

CITY COUNCIL AGENDA

A Special Meeting of the City Council of the City of Pearsall, Texas will be held on Tuesday, June 2, 2020, at 6:30 PM at the Pearsall City Hall, 215 S. Ash Street, Pearsall, Texas.

Please click the link below to join the webinar:
<https://us02web.zoom.us/j/89120702422>

Or iPhone one-tap :

US: +13462487799,,89120702422# or +12532158782,,89120702422#

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Webinar ID: 891 2070 2422

International numbers available: <https://us02web.zoom.us/j/89120702422>

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. Action to Consent Agenda
 - A. Discuss and Consider revisions to the previously approved May 21, 2019 Special Meeting Minutes. - **Action Item**
 - B. Discuss and Consider meeting minutes from: January 14, 2020, February 25, 2020, March 16, 2020, March 23, 2020, March 31, 2020, April 6, 2020, April 20, 2020 and April 27, 2020. - **Action Item**
5. Public Hearing
 - A. Open Public Hearing

On a request for a Conditional Use Permit by Isaias Martinez to place a 2020 Double Wide 28' X 56' manufactured hom. Property's legal description being Lots 13-14, Block 2, Davis Addition. Located at North Willow St. Property is currently zoned as an R-1; Single & Two Family Dwelling District.
 - B. Close Public Hearing

C. Open Public Hearing

On a request for a Conditional Use Permit by Mr. Alfonso Garcia & Ms. Miriam Martinez to place a 2020 Double Wide 28' x 56' manufactured home. Property's legal description being Lots 1-2, Block 14, Colonia Alta Vista Addition. Located at 101 North Lopez St. Property is currently zoned as an R-1; Single & Two Family Dwelling District.

D. Close Public Hearing

E. Open Public Hearing

On a request for a Conditional Use Permit by Mr. & Mrs. Conrad Salinas for their son Carlos Salinas to place a 2020 Single Wide 14' x 76' manufactured home. Property's legal description being 496 1413 Morales P.F. Located at Wells Road. Property is currently zoned as an A-O Agricultural & Open Space District.

F. Close Public Hearing

G. Open Public Hearing

On a request for a Conditional Use Permit by Mr. & Mrs. Rudy Longoria for their grandson Daniel Carbajal to place a 1993 Double Wide 32' x 53' manufactured home. Property's legal description being Lots 11, Block 138, Pearsall Addition. Located at 1113 E. San Antonio St. Property is currently zoned as an R-1; Single and Two Family Dwelling District.

H. Close Public Hearing

6. New Business

- A. Discuss and Consider Ordinance No. 2020-03-02 allowing for the placement of a 2020 Double Wide manufactured home. Property's legal description being Lots 13-14, Block 2, Davis Addition. Located at North Willow St. Property is currently zoned as an R-1; Single & Two Family Dwelling District. - Previously Tabled Item**
- B. Discuss and Consider Ordinance No. 2020-06-01 allowing for the placement of a 2020 Double Wide manufactured home. Property's legal description being Lots 1-2, Block 14, Colonia Alta Vista Addition. Located at 101 North Lopez St. Property is currently zoned as an R-1; Single & Two Family Dwelling District. - Action Item**
- C. Discuss and Consider Ordinance No. 2020-06-02 allowing for the placement of a 2020 Single Wide manufactured home. Property's legal description being 496 1413 Morales P.F. Located at Wells Road. Property is currently zoned as an A-O Agricultural & Open Space District. - Action Item**
- D. Discuss and Consider Ordinance No. 2020-06-03 allowing for the placement of a 1993 Double Wide manufactured home. Property's legal description being Lots 11, Block 138, Pearsall Addition. Located at 1113 E. San Antonio St. Property is currently zoned as an R-1; Single and Two Family Dwelling District. - Action Item**

- E. Discuss and consider setting a date, time, and place for a public hearing on a request for Conditional Use Permit for Gilbert Barajas, Jr. at 734 N. Roosevelt. - **Action Item**
- F. Discuss and consider setting a date, time, and place for a public hearing on a request for Conditional Use Permit for Mr. and Mrs. José Amaya, Jr. at 219 W. Phelps. - **Action Item**

7. Adjournment

Posted for Public Inspection on this Friday, May 29, 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 May 29, 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.

Minutes of Special Meeting

The City Council of The City of Pearsall

A Special Meeting of the City Council of the City of Pearsall, Texas will be held on May 21, 2019 at 7:00 PM at the Pearsall City Hall, 215 S. Ash Street, Pearsall, Texas.

1. Call To Order

Mayor Mary Moore called the meeting to order at 7:00 pm.

