

City of Alpine
Emergency City Council Meeting
October 3rd, 2013
6:00 P.M.
Minutes

1. Call to Order, Invocation and Pledge of allegiance to the flag –
2. Determination of a quorum and proof of notice of the meeting – Mayor Rangra and Councilmen Bermudez, Davidson, Fitzgerald, Gonzales and Castelli were present. Meeting notice was posted at 4:45 P. M. on October 2nd, 2013.
3. Presentations, recognitions and proclamations –
4. Reports –
City Attorney Report –
City Manager Report –
City Staff Updates –
5. Citizens Comments (on agenda items) –
6. Public Hearings –
7. Consent Agenda- (Minutes, Financial reports, Department written reports, board appointments, etc.) -
8. Information or Discussion items –

Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to 15 per meeting.)

- 9A. Discuss and Consider transferring current city employee Rey Dominguez, current certified pool operator, back to the sewer plant and employing Mike Macias, currently with parks, in the sewer plant effective immediately to replace the sewer plant employees who are leaving effective Friday. (M. Taylor, ICM) – The Interim City Manager, Molly Taylor, said there are two employees, Brian Llanez and Joe Miranda. She said Joe resigned one day and Brian has another job. She said they are both leaving the sewer plant. She said she was informed of this about two days ago from the Utilities Director and then the Utilities Director notified TCEQ that we were not in compliance any longer. Mayor Rangra asked how TCEQ found out. The Interim City Manager said the Utilities Director called them. Molly Taylor said she called TCEQ and told them that the Council

was holding an emergency meeting and they said that was fine and just to send them a letter and we would be in compliance, when we hired these employees. She said she also told them that we were in the process of appointing an interim Utilities Director. She said she did not know that the title was specific to Virgil but it works for what he is going to do for us. She said if we hire him, we will meet the A license and the A sewer license so he can be above the sewer plant as well and we will comply with TCEQ. She said all she has to do is let TCEQ know that. Mayor Rangra said right now we are talking about 9A and in order for us to move these guys to the sewer plant we have to have someone with a license, B or better. ICM Taylor said Rey has operated the sewer plant before. She said he knows it inside and out but he has a C license and that may even be expired, but he can take a test very quickly and get back into place. She said Mike Macias does not have any kind of a license, but he is young and very eager and he can help and he is interested in getting his licenses. She said we think they will be a good fit. She said Hector knows about it. She said we are taking one of his parks people but he is okay with that as long as he can hire somebody else. She said Rey is happy as he can be to go back to the sewer plant. Mayor Rangra asked if she told TCEQ that. She said yes and they bragged on Rey. She said they said they were well aware of his skills and said he would be good in there. Councilor Davidson said he has a comment that this really runs over a line and the City Council is not supposed to be directly involved in these people's work. Councilor Davidson made a motion to give the City Manager a vote of confidence for our City Manager to proceed as she will, by Resolution 2013-10-13. He said we do not need to establish as precedent. He said the manager does not have to come to the council every time to make a hiring or transfer decision. Motion was seconded by Councilor Bermudez. Mayor Rangra said that is good but remember at the last meeting when we appointed her, we said she had limited responsibilities and that limited word was defined and a lot of people working for the city started calling her a limited city manager so that is the reason he thinks she is coming to the council. He said you need to give her the authority to hire and fire if she feels like it. He said she needs to know that. He said she does not want to get involved in something and then the council members say that we gave her limited authority. Councilor Fitzgerald said he believes that is a very valid point. He said if we are going to do, like he thinks we should do, take a long time in getting a city manager, let's do it, but it is not on this agenda. Councilor Davidson amended his motion to include that the City Manager be given the authority to make these transfers. Second for the amended motion was made by Councilor Fitzgerald. Dale Christopherson said he wanted to say thank you. He said it sounds like Molly has it under control. Motion carried unanimously.

