with the additional work done on this project the amount increased and the Town was left with an invoice from Town's prior administration. Mayor spoke to TxDot Administration and Finance Department that the additional work was directed from previous Town's Administration and TxDot just followed instructions. The approved project was a sidewalk of 4 feet with lighting, but the Town's prior administration requested a wider sidewalk of 8 to 10 feet with trees and more lighting. Mayor Romero did confirm with Robert, Accountant if we have the available funds to pay TxDot. Mayor advises not to go legal because in the long term, the Town does not want to lose out on additional funding. Mayor confirmed that the funds are available in the General Fund Capital Improvement Line Item 7315. The Town has approximately \$200,000.00 and we will only pay the amount owed of \$78, 035.00. Moving forward, we will need town council minutes to be filed with any project approval for documentation purposes. The Town needs the documentation because the project should have only been done with what the Council had initially approved and not what the prior Administration approved for the Town. The new Town administration was not able to locate any proper documentation of the breakdown work done with the project. We just received an invoice the Town did not budget for and not really understanding the additions requested by the past Town's administration. Mayor Romero commented that he understands TxDot added more to the project because they were getting the directives from the previous administration and mayor but this is incorrect. We need all additional requests for projects to come forth in Regular Council Meetings for review and approval for transparency purposes. Motion to Approve by Mayor Pro Tem Weeks 2nd by Councilman Alfaro to pay past due invoice from TxDot Motion Passes 4-0

8. DISCUSSION, CONSIDERATION, AND ACTION ON CREATING A POLICY TO PLACE WATER ACCOUNTS ON A TEMPORARY HOLD FOR CUSTOMERS GOING OUT OF TOWN PRESENTED BY MAYOR ROMERO

Town Resident Mr. Villareal brought to Mayor's attention that there are residents who own homes but don't live in them for more than a month and would like to put there accounts on hold and not be billed for water, sewer and garbage. Mayor is suggesting charging a fee to residents who like to put there accounts on hold or inactive and still keeping the deposit. The Public Works Crew would have to lock the meter to avoid tampering

and charge a fee of about \$25.00 to shut down services. The process would be almost similar to when a customer opens or closes an account. The owner of the home would need to submit in writing that they will be putting account on hold and setting a date to when they will come back to activate services again. Discussion arises when councilmen ask about what will happen with the trash, who is responsible for picking it up if the water and sewer services are closed. Mayor suggested that the Public Works crew could pick up the trash to avoid other people from using the trash for free but council members do not want the Town to be responsible for the customer's trash can. They suggest this will add more unnecessary work to the public works crew. Mayor explains that there are times that when owners visit the homes, they have high water bills due to unaware leaks and it is unfair to pay a high water bill when you didn't live in the home. A question was asked how many residents would fall under this and it will be less than 5 home owners, neither less it is not worth the work to put a policy in place. The Town Attorney did comment that it is the responsibility of the homeowner to monitor, care and pay bills for the homes. NO ACTION TAKEN.

9. DISCUSSION, CONSIDERATION, AND ACTION ON HIRING JESIEL DIAZ AS A RESERVE OFFICER FOR THE ANTHONY TX POLICE DEPARTMENT PRESENTED BY CHIEF ENRIQUEZ

DELETED Motion made by Councilman Chavez 2nd by Councilman Garcia Motion Passes 4-0

VI. EXECUTIVE SESSION

THE CITY COUNCIL WILL GO INTO A CLOSED EXECUTIVE SESSION PURSUANT TO SECTION 551.074 (PERSONNEL MATTERS) OF THE TEXAS GOVERNMENT CODE TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR CHARGE AGAINST AN OFFICER OR EMPLOYEE; THE OPEN MEETING WILL BE RECONVENED FOLLOWING THE CLOSED SESSION AT WHICH TIME ACTION, IF ANY, WILL BE CONSIDERED.

