



**SPECIAL CITY COUNCIL MEETING**

**Monday, September 25, 2023 at 6:00 PM**

**CITY COUNCIL CHAMBERS - 120 Paint Rock Street, Eden, TX**

**Off: 325-869-2111 | Fax: 325-869-5075**

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**AGENDA**

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**1. CALL TO ORDER AND ROLL CALL**

Mayor and Council Members

Mayor Agapito Torres

Mayor Pro Tem Jennifer Martinez

Council Member Renea Rodgers

Council Member Grover Hall

Council Member Randy Dunaway

Council Member Bradley Gandy

Staff

Priscilla Aguirre, City Secretary/Administrator

Victoria Ramirez, Assistant to City Administrator

**2. EXECUTIVE SESSION**

The City Council for the City of Eden has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices, and 551.086 (Economic Development).

**A.** Discussion and possible action regarding the City of Eden, City Attorney's contract

**3. CONSENT ITEMS**

The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member, in which event those items will be pulled from the consent agenda for separate consideration.

**4. BUSINESS**

**Consideration and Possible Action On:**

**A.** Discussion, possible action, regarding Bojorquez Law firm's potential engagement of legal services letter for City of Eden City attorney or interim City Attorney services.

**B.** Discussion and possible action regarding the hiring of the Code Enforcement position and adding its wages to the City of Eden budget

**C.** Discussion and possible action regarding WTP WWTP Support Services Agreement between EHT and the City of Eden

**5. ADJOURN**

Notice is posted in accordance with Chapter 551 Government Code, Vernon's Texas Codes, Annotated. I certify that the above notice of meeting was posted on the bulletin board located at City of Eden City Hall September 22 by 6:00 pm.

Priscilla Aguirre, City Secretary/Administrator

All agenda items listed above are eligible for discussion and action unless otherwise specifically noted.

This facility is wheelchair accessible. Accessible parking spaces are available. Requests for auxiliary aids and services must be made 48 hours prior to this meeting by calling (325) 869-2211.

11675 Jollyville Road  
Suite 300  
Austin, Texas 78759



Phone: (512) 250-0411  
Fax: (512) 250-0749  
TexasMunicipalLawyers.com

August 9, 2023

Ms. Priscilla Aguirre  
City Secretary/City Administrator  
City of Eden  
Email: [cityadmin@edentexas.com](mailto:cityadmin@edentexas.com)

**REGARDING: Potential Engagement of our Legal Services**

Ms. Aguirre:

On behalf of the Firm, I wish to thank you for your interest in engaging our team to represent the City of Eden. It is my understanding that you are considering retaining us to serve as *City Attorney*. That is a service we provide often for cities statewide.

The firm was founded 20 years ago specifically to serve Texas cities. Our emphasis is primarily on Municipal Law. We are based in Austin but have 25 lawyers officing in 8 regions of the state. The breadth of our expertise ranges from Budgets to Elections, Human Resources to Purchasing, Real Estate Acquisition to Utilities and Zoning. For more information about our team, our values, and our capabilities you are encouraged to visit our website.

Lawyers at our firm advise clients over the phone, by email, in online meetings, and in person. We help draft ordinances, review contracts, and develop policies. Our clients rely upon us to advocate in municipal courts, trial courts, and administrative tribunals.

Our standard policy is to bill our clients only for the time actually spent working on client projects. Our hourly rates for attorneys range from \$175 for routine municipal law issues to \$350 for highly specialized endeavors (e.g., Litigation, Real Estate Acquisition). The smallest increment in which we bill is the 10<sup>th</sup> of an hour (i.e., every 6 minutes). We charge for travel time and expenses. Typically, retainers are not required, and we do not mandate a monthly minimum. Clients pay as they go and are invoiced monthly.

If you have any additional questions, please do not hesitate to contact me.

Sincerely,

Krista Evans  
Chief Administrative Officer

cc: Alan Bojorquez, Managing Partner

- c. **Retainers & Minimums:** Typically, we do not require retainers in advance from public entities. We do not charge monthly minimums unless the client negotiates a flat monthly fee.
- d. **Estimates:** When asked by a client to provide an estimate of the fees that will be charged for completing a particular task or providing representation on a specific matter, that estimate is an approximation based on the anticipated amount of time and expected degree of difficulty. An estimate is not a guarantee. If a client seeks a flat fee that is a not-to-exceed figure, we can calculate such an amount upon request.
- e. **Invoices:** We provide detailed monthly billing statements. Our invoices include only projects requested or authorized by the client. Invoices are submitted after services have been performed. All invoices specifically set forth the services performed, the name of the person performing such services, and the hourly labor charge rate for such person. Payment shall be made by the client within 30 days of receipt of the invoice.
- f. **Expenses:** Our firm is to be reimbursed by the client for these standard, customary out-of-pocket expenses incurred in the course of representing the client.

