

CITY COUNCIL AGENDA

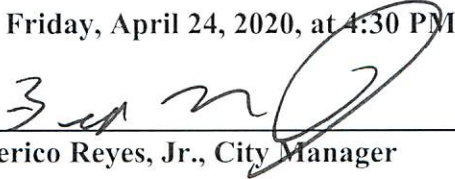
A Special Meeting of the City Council of the City of Pearsall, Texas will be held on Monday, April 27, 2020 at 6:00 PM at the Pearsall City Hall, 215 S. Ash Street, Pearsall, Texas.

COUNCIL MEMBERS

Mary Moore, Mayor
Julian Hernandez, Mayor Pro Tem
Richard Gandara, Council Member
Sonia Hernandez, Council Member
Brenda Treviño, Council Member
Abel Nieto, Council Member
Roland Segovia, Council Member
Davina Rodriguez, Council Member

1. Call To Order
2. Roll Call and Announcement of a Quorum
3. Invocation and Pledge of Allegiance
4. New Business
 - A. Discuss and Consider Declaration of Public Health Emergency #5, in accordance with state law. - **Action Item**
 - B. Discussion regarding donation of memorial equipment.
 - C. Review and Consider directing the City Manager to direct Street Department to zip and overlay Moreno Street off of FM 140 between Kennedy Street, Blas Street and Washington Street. - **Action Item**
 - D. Review and Consider directing the City Manager and legal counsel on meeting with fire marshal on possible public safety and hazards of building. - **Action Item**
 - E. Review, consider and authorize legal counsel on search of property owner deeds on North Chaparral Road. - **Action Item**
 - F. Review and Consider moving forward with 2019-2020 budgeted item of Police Department new vehicle purchase. - **Action Item**
5. City Council Inquiries For Staff And/Or Items For Future Agendas – NO DISCUSSION OR ACTION ON ANY OF THESE ITEMS AT THIS TIME
6. General Announcements
7. Adjournment

Posted for Public Inspection on this Friday, April 24, 2020, at 4:30 PM.

By: 
Federico Reyes, Jr., City Manager

I certify that the above notice of meeting was posted on the bulletin board of the Pearsall City Hall, 215 S. Ash Street, Pearsall, Texas, on April 24, 2020, at 4:30 PM..

By: 
Krystal Garcia, City Clerk

This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours in advance of the meeting. To make arrangements, call the City Clerk at (830) 334-3676.



CITY OF PEARSALL

DECLARATION OF DISASTER AND PUBLIC EMERGENCY #4

WHEREAS, in December 2019, a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubel Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, to date, there have been numerous positive cases in Texas; and

WHEREAS, on Wednesday March 11, 2020, the World Health Organization (WHO) declared the crisis is now a pandemic after it has infected roughly 189,000 people around the world and killed 7,511. 4,752 cases have been confirmed in the United States according to WHO; and

WHEREAS, the virus is characterized by mild symptoms including a runny nose, sore throat, cough, and fever, similar to the influenza where in severe cases it can lead to pneumonia or breathing difficulties according to WHO; and

WHEREAS, those with symptoms who have traveled to or been in contact with an individual who has traveled to a country that has coronavirus in the last two weeks are urged to see their physician; and

WHEREAS, the disease can be fatal and those with other medical conditions such as asthma, diabetes, or heart disease may be more vulnerable in becoming severely ill; and

WHEREAS, due to pandemic, President Donald J. Trump announced a month-long travel restriction to several countries confirmed to have cases of the coronavirus that has gone into effect; and

WHEREAS, on March 13, 2020, President Trump declared a state of emergency due to COVID-19; and

WHEREAS, President Trump is expected to invoke the Stafford Act, which will allow state and local governments to access federal disaster relief funds; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the Mayor is designated as the Emergency Management Director of the City of Pearsall, and may exercise the powers granted to the governor on an appropriate local scale; and

WHEREAS, Section 418.108(a) of the Texas Government Code provides that the presiding officer of the governing body of a political subdivision may declare a state of local disaster; and

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated and request assistance from the governor of state resources; and

WHEREAS, by this Declaration of Disaster and Public Health Emergency, I declare all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident; and

WHEREAS, pursuant to the authority granted to the Mayor under Texas Disaster Act of 1975, I authorize the use of all available resources of state government and political subdivisions to assist in the City's response to this situation; and

WHEREAS, on March 13, 2020, Greg Abbott, the Governor of the State of Texas, issued a proclamation that declared COVID-19 as an imminent threat of disaster; and

WHEREAS, on March 15, 2020, the CDC issued further revised guidance regarding social distancing and mass gatherings of 50 or more people; and

WHEREAS, on March 16, 2020, the CDC issued further revised guidance that persons should avoid social gatherings in groups of more than 10 people; and

WHEREAS, I, Mary Moore, Mayor of the City of Pearsall, Texas, have determined that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be impacted by COVID-19.