Closed Executive Session Started at 7:33PM

1. DISCUSSION ON ADMINISTRATIVE CONCERNS WITH LIAISON'S ROLE'S

VII. RECONVENE INTO OPEN SESSION AND TAKE ACTION IF NECESSARY

1. DISCUSSION, CONSIDERATION, AND ACTION ON ADMINISTRATIVE CONCERNS WITH LIAISON'S ROLE'S

Reconvene in Open Session at 8:16PM
NO ACTION TAKEN

1. DEPARTMENT REPORTS

A STREETS (MAYOR ROMERO)

The Welcome to Anthony, Texas sign is completed and no additional work will be done. El Paso Electric had rate increase and customers will have a tax credit. The grant for the Kelwood to 6th street is still on motion.

B PARKS/RECREATION (COUNCILMAN WEEKS)

The Anthony Municipal Park is beat up and we want to beautify it by a mural in the skatepark. The Council is open to ideas for what the mural art could be like. Another idea would be to relocate the skatepark and make it bigger. For now we can just maintain the park and skatepark and for future work on a mural and relocate it.

C POLICE/FIRE (COUNCILMAN ALFARO)

We had a incident for child endangerment and DWI, the individual past out drunk and had a child in the vehicle. There have been occurrences where the alarm at Anthony Independent goes off and there are no break-ins. We are not sure what is triggering the alarm, I have contacted Rene Ramirez, Maintenance Department and this occurrence has happened 3 to 4 times already.

D WATER/SEWER (COUNCILMAN GARCIA)

The only item to report is that we can look into electric meters from Pure Ops. They are a great company and have great prices. They are the first company that does not give you around and rounds. Esteban Ramirez, Public Works Superintendent, commented that he has fertilized the park's grass and they are occurrences that kids are vandalizing the parks. They will work with the Police Department to arrest or hold the parents accountable.

E COURT (COUNCILMAN CHAVEZ)

For the Month of May we have a revenue of \$42,008. July 2019 will not have any court sessions. Mayor had a question if session is counted by the day or each hour court begins is a session. For example, if there is court at 8AM, 12PM, and 3PM is that 3 sessions for the day or 1 session for the day. We need to get clarification from the Judge Gardner to make sure we all understand how we are getting billed monthly.

F FINANCE (COUNCILMAN WEEKS)

From the last meeting with Wayne, Robert and Norma there are simple things that need to be taken care of. Chief was able to assist to help with the mapping on ADP and be able to determine the budget with the actual expenses. The Administration and Finance Department will meet on June 21st, 2020 at 9:00AM.

G ADMINISTRATION (MAYOR ROMERO)

For the Administration we are moving forward with positive changes and improving the Chain of Command. There is a Texas Municipal League Conference coming up in October 9th, 10th and 11th, 2019. Norma Gonzalez, Town Clerk is reserving hotels and tickets to attend the conference. The conference will be held in San Antonio, Texas.

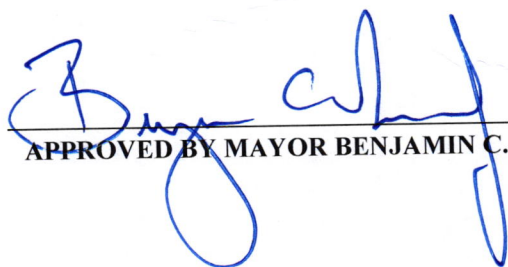
THE NEXT REGULAR MEETING IS SCHEDULED AT 6:30 PM ON MONDAY, JUNE 10, 2019.

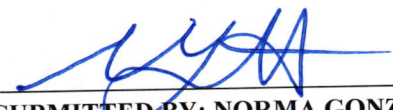
2. ADJOURNMENT

THE MEETING ENDED AT 8:45PM Motion made by Councilman Chavez 2nd by Mayor Pro Tem Weeks

MINUTES PASSED AND APPROVED ON 10 DAY OF AUGUST 2020




APPROVED BY MAYOR BENJAMIN C. ROMERO JR


SUBMITTED BY: NORMA GONZALEZ