**Postage:** Actual  
**Copies / Scans:** \$.033 / pg  
**Color Copies:** \$1 / pg

**Faxes:** \$1 / pg  
**Mileage:** IRS rate  
**Expenses:** Actual

**g. Hourly Rates:**

Managing Attorney ( <i>Alan Bojorquez</i> ):	\$310.00 per hour
Of Counsel Attorney:	\$275.00 per hour
Senior Associate Attorney:	\$226.00 per hour
Associate Attorney:	\$210.00 per hour
Junior Associate Attorney:	\$200.00 per hour
Municipal Court Prosecutor:	\$191.00 per hour
Consulting City Planner:	\$125.00 per hour
Law Clerk	\$113.00 per hour
Paralegal / Legal Assistant:	\$108.00 per hour
Developer Reimbursed Projects:	\$285.00 - \$350.00 per hour
Litigator (Trial Lawyer/Appellate Attorney)	\$285.00 - \$350.00 per hour
Real Estate Acquisition/Eminent Domain	\$285.00 - \$350.00 per hour
Water/Sewer/Utilities Attorney:	\$285.00 - \$350.00 per hour
Intellectual Property Attorney:	\$285.00 - \$350.00 per hour

To schedule an interview or receive more information, please contact:  
 Krista Evans, Chief Administrative Officer  
 Phone: (512) 250-0411



**Engineering Services  
Work Order No. 02 (Amendment 1)  
Under Engineering Services Agreement Executed on March 9<sup>th</sup>, 2021**

**WTP & WWTP Operational Support Services**

**Scope of Services:**

eHT will supplement the City's licensed water system and wastewater system operators on an as-needed basis until such time as the City notifies eHT that the services as listed below are no longer needed. In this role eHT shall:

**Water System Operation:**

- a. Provide a TCEQ licensed operator to perform any process control duties to include:
  - i. Making decisions regarding the day-to-day operations and maintenance of PWS production and distribution.
  - ii. Maintaining system pressures.
  - iii. Determining the adequacy of disinfection and disinfection procedures.
  - iv. Taking routine microbiological samples.
  - v. Taking chlorine residuals and microbiological samples after repairs or installation of lines or appurtenances.
  - vi. Operating chemical feed systems, filtration, disinfection, or pressure maintenance equipment; or
  - vii. Performing other duties required by the Texas Commission on Environmental Quality.
- b. eHT will advise and assist City employees with proper water treatment protocols and reporting to State and Federal regulatory agencies as required.
- c. eHT will advise the City's employees or City's contractors or Vendors in completing maintenance activities at City PWS facilities
- d. eHT will provide the City with a list of needed supplies and chemicals for water treatment and testing. Purchase of these supplies and chemicals and having them on hand when needed shall be the responsibility of the City.
- e. eHT will report to City Council in person upon written request made to eHT at least ten (10) days prior to the Council meeting date.

**Wastewater System Operation**

- a. Provide a TCEQ licensed wastewater operator license to perform any process control duties to include:
  - i. Conducting facility inspections of and making decisions regarding the day-to-day operations and maintenance of the wastewater treatment plant and collection system to include:
    - 1. Plant grounds, basins and power supply to the WWTP.
    - 2. Influent lift stations.
    - 3. Headworks area.
    - 4. SBR basins and blowers.
    - 5. Biological process control.
    - 6. Chlorine disinfection systems.
    - 7. Sludge holding and drying systems.
    - 8. TPDES monitoring and reporting.

- ii. Advise and assist City employees with proper wastewater treatment protocols and reporting to State and Federal regulatory agencies as required.
- iii. Advise the City's employees or City's contractors or Vendors in completing maintenance activities at City wastewater treatment facilities.
- iv. eHT will provide the City with a list of needed supplies and chemicals for wastewater treatment and testing. Purchase of these supplies and chemicals and having them on hand when needed shall be the responsibility of the City.
- v. eHT will report to City Council in person upon written request made to eHT at least ten (10) days prior to the Council meeting date.

**Term of Services:**

As needed and as directed by City.

**Compensation:**

Payment is on an hourly basis payable per the attached Schedule of Charges (Exhibit "B"). eHT's standard billing rates may be increased annually, in January of each year, during the term of this agreement.

Upon execution, this Work Order authorizes ENGINEER to proceed with the above-referenced services.

**ENPROTEC / HIBBS & TODD, INC.**

**CITY OF EDEN, TEXAS**

  
 \_\_\_\_\_  
 Signature

9/22/23  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

Sage Diller, PE  
 \_\_\_\_\_  
 Printed or Typed Name

\_\_\_\_\_  
 Printed or Typed Name

Associate Vice President  
 \_\_\_\_\_  
 Title

\_\_\_\_\_  
 Title

**Enprotec / Hibbs & Todd, Inc.**  
**HOURLY CHARGES FOR PROFESSIONAL SERVICES (2023)**

Charges include all salaries, salary expense, overhead, and profit.

Principal.....	\$ 240.00 per hour
Senior Project Manager .....	200.00 per hour
Project Manager .....	175.00 per hour
Senior Engineer / Geologist.....	160.00 per hour
Project Engineer / Geologist.....	140.00 per hour
Staff Engineer I / Geologist I.....	120.00 per hour
Staff Engineer II / Geologist II.....	115.00 per hour
RPLS I .....	160.00 per hour
Operations Specialist / Regulatory Compliance Specialist .....	155.00 per hour
Contract Operator (Certified Class A/B Operator).....	120.00 per hour
Contract Operator (Certified Class C/D Water Operator) .....	100.00 per hour
hour	
Engineering / Field Technician I .....	140.00 per hour
Engineering / Field Technician II .....	115.00 per hour
Engineering / Field Technician III.....	90.00 per hour
Survey Tech I .....	90.00 per hour
Survey Tech II .....	70.00 per hour
CAD I.....	135.00 per hour
CAD II.....	105.00 per hour
CAD III.....	70.00 per hour
Administrative .....	75.00 per hour
Survey Party .....	235.00 per hour - 3 man
.....	210.00 per hour - 2 man
.....	185.00 per hour - 1 man

**Expense Items**

Consultants, Contractors & Supplies .....	Cost plus 10%
Travel (out of town only) .....	Current IRS rate per mile
Lodging and meals (out of town trips).....	Actual cost