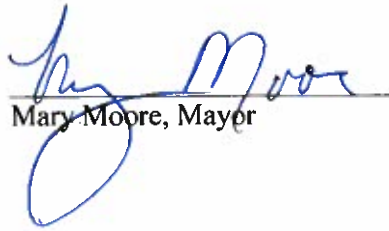
NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF PEARSALL:

1. That a local state of disaster and public health emergency is hereby declared for the City of Pearsall pursuant to the Texas Disaster Act of 1975 and Texas Government Code §418.108(a).
2. All prior Declarations, orders and emergency measures are superseded by this most recent Declaration and its Exhibit.

3. Stay Home Be Safe. Pursuant to the Texas Disaster Act of 1975, I, Mary Moore, as Mayor of the City of Pearsall, in coordination and consultation with the local health professionals, all individuals living in the City of Pearsall to Stay Home Be Safe consistent with the direction and guidelines as set out in **Exhibit 1** attached to this Declaration.
4. By this Declaration, I declare all rules and regulations that may inhibit or prevent prompt response to this threat are suspended for the duration of the incident, and authorize the City Manager to exercise all emergency powers as are available to address this emergency.
5. As Mayor, I further reserve all other authority and powers conferred by state law to respond as necessary to this situation.

This declaration shall take effect immediately from and after its issuance.

ORDERED this the 20th day of April, 2020.


Mary Moore, Mayor

ATTEST:


Krystal Garcia, City Clerk

Exhibit 1

Stay Home Work Safe Measures

Take effect at 11:59 p.m. on April 20, 2020, and will continue through 11:59 p.m. on April 27, 2020, subject to Pearsall City Council approval.

1. Stay at Home:

- a. All individuals living in the City of Pearsall are ordered to stay at home consistent with the direction and guidance in this Declaration. If individuals are using shared or outdoor spaces outside their home or engaged in Exempted Activities or Exempted Businesses, then they must maintain social distancing of at least six feet from any other person. All persons may leave their residences only for Exempted Activities, or to provide or perform Governmental Functions, or to operate Exempted Businesses, all as defined in Section 2.
- b. All businesses operating within Pearsall except Exempted Businesses are required to stop operations and close. Businesses may continue operations consisting exclusively of the following as long as social distancing of at least six feet is maintained during these activities:
 - i. Employees or contractors performing activities at their own residences (i.e. working from home or operating a home-based business regardless of whether it constitutes as Exempted Business)/
 - ii. Operations necessary to maintain security, upkeep, and maintenance of premises, equipment or inventory, including but not limited to the care and maintenance of livestock or animals.
 - iii. IT or other operations that facilitate employees working from home.
- c. All public or private gatherings occurring outside a single household or single-family living unit are prohibited unless specifically exempted under this Declaration. Members of a household or single-family living unit may gather.
- d. Restaurants, prepared food retailers, microbreweries, micro-distilleries, or wineries may only provide room service, take out, delivery, drive-in, or drive-through services consistent with state and local laws. Any food establishment that provides services under this section must adhere to social distancing requirements for any food preparation, waiting area or queue.
- e. Hospitals, surgical centers, and healthcare providers must follow the Executive Order issued by Greg Abbott, Governor of the State of Texas and are strongly urged to follow the non-essential procedures guidance issued by the Centers for Medicare & Medicaid services, and American College of Surgeons.

2. Definitions:

- a. The following are Exempted Activities:
 - i. **Health and Safety Activities:** Activities related to maintaining the health and safety of the individual or their family or household members and pets, for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies need to work from home. This includes activity to care for a family member or pet in another household.
 - ii. **Necessary Supplies:** Activity to obtain or purchase necessary services or supplies for themselves and their family or household members and pets, or to deliver

- those services or supplies to others. For example, to purchase or obtain food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and operation of residences.
- iii. **Outdoor activity:** Activity in an outdoor open space, such as walking, biking, hiking, or running, as long as individuals comply with social distancing requirements of six feet.
 - iv. **Work for Exempted Business:** Activity to perform work for Exempted Business or to otherwise carry out activities specifically allowed in this Declaration.
- b. For purposes of this Declaration, Exempted Businesses means:
- i. **Health Care Services.** Business tied to the providing or delivering of healthcare services. For example:
 - 1) hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, including veterinary services,
 - 2) healthcare suppliers, home healthcare services providers, mental health providers, substance abuse providers,
 - 3) blood banks, medical research, or any related and/or ancillary healthcare services, veterinary care provided to animals.
 - 4) Home-based care for seniors, adults, or children. Residential facilities and shelters for seniors, adults, and children.Healthcare operations do not include fitness and exercise gyms and similar facilities.
 - ii. **Government Functions.** Business activity related to the operations or services provided by government for the continuing operation of the government agencies to provide for the health, safety and welfare of the public. For example, public safety, solid waste collection, and utility operations.
 - iii. **Education and Research.** Educators or other personnel supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other functions in support of Exempted Activities and Exempted Businesses.
 - iv. **Infrastructure.** Businesses related to public works construction, construction of housing, commercial construction, water, sewer, gas, electrical, oil refining, roads and highways, and public transportation.
 - v. **Transportation.** Business related to the operation, maintenance, construction, and manufacture of transportation services. For example:
 - 1) Vehicle manufacturers, automotive suppliers, car dealerships, parts distribution, maintenance and repair facilities
 - 2) Public transportation
 - 3) Businesses supporting airport operations
 - 4) Street and highway maintenance and construction
 - 5) Gas stations and other fuel distribution businesses
 - 6) Vehicles for hire including taxis and rideshare
 - vi. **IT Services:** Activity to provide or maintain internet, and telecommunications systems including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services.

- vii. **Food, Household Staples Retail.** Food service and food distribution providers including grocery stores, warehouse stores, big-box stores, liquor stores, bodegas, gas stations, and farmers' markets that sell food products and household staples. Businesses that ship or deliver groceries, food, goods or services directly to residences or provide for pick-up options. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Schools and other entities that typically provide free services to students or members of the public on a pick-up/take-away basis may continue. Laundromats, dry cleaners, and laundry service providers and businesses that supply products needed for people to work from home are included in Household Staples Retail.
 - viii. **Services for Economically Disadvantaged Populations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or other vulnerable populations.
 - ix. **Services to Maintain Operations of Residences or Support Exempted Businesses.**
 - 1) Hotels and other temporary residence facilities,
 - 2) Trash and recycling collection, processing, and disposal,
 - 3) Mail and shipping services, building cleaning and maintenance, auto repair, warehouse/distribution and fulfillment, and storage for essential businesses,
 - 4) Plumbers, electricians, exterminators, moving services, and other service providers who provide services to maintain the safety, sanitation, and operations of residences, and
 - 5) Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities, such as filing of taxes.
 - x. **News Media.** Newspapers, television, radio, and other media services.
 - xi. **Financial Institutions.** Bank, credit unions, insurance companies and other financial institutions including pawn shops and payday lenders.
 - xii. **Childcare Services.** License childcare facilities, organizations, or individuals providing childcare services.
 - xiii. **Worship Services.** Religious and worship services may be provided by video, teleconference or other remote measures but also allow mass gatherings as issued by the Governor of the State of Texas.
 - xiv. **Funeral Services.** For example, funeral homes, crematoriums and cemeteries.
- 3. To facilitate delivery for activity allowed under this Declaration, all delivery hour restrictions related to the selling or distribution of food products, medicine, or medical supplies is suspended for the next 60 days.
 - 4. The acknowledges and supports full compliance with the Frio County Judges' Executive Order provisions that address rental property evictions, and foreclosure proceedings be followed and that these actions be suspended for the next 30 days.
 - 5. People who are sick should stay at home and not engage in any activity outside their residence unless related to treatment or health care. If someone in a household has tested

positive for COVID-19 then they must follow the isolation and quarantine measures proscribed by local, state, and federal health authorities. If a member of a household tests positive then other members of the household should consider themselves positive if they become symptomatic and also follow the isolation and quarantine measures proscribed by local, state, and federal health authorities.

6. Nursing homes, retirement, and long-term care facilities must prohibit non-essential visitors from accessing their facilities unless to provide medical assistance or for end-of-life visitation.
7. All public, private, and commercial laboratories operating within the City of Pearsall and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period (1) the number of COVID-19 tests performed; and (2) the number of positive COVID-19 tests to the City's designated representative for the Emergency Operations Center and the Local Health Authority for the San Antonio Metropolitan Health District, Dr. Junda Woo, at Junda.Woo@sanantonio.gov if either the specimen is collected in, or the test is performed in the City of San Antonio of Bexar County. This information will be used solely for public health purposes to monitor the testing conducted in the City and mitigate and contain the spread of COVID-19.
8. Subject to Pearsall City Council approval, the Declaration shall effective until 11:59 p.m. on April 27, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.

First Addendum:

Face Coverings. The continued spread of COVID-19 by pre- and asymptomatic individuals is a significant concern as we look to reduce transmission in Pearsall and Frio County. On April 3, the Centers for Disease Control & Prevention (CDC) recommended cloth face coverings by the general public to slow the spread of COVID-19. To align with CDC recommendations, and to add a secondary measure to the directives to maintain social distancing and proper hygiene, Mayor Mary Moore issues this first addendum to the Fourth Declaration of Emergency Measures.

All people 10 years or older must wear a cloth face covering over their nose and mouth when in a public place where it is difficult to keep six feet away from other people such as visiting a grocery store/pharmacy or working in areas that involve close proximity with other coworkers. Coverings may include homemade masks, scarfs, bandanas, or a handkerchief. Residents must continue to maintain social distancing of at least six feet while outside their residence.