9B. Discuss and Consider hiring an interim Utilities Director to replace Cindy Hollander, who has filed her retirement notice, effective immediately and

who has told us that she will pull her license on October 4th, as indicated in her email to the Interim City Manager and Mayor on September 30, 2013. This interim Utilities Director will be in place until the appointment of a permanent utilities director. Applications are presently being sought for this position, through October 18th, 2013. (M. Taylor, ICM) - The Interim City Manager said we were fair and gave everyone that we thought was qualified in the county, a chance for this opportunity. She said we called Marathon (Mr. Cross) and also we knew that Mr. Clark was notified. She said no one met the criteria, except Mr. Clark. She said the others have some A licenses but none in sewer. She said we have to have that. She said Mr. Clark has been very kind and has agreed to do this on his basis, but it will meet our needs. She said it is an agreement that he will monitor and put in all the time that is necessary and he will be available by phone and we will be using his licenses. She said he will do the paperwork and whatever is necessary to maintain that office for us, until we hire a new director. She said at that point she thinks it will be up to us and him, if we want to keep him on a little longer to train to the new Utilities Director. She said he is asking for a total of \$1,800 a month and that includes all of his licenses and it is a good deal. She said for what we are getting from him, it is a good deal. Councilor Fitzgerald said getting two A licenses for \$1,800 a month is a gift from God. The City Manager said it is. Councilor Davidson said he spoke with Virgil for about an hour and he said he knows that he has worked for the City of Alpine before. He said at one time he kind of whispered in his ear, when Cindy announced at one time that she would retire in November, if he would be willing to come in and get the guys up to speed and do some licensing. He said Virgil was eager to do it. He said this is kind of what he does. He said he consults for a couple of different water supply outfits and this is just right down his alley. He said he is very thankful that he has agreed to help us. Councilor Bermudez asked if October 18th was the deadline for applications for Utilities Director. Molly said yes. She said the minute that Cindy filed her Notice she put the job posting in the paper because we knew we could not do without someone. She said we tried to get the applications in as soon as possible and that gave us time to make a decision. Councilor Davidson said that was based on November 1st and that is why the deadline is October 18th but that is really only a couple weeks now. She said this will work well. Mayor Rangra asked the City Manager if she knew that our Utilities Director was going to move her retirement to an earlier date. The City Manager said she did not know. She said she walked in that day and gave the City the notice, that it was effective immediately. She said it was on the first she believed. Mayor Rangra asked the City Manager if she ever said to Cindy Hollander that she was going to be terminated. The City Manager, Molly Taylor, said no, never. She said she never mentioned that to her. Mayor Rangra asked the City Manager if she ever commented that Cindy would not be able to get her retirement. The City Manager, Molly Taylor, said no, never and we cannot do that, people get their retirement.

Mayor Rangra said he is raising these questions because they are kind of pertinent to this situation, in a way. Mayor Rangra again asked the City Manager if she had ever said that. The City Manager said never, never once. Mayor Rangra said we are talking about hiring Virgil Clark as Interim Utilities Director. He said he can still as long as we do not have a Utilities Director. The City Manager said we need to approve this contract. It was discussed that there was overtime. Mayor Rangra asked everyone if they were happy with the overtime and everything. Motion was made by Council Fitzgerald, by Resolution 2013-10-14, to accept the contract with Virgil Clark as the interim utilities director. Motion was seconded by Councilor Bermudez. Motion unanimously carried.

Mayor Rangra introduced Mike Macias, the new sewer plant employee, to the Council. He told the Council thank you for the opportunity and for giving him a chance and that he would do a good job for the city. Mayor Rangra thanked him for his service.

10. Citizen's Comments (limit 3 minutes) – None
11. Council Member's Comments and Answers – None
12. Executive Session - None
13. Action Executive Session - None
14. Adjournment. – Meeting was made by Councilor Gonzales and seconded by Councilor Davidson to adjourn. Meeting was adjourned.

I certify that this notice was posted at 4:45 P.M. on October 2nd, 2013, pursuant to Texas Open Meetings Act. (Texas Vernon's Annotated Civil statutes, section 551.043 Texas Government Code.) This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please Contact the city secretary's office at (432) 837-3301 or fax (432) 837-2044 for further information.

Dr. Avinash Rangra, Mayor

Attest:

Margaret "Molly" Taylor, City Secretary

I, Margaret "Molly" Taylor, City Secretary, do certify that this notice was posted at 4:45 P.M. on October 2nd, 2013, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Margaret "Molly" Taylor, City Secretary