Minutes of Emergency Meeting held August 18, 2020

Emergency meeting with the following present: Mayor Mark Bowen; Aldermen Jerry Stone, Ruben Gonzalez, Sam Cortez, Erik Dahler, Laura Reyna; City Secretary Josie Campa; Director of Public Works’ James McGrath; Police Chief Richard Priest.


Mayor Bowen opened the meeting at 6:37 p.m. and led everyone in the Pledge of Allegiance.

**BRIEFING WITH POSSIBLE ACTION ON THE CITY’S RESPONSE, STATUS OF THE OUTBREAK IN THE COMMUNITY, PREPAREDNESS AND FUTURE CITY ACTIONS IN REGARD TO COVID-19 *UPDATE FROM DR. HACK, LOCAL HEALTH AUTHORITY-ALDERWOMAN LAURA REYNA**

Mayor Bowen read the agenda item and told Council he had talked to Dr. Hack about meeting with Council and that due to his doing training at night he is unable to meet with the Council. The Mayor said Dr. Hack could talk to Council one afternoon about the Covid-19 situation. Mayor Bowen told Council he would talk to Dr. Hack to set up an afternoon meeting. The Mayor asked Chief Priest to speak to Council since he is a major Emergency Management team member. The Chief told Council it will be interesting to see what happens when school starts and that Dr. Hack had said Lytle school has a very good plan for when school starts. No action was taken on this item.

**PRESENTATION OF AUDIT REPORT FOR FY 2017-2018**

Wayne Beyer presented the audit report for FY 2017-2018. He reviewed the opinion letter on pages 1 and 2 with Council and gave the city an unmodified opinion. Mr. Beyer told Council that during audit nothing was found to be out of compliance. The auditor explained to Council that they have rules they have to follow when performing an audit and they are audited every three (3) months. The auditor then reviewed the fund balances with Council and the balance sheets for the utility funds. Mr. Beyer reviewed the city’s debt and told Council it is extremely manageable. Mr. Beyer then reviewed the management letter with Council. After his review, Mr. Beyer told Council that during the audit there were eight deficiencies identified and five continue to be open items as highlighted in previous years. Some of them include reconciling the bank statements in a timely manner, keeping accurate records of transfers and not having segregation of duties. Alderman Gonzalez asked if the audit report was approved by all of department heads before presentation to Council like he had asked for last year, and the labeling of “Public Transportation” changed. Mr. Beyer told Alderman Gonzalez that the terms in the budget report are terms used for all entities, but he would be happy to change the label even though the report is in accordance with auditing standards. Mr. Beyer told Council he has asked the Mayor to have Council members send him questions. Alderman Gonzalez said the notice he received was too late since he was at work. Alderwoman Reyna stated she emailed Mr. Beyer her question and Mr. Beyer responded that he did receive her email and chose to ignore it. Alderwoman Reyna’s concerns were that the changes to our liabilities and total net position had not been addressed to Council after Council had already approved the previous audit. Because there was no annotation, explanation, or restatement Alderwoman Reyna felt it gave the appearance of inflated net position and the audit was not being transparent. Alderman Gonzalez
PRESENTATION OF AUDIT REPORT FOR FY 2017-2018 (CONT.)

asked more questions and the auditor said he had used the city’s papers to make his report. Alderwoman Reyna also questioned the auditor about numbers changed and the auditor said they might have been categorized differently. Several more questions were asked of the auditors. Alderman Gonzalez asked more questions to include about the Hotel Tax and where it was referenced in the report. The auditor said he had used the city’s papers to make his report. After the City Secretary mentioned that funds were transferred to the general funds account at the end of the budget year, Alderman Gonzalez then pointed out that Hotel Taxes can’t be combined with any other funds and must be accounted for separately from other accounts.

CONSIDER AND ACT UPON AUDIT REPORT FOR 2017-2018 FY


CONSIDER AND ACT UPON RFPS FOR CITY’S COMMUNICATION NEEDS (PHONES/NETWORK SERVICES)

Chief Priest told Council that Matt Dear had looked at this and had worked with Frontera and Mr. Cate on an RFP, but that finally he felt this matter could not be delayed anymore. Council then discussed issues that were raised with Frontera and whether CommZoom could provide this service. Alderwoman Reyna asked why we had not discussed going out for RFPS before hand given that the services provided would be over $50,000 and the termination date is September 4. Alderwoman Reyna asked Alderman Gonzalez whether CommZoom could provide the services that AT & T was providing. Alderman Gonzalez told Council CommZoom could provide this service for the city. Alderman Gonzalez told Council he had brought RFPS up to the Mayor around the first of the year. Council discussed legalities of having to go out for RFPS. Alderman Dahler told Council that they need to talk with AT & T and their representative is in attendance to talk to Council.

CONSIDER AND ACT UPON RENEWAL OF CONTRACT WITH AT&T

Michael Soot, representative from AT & T told Council he has been with the company for twenty-one (21) years and apologized for the city’s AT & T rep Teri Maldonado not being able to attend. Mr. Soot told Council that the current contract with AT & T expires September 4th, and gave a run down on current services and said these services was less than what the city was paying before. Alderman Dahler asked if the cable is AT & T and if other providers use AT & T’s cabling. Mr. Soot said others do use AT & T’s cable. Alderman Dahler asked about options available if the city doesn’t sign the contract with AT & T. Mr Soot told Council that AT & T will keep services the city has now and it could go month to month. Council discussed new pricing schedule and whether city will have to pay more since it waited until three weeks before the expiration of the contract. Alderwoman Reyna told Council she would rather table this item until Council can have the City Attorney present to answer questions. Alderman Dahler asked that Frontera also be included in these discussions. Mr. Soot told Council the new service contract would cost $5,428.56 compared to $5,660.00 per month and brings more control to the
CONSIDER AND ACT UPON RENEWAL OF CONTRACT WITH AT&T (CONT.)

city’s IT people, since the city would control the firewall under the new proposal. Council held a very lengthy discussion about these services, the need for RFPs and tabling item until next week when the city attorney can be present. Mr. Soot told Council AT & T would not shut off service to the city if the contract is not signed by the expiration date, but there were tariff guidelines in place so the price would go up if there was not a new contract in place by the termination date. Alderwoman Reyna asked Mr. Soot if we tabled the item for next week and determined that they were in fact the only available provider, would that be sufficient time to avoid tariff rates to which Mr. Soot replied that would be sufficient time and there would not be tariff rates imposed. Alderwoman Reyna stated that she discussed this matter with City Attorney Tom Cate, and given that CommZoom may be able to provide the same services that AT & T is proposing, there needs to be clarification as to whether or not we need to release an RFP. Alderman Gonzalez highlighted that most of these points were introduced to the Mayor a year prior as a way to get the process started early so, we would not be placed on our current condition. Alderman Gonzalez made the motion that Council table these items. Seconded by Alderman Cortez. Passed unanimously.

Council took a break at 8:18 p.m. and reconvened at 8:31 p.m.

Before starting on the next item, the power went out due to a storm.

Mayor Bowen adjourned the meeting at 8:36 p.m. due to the power outage.