Effective immediately from the issuance of this first addendum, employers that are Exempted Businesses must provide face coverings and training for appropriate use to employees who are working in an area or activity which will necessarily involve close contact or proximity to co-workers or the public.

IT IS STRONGLY RECOMMENDED THAT YOU NOT OBTAIN OR WEAR MEDICAL MASKS or N-95 RESPIRATORS AS THEY ARE A NEEDED RESOURCE FOR HEALTH CARE PROVIDERS AND FIRST RESPONDERS. Our healthcare workers and first responders on the front-line combating COVID-19 must have priority access to medical masks or other personal protective equipment.

Face coverings do not need to be worn in the following circumstances:

- When exercising outside or engaging in physical activity outside
- While driving alone or with passengers who are part of the same household as the driver
- When doing so poses a greater mental or physical health, safety, or security risk
- While pumping gas or operating outdoor equipment
- While in a building or activity that requires security surveillance or screening, for example, banks
- When consuming food or drink

Please note that face coverings are a secondary strategy to other mitigation efforts. Face coverings are a replacement for social distancing, frequent handwashing, and self-isolation when sick. All people should follow CDC recommendations for how to wear and take off a mask.

Residents must keep up the following habits while in public:

- wash your hands before you leave home and when you return,
- stay at least six feet away from others
- avoid touching your nose or face.
- Do not use disposable masks more than three times.
- Wash reusable cloth masks regularly to prevent the spread of the virus.



Donation Guidelines **City of Pearsall Parks**



APPENDIX B

BENCH, TREE AND PLANT DONATIONS

1. INTRODUCTION

Benches, trees, and a variety of plant materials represent the most popular types of donations to the Parks. Special guidelines shall apply to these donations to help ensure ongoing, equitable donation opportunities for individuals and organizations and to maximize community benefit. All other Donation Policy guidelines shall apply unless otherwise noted herein.

2. BENCH DONATIONS

Special guidelines shall apply to the donation of benches, and recognition of bench donations, as follows:

Bench Catalog

A catalog may be established by the Parks to provide a broad range of consistent, pre-approved bench donation opportunities throughout the park system. Bench locations and types, and donor recognition shall be established as part of the pre-determined catalog in accordance with these guidelines. Bench requests outside the catalog shall be considered but encouraged to utilize approved bench donation opportunities.

Bench Types

All bench designs and specifications shall be subject to Parks review to ensure consistency with the character of the bench location, other nearby site furnishings, and existing planning documents.

Bench Locations

Benches shall be installed at each park site in accordance with the park's respective development plan, master plan, or an approved list of suitable bench locations as developed by the Parks and Recreational Director. All locations shall be subject to Parks review, including on-site investigation of utilities, irrigation, potential conflicts with trees, and other technical or functional factors potentially affected by a new bench installation. Modification of bench locations may be necessary following site investigation. The following general bench location criteria shall be considered in determining bench locations.

- a) Benches shall be located to serve as an appropriate resting place such as at the summit of a steep trail, at an interval along a trail, walkway, or esplanade, at a scenic overlook or other vista point, near playgrounds or other park amenities, and at other special locations. Benches should offer a comfortable place to enjoy the natural, historic, recreational or other features in the area or park.
- b) Benches shall be placed at intervals appropriate to the intended use and scale of the park, or the specific area within the park. For example, benches placed around a lawn area in a community park might be spaced closer than benches placed along the Ridgeline trail. Generally, benches in a natural setting shall be placed at an interval where only one bench at a time can be seen.

Donation Guidelines

City of Pearsall Parks

- c) Benches shall not be placed in a location attracting pedestrian traffic or activity that would damage natural resources, such as in a location to which visitors would make a new path through a pristine or sensitive natural area, or in a location where litter might cause particular maintenance problems. Bench locations shall avoid creating unsafe conditions, such as offering a platform for children to stand on in order to climb a tree, or locations situated close to vehicular traffic lanes or other potential hazards.
- d) Benches shall be placed in locations that offer easy observation from public streets, commonly used facilities, frequented trails, etc. to reduce the likelihood of negative use. Care should be taken to avoid hidden or dark locations that may encourage illegal or inappropriate activities.

Cost of Bench Donation

The cost of bench donations shall follow the guidelines established in the Donation Policy, or as determined through the bench catalog.

Bench Donation Recognition

Unless otherwise specified in the bench catalog, bench donations shall be recognized on the donated bench itself in a method that is subtle, subordinate to the character of the bench, and that avoids interfering with the comfort of the user. Recognition inscriptions shall typically include the words, "A Gift From [donor's name]," for a living donor, group, or organization, and, "In Memory of [person's name]," for a memorial donation. Appropriate methods of recognition include:

- ✓ Engraving in the bench material
- ✓ Metal plate permanently attached, either recessed into the bench material or affixed in a manner that provides a maximum 1/16-inch relief from any bench surface
- ✓ Text die-cast in bench components as provided by a bench manufacturer
- ✓ Metal plate, stone tile, or other engraved material inset into the surface material, typically concrete, to which the bench is permanently affixed, in a manner that provides a maximum of ¼-inch relief from any adjacent surface
- ✓ Maximum type size of any recognition shall be 3/8-inch in height
- ✓ Methods of recognition shall be durable and resistant to vandalism

Maintenance and Duration of Bench Donations

Benches will be maintained according to the Donation Policy.

3. TREE AND PLANT DONATIONS

Special guidelines shall apply to the donation and recognition of trees, shrubs and other living plant material in Parks, as follows:

Special Programs

Special programs may be established by the Parks to provide a broad range of consistent, pre-approved tree and other plant donation opportunities throughout the park system. Tree locations, species, and/or donor recognition may be established as part of the pre-determined program in accordance with these guidelines. Tree and other plant material donation requests outside special programs may be considered, however utilization of pre-approved donation opportunities, including special programs and new park construction, is strongly preferred.

Donation Guidelines

City of Pearsall Parks

Species Selection

Offers of donated plants will be declined if the plants are considered invasive according to Parks staff, or if the plants exhibit characteristics considered incompatible with a public park (e.g. certain plants exhibiting fruit, nuts, thorns, poisonous or allergenic qualities, shallow roots, etc.). In order for a donation to be accepted, trees and other plant species must be determined by the Parks and Recreation Director in conjunction with Parks design and maintenance staff, to be compatible with the general or specific conditions of a proposed location, including climate, soil, solar aspect, air quality, drainage, wind, and other factors.

Location

Donated trees and other plants shall be installed at each park site in accordance with each park's respective concept design, master plan, or as defined by special donation programs. All locations require the prior approval of the Parks and Recreation Director, in conjunction with Parks design and maintenance staff, to ensure compatibility with utilities, irrigation, and other technical or functional factors. Modification of locations may be necessary following site investigation. The following general location criteria shall be considered:

1. Trees and other plants shall be located to provide shade, shelter, wind breaks, physical definition of park areas and facilities, and visual interest. Where possible, trees and plants shall serve multiple functions.
2. Trees and other plants must be located where existing, automated irrigation is available. Existing irrigation must be compatibly zoned for the type of tree or plant donation. If irrigation is not available, the donation amount must include the full cost of extending irrigation services to the desired location, or include a written agreement that the donor shall accept responsibility for watering the tree or plant for an appropriate amount of time by whatever means is agreeable to the Parks Department and available to the donor without the assistance of Parks Staff.
3. Trees and plants shall be located to preserve existing open spaces, unless otherwise specified in an approved concept design or master plan.

Recognition for Donations

Donated plant material shall be recognized with off-site forms of recognition only. Special programs, for example the Main Street Program may allow for exceptions.

Tree Donation Maintenance and Duration

Donated trees located in special program sites (e.g. Main Street Program) will be maintained by the Parks for a maximum period of three (3) years from the date of planting. During that establishment period, trees in special program sites will be replaced if stolen, vandalized, or are found by Parks staff to be in a non-reversible decline in health. No agreement will be made by the Parks Department regarding pruning, grafting, or specialized treatment of donated trees. The Parks Department will accept no responsibility for maintenance or replacement of donated trees that are not watered by an automated irrigation system, and/or where a donor has agreed to accept responsibility for watering the tree.

Donation Guidelines

City of Pearsall Parks

Various species of trees exhibit different growth patterns, including periods of dormancy, and may react negatively to environmental stress factors beyond the control of Parks staff. If a tree shows potential for a healthy recovery, Parks staff may elect not to remove and replace the tree in favor of close monitoring for continued health.

If a donor wishes to pay for replacement of a declining tree after the three-year maintenance period, it may be allowed at full replacement cost according to Donation Policy Section 4c. If the original cost of purchase included a percentage for an organized fundraising campaign or maintenance fund, or for the extension of irrigation, those fees shall be excluded from the cost of the replacement tree.

Plant Donation Maintenance and Duration

No agreement will be made by the Parks for the replacement of donated, living plants with the exception of trees. Donated plants other than trees that decline or die at any time after installation may or may not be replaced, as determined by Parks staff to be in the best interest of the public.

Notice of Change or Removal

Due to continually changing and evolving landscaping needs in parks, any donation of trees or other plant material shall be made with the understanding that it may become necessary in the future to remove donated items from specific locations. Notification of the donor regarding changes will be made only if a donation is marked by on-site recognition.

Special Circumstances

Typically, donated trees and other plants that need to be dug and transported will not be accepted. Exceptions may be made in cases where the plant has high historic value and a reasonable chance of surviving transplant shock. Trees and other plants that remain from holiday decorations will not be accepted.

Quality of Materials

All plant donations that have been approved shall be pre-inspected for quality by Parks staff prior to delivery if possible, or upon delivery prior to installation. Plant materials that are root-bound, have been held over, are in otherwise poor condition or exhibit poor growth characteristics, or that do not meet City standards, will not be accepted.



City of Pearsall
Parks & Recreation Department
Tree and Memorial Bench Donation Form



Name: _____
Address: _____ City _____ State _____ Zip _____
Cell: _____ Home Phone: _____ Email: _____

Type of Donation (please circle): Tree Bench

Park Location Selection (optional): _____

**Centennial
Park**

Moreno Park

**Polo Patino
Park**

**Victor Vinton
Sports Complex**

Preferred Date of Installation (optional): _____

Plaque Inscription (benches only): Must be 51 characters/letters or less, including spaces. Please place only one character or space in each square. The size of the plaque is 2x10.

Costs:

1. Tree: \$350.00 (for 6' conifer or 2" diameter balled in burlap tree; includes costs of purchase, delivery and installation)*
2. Bench: \$3,200.00 (includes all costs of purchase, delivery and installation, and poured concrete slab)*

Total Payment Enclosed: \$ _____ Please make checks payable to "City of Pearsall". Thank you!

Please read the attached City of Pearsall Parks & Recreation Legacy in the Park Tree and Memorial Bench Donation Program information. Your signature below indicates agreement with the donation program guidelines.

Donor Signature _____ Date _____

If you have any questions, please contact us at 830-334-3676 or at the address below. Ordering and shipping of a tree or bench may take 6-8 weeks.

*All donations are tax deductible.

Please mail forms and check to: City of Pearsall, Attn: Parks & Recreation Department., 315 South Ash Street, Pearsall, TX 78061 *



City of Pearsall
Parks & Recreation Department
Legacy in the Park
Tree and Memorial Bench Donation Program



Thank you for considering the donation of a tree or park bench to the City of Pearsall. Below is some information on how trees and benches are added to our community.

TREES

City staff plant trees in the spring and fall. All trees conform to city standards for new tree plantings (2" caliper for deciduous trees or 6' tall for conifer trees), and are planted during normal business hours. In order to preserve the landscape of all parks, no plaques, markers or signage are installed with trees. Donors, with guidance from city staff, select the park and type of tree best suited for the donation. The city guarantees tree survival for one year after installation date and protects all deciduous trees with a plastic tree guard.

The city provides all donors with a certificate commemorating the tree donation. Please note that the City of Pearsall Parks & Recreation Department Tree & Memorial Bench Donation form and payment must be completed and on file with the city before the tree is ordered.

BENCHES

Public benches are used by everyone! Bench locations are chosen with donor preference and park needs taken into account. Benches are installed from June to October. The bench style used is DuMor metal with an inlaid bronze plaque created with the donor's inscription as stated on the Tree and Memorial Bench Donation form. Great care is taken to maintain city benches. However, should a bench become damaged beyond simple repairs; the city reserves the right to remove the bench.

The city provides all donors with a certificate commemorating the bench donation. Please note that the City of Pearsall Parks & Recreation Department Tree and Memorial Bench Donation form and payment must be completed and on file with the city before the bench is ordered.

Please do not hesitate to contact the Pearsall Parks & Recreation Department if you have any questions about the tree and bench donation program. We may be reached at 830-334-3676.

Thank you for your donation to our public parks!

Minutes of Regular Meeting

The City Council of The City of Pearsall

A Regular Meeting of the City Council of the City of Pearsall, Texas will be held on May 14, 2019, at 7:00 pm at the Pearsall City Hall, 215 S. Ash Street, Pearsall, Texas.

1. Call To Order

Meeting was called to order at 7:00 PM by Mayor Mary Moore.

2. Roll Call and Announcement of a Quorum

Council Members Present: Council Member Ben Briscoe, Council Member Gaelan Frazier, Council Member Richard Gandara, Council Member, Julian Hernandez, Council Member Sonia Hernandez, Council Member Brenda Trevino, Mayor Pro Tem Robert Villarreal, Mayor Mary Moore *NOTE* Councilman Roland Segovia and Councilwoman Davina T. Rodriguez replaced Councilman Ben Briscoe and Councilman Gealan Frazier after being sworn in.

Council Members Absent: None

Staff Present: City Clerk Krystal Garcia, Interim City Manager/Finance Director Josie Carrizales, Main Street Program Manager Leah Carrizales, Tourism and Business Dev. Director Cleo Garcia, Chief of Police Peter Salinas, HR Director Ruben Frausto, Utilities Director Rudy Carrizales, City Attorney Carlos Hernandez, Parks and Recreation Director Ramiro Otero

3. Invocation and Pledge of Allegiance

Invocation by Ruben Frausto and Pledge of Allegiance was led by all.