2. Roll Call and Announcement of a Quorum

Council Members Present: Mayor Mary Moore, Mayor Pro Tem Julian Hernandez, Council Member Sonia Hernandez, Council Member Brenda Trevino, Council Member Robert Villarreal, Council Member Roland Segovia, Council Member Davina Rodriguez

Council Members Absent: Council Member Richard Gandara

Staff Present: Interim City Manager Josefina Carrizales, Deputy City Clerk Estrellita Ballesteros, Main Street Program Manager Leah Carrizales, Tourism and Business Dev. Director Cleo Garcia, Capt. Jeremy McGee, HR Director Ruben Frausto, Utilities Director Rudy Carrizales, Planning and Economic Dev. Director Uche Echeozo, City Attorney Bobby Maldonado, Fire Chief Placido Aguilar

3. Invocation and Pledge of Allegiance

Invocation by Mayor Mary Moore and Pledge of Allegiance was led by all.

4. Action to Consent Agenda

A. Discussion and Possible Action regarding the minutes for the May 14, 2019 Regular Meeting.

There were no comments from city council members. Councilman Robert Villarreal motioned to Approve the minutes as provided, Second by Mayor Pro Tem Julian Hernandez. The vote in favor of the Motion was unanimous.

5. Old Business

6. New Business

A. Discussion and Possible Action regarding the relocation process and canopy request for Paula Manzanares' business, Brisketman BBQ.

Ms. Paula Manzanares presented her trouble in the process of relocating her business. Planning & Economic Development Director Uche Echeozo presented to the city council that there has been no application submitted by Ms. Manzanares. After a few questions from city council members there a motion on the agenda item.

Councilman Roland Segovia made the motion to Approve the relocation process and canopy request for Paula Manzanares' business, Brisketman BBQ with the condition to complete the building permit application and pay fee, Second by Councilwoman Davina Rodriguez. Motion was unanimous.

B. Discussion and Possible Action to award general contractor bid for the City of Pearsall Annex Building project funded through TML Insurance Claim.

Mr. Robert Viera of LNV Engineering reviewed the three bids that were submitted for the annex building project. His recommendation was to go with Wells Construction for the amount of \$949,117.

A motion to Table was made by Councilman Robert Villarreal, Second by Councilman Roland Segovia. The motion was unanimous.

C. Discussion and Possible Action regarding Resolution No. 2019-05-04 denying AEP Texas' request to increase rates filed with the Public Utility Commission of Texas on May 1, 2019.

Ms. Hazel Flores of AEP Texas recommended that the city council members to deny the rate increase.

A motion to deny Resolution No. 2019-05-04 was made by Councilman Robert Villarreal, Second by Councilman Roland Segovia. The motion was unanimous.

D. Discussion and Possible Action regarding possible grant application for Texas Water Development Board Grant.

Interim City Manager Josefina Carrizales advised the city council members of the application process and that loans and grants are available. Councilman Roland Segovia informed the city council members about the Tijerina Galvan Lawrence LLC, a financial advisor firm for possibly getting a grant for the city. Councilwoman Davina Rodriguez addressed council member inquires that the firm's services are free for now, unless they get the grant then they will receive a percentage. Councilman Roland Segovia advised council members that they need to engage with the firm first before they will a professional opinion.

A motion to have them come in and do a presentation, and engage with Tijerina Galvan Lawrence LLC prior to a commitment was made by Councilman Robert Villarreal, Second by Councilwoman Davina Trevino. The motion was unanimous.

E. Discussion and Possible Action regarding Resolution No. 2019-05-05 to approve an increase in the monthly contributions to the Texas Emergency Services Retirement System on behalf of the Pearsall Volunteer Fire Department.

Addendum to this item is reflected in RED

Fire Chief Placido Aguilar advised city council members of the money that the volunteer fire department has been saving the city since they are now paying certain items and services with grant or donation money. He requested the Council increase the contribution from \$80/month to \$90/month. He informed Council that next year (2020) he would be requesting the contribution be increased to \$100/month and remain effective through 2023-after the recommended time span the contribution would be gradually reduced. Councilman Robert Villarreal asked where the money for the monthly contribution would come from. Fire Chief Placido stated the Emergency Services District (ESD) covers the cost.

A motion to Approve Resolution No. 2019-05-05 was made by Councilman Robert Villarreal, Second by Councilwoman Sonia Hernandez. The motion was unanimous.

F. Discussion regarding details for the City Council Retreat set for June 1, 2019.

After some discussion from city council members the following items were requested to be covered during the City Council Retreat: update on all projects and their correlating punch lists; rules of engagement city council rules; state of finances; a listing of what jobs are available in each department since presently there is limited personnel; a listing of certificates or licenses that each supervisor holds. The retreat was set for June 1, 2019, at City Hall, from 9 am to 5 pm. It was advised to bring a sack lunch.

7. Executive Session

Councilwoman Sonia Hernandez motioned to Enter into Executive Session at 8:00 PM, Second by Councilman Roland Segovia. The vote in favor of the Motion was unanimous.

A. Discussion regarding submitted City Manager Applications.

B. Conduct interviews for Municipal Court Judge.

C. Discussion regarding appointment of a Municipal Court Judge.

D. Discussion regarding