4. Citizens to Be Heard

None

5. Presentations

A. Mr. Martin Martinez from South Texas Rural Health Services to present on local resources for substance abuse.

Mr. Martin Martinez provided information regarding the substance abuse services offered by STRHS.

B. Mr. Adam Beever for the 2019 South Texas 4H Shoot-out Follow-up Report.

Jackson Beaver provided a post report regarding the 2019 South Texas 4-H Shoot-Out. He reported there were approximately 140 participants, \$16,000 in revenue to be utilized for future events and scholarships, and according to their survey, 24 local hotel rooms were booked by participants. To show their appreciation for the Council's continued support he passed out cards to each member.

C. Leah Carrizales regarding Main Street Recognition

Main Street Manager Leah Carrizales read a letter to the Council regarding the award Main Street received. Main Street Board Members were present to take pictures with the Council and the award.

6. Action to Consent Agenda

A. Discussion and Possible Action regarding the approval of Minutes for the April 23, 2019 Council Meeting.

Councilman Gaelan Frazier motioned to Approve the minutes as provided, Second by Councilman Julian Hernandez. The vote in favor of the Motion was unanimous.

7. Old Business

A. Discussion and possible action regarding amending criteria for the City of Pearsall Summer Recreation Program participation.

Councilman Julian Hernandez motioned to Untable, Second by Councilman Gaelan Frazier. The vote in favor of the Motion was unanimous.

Interim City Manager/Finance Director Josie Carrizales reviewed the amendments needed in order for the City to work with the ACE Program. The amendments required were listed as: waiving of entry fees, allowing ages 6-18, program length of July 1-August 2, daily time frame of 7:00 AM - 3:30 PM, location of Pearsall Intermediate School, and not allowing out-of-district students to participate.

Councilwoman Brenda Trevino Motioned to Approve, Second by Councilman Ben Briscoe. The vote in favor of the Motion was unanimous.

B. Discussion and possible action regarding fees for the use of city parks, and donation of memorial equipment.

Councilman Ben Briscoe motioned to Untable, Second by Councilman Gaelan Frazier. The vote in favor of the Motion was unanimous.

Interim City Manager/Finance Director Josie Carrizales reviewed the updated fees for the use of city parks and provided the fee schedule for memorial donation items. Mayor Pro Tem Robert Villarreal stated there was a typo regarding the time frame for use of the splash pad and requested the document be proof read to ensure accuracy of the information.

Councilwoman Sonia Hernandez Motioned to Table the item so it can be reviewed, Second by Councilman Julian Hernandez. The vote in favor of the Motion was unanimous.

8. Executive Session

Councilman Ben Briscoe motioned to Enter into Executive Session at 7:30 PM, Second by Councilwoman Brenda Trevino. The vote in favor of the Motion was unanimous.

A. Conduct interviews for Municipal Court Judge.

B. Discussion regarding appointment of a Municipal Court Judge.

9. Open Session

Councilwoman Sonia Hernandez Motioned to Return from Executive Session at 8:26 PM, Second by Councilman Ben Briscoe. The vote in favor of the Motion was unanimous.

A. Discussion and Possible Action regarding Resolution No. 2019-05-03 regarding the appointment of a Municipal Court Judge.

Mayor announced that because the item runs concurrent with her term the item would be Tabled for the next meeting. She did not call for a vote.

10. New Business

A. Discussion and Possible Action regarding the Drought Contingency Plan.

Interim City Manager/Finance Director Josie Carrizales recommended approving the plan to remain in compliance with TCEQ regulations. Mayor Pro Tem Robert Villarreal asked if there were changes made from the previous plan. Rick Garcia from LNV stated no changes were made as all the information provided by Mr. Jesse Velasquez remained consistent with previous years.

Councilman Gaelan Frazier Motioned to Approve, Second by Councilman Ben Briscoe. The Council voted six (6) in favor and one (1) against.

Councilman Gaelan Frazier, Councilman Julian Hernandez Councilman Ben Briscoe, Councilwoman Brenda Trevino, Councilman Richard Gandara and Mayor Pro Tem Robert Villarreal voted in favor of the item. Councilwoman Sonia Hernandez voted against.

Motioned Passed.

B. Discussion and Possible Action regarding Ordinance No. 2019-05-01 Amending the Waste Water Treatment Plant Commercial Rates.

Interim City Manager Josie Carrizales/Finance Director provided a comparison of rates for hauled waste water for Pleasanton and Cotulla. She stated Carrizo Springs has yet to provide an answer and SAWS, Dilley, Lytle, Devine do not offer the service. Mayor Pro Tem Robert Villarreal requested to include information from Charlotte and Crystal City in the next comparison report.

Councilwoman Sonia Hernandez Motioned to Table the item, Second by Councilman Richard Gandara. The vote in favor of the Motion was unanimous.

C. Discussion and Possible Action to Authorize litigation for Brenda Trevino's insurance claim.

Interim City Manager/Finance Director Josie Carrizales informed Council of the two possible options for the item. Enter into litigation on Mrs. Trevino's behalf or continue to allow her handle it on her own. Councilwoman Brenda Trevino provided background information regarding the claim. City Attorney Carlos Hernandez advised the Council to either Table the item or discuss it in Executive Session as the claim may possibly lead into litigation.

Councilman Julian Hernandez Motioned to Table the item, Second by Councilwoman Sonia Hernandez. The vote in favor of the Motion was unanimous.

D. Discussion regarding request to be placed on the agenda by Paula Manzanares.

Mayor Mary Moore stated due to the wording on the agenda the council could not handle the item at the moment but would put it on the agenda for the next meeting.

E. Discussion and Possible Action regarding Resolution No. 2019-05-01 canvassing the returns and declaring the results of a regular municipal election held on the 4th day of May, 2019 for the purpose of electing Mayor and three (3) City Council Members (Places No. 5, 6, and 7) pursuant to the City of Pearsall Home Rule Charter, and other matters in connection therewith.

City Clerk Krystal Garcia read the final results for the 2019 General Election.

Councilman Julian Hernandez Motioned to Approve Resolution No. 2019-05-01, Second by Councilwoman Sonia Hernandez. The vote in favor of the Motion was unanimous.

F. Swearing in of newly elected officials.

Frio County Judge Arnulfo Luna swore in newly elected officials Robert Villarreal, Roland Segovia, Davina T. Rodriguez and Mary Moore. City Clerk Krystal Garcia provided Certificates of Election to each of the officials.

G. Presentation of Appreciation Plaques to out-going Council Members for their dedication to the City of Pearsall and its citizens.

Mayor Mary Moore and Mayor Pro Tem Robert Villarreal presented plaques to out-going Council Members Ben Briscoe and Gaelan Frazier.

H. Discussion and Possible Action regarding Resolution No. 2019-05-02, accepting

nominations for a qualified individual to serve as Mayor Pro-tem for the City of Pearsall City Council in accordance with section 3.04 of the Pearsall City Charter. Upon receiving nominations for this position, appoint a qualified individual by the required votes to serve as Mayor Pro-Tem for the City of Pearsall City Council.

Mayor Pro Tem nominated Councilman Julian Hernandez for Mayor Pro Tem, Second by Councilwoman Sonia Hernandez. The vote in favor of the Motion was unanimous.

11. City Manager's Report

A. Directors' Reports- April 2019

Directors' reports were provided to Council for their review.

B. Interim City Manager's Report

Interim City Manager/Finance Director Josie Carrizales reviewed her report with the Council. During the Finance Report Mayor Pro Tem Julian Hernandez requested the report include a comparison of the Sales Tax Revenue for the previous three (3) years.

12. Review of Bills Paid

A. April Bills

Mayor Pro Tem Julian Hernandez inquired about payment to Mr. Simon Pena. Interim City Manager/Finance Director Josie Carrizales informed Council that Simon Pena is a consultant utilized by the City to prepare for Rail Commission audits. Council if staff could look into getting an employee certified to avoid paying extra costs for a consultant.

13. General Announcements

Tourism and Business Development Director Cleo Garcia announced the details for grand opening for 2groom4you beginning at 5:30 PM.

Councilman Roland Segovia recognized Chief of Police Peter Salinas and the Pearsall Police Department for Law Enforcement Week. Councilwoman Davina T. Rodriguez added condolences on the recent passing of Chief Salinas' sister.

14. City Council Inquiries For Staff And/Or Items For Future Agendas – NO DISCUSSION OR ACTION ON ANY OF THESE ITEMS AT THIS TIME

Councilman Robert Villarreal requested a Council Retreat be held on June 1, 2019 regarding the Rules of Engagement and to inform the new council members on current City business. Mayor Pro Tem Julian Hernandez and Councilwoman Brenda Trevino supported the request.

Councilman Roland Segovia requested to discuss going out for grants with the Texas Water Board. Councilwoman Sonia Hernandez and Councilwoman Davina Rodriguez supported the request.

Mayor Pro Tem Julian Hernandez requested to review the submitted City Manager applications. Councilwoman Sonia Hernandez and Councilman Roland Segovia supported the request.

Councilman Roland Segovia requested to bring back the item regarding the fire fighter's pension. Councilman Richard Gandara and Councilwoman Sonia Hernandez supported the request.

15. Adjournment

There being no further business before the Council and upon a Motion by Councilman Richard Gandara the meeting adjourned at 9:32 PM.

Approved this the 21st of May, 2019.



Mary Moore, Mayor

ATTEST:



Krystal Garcia, City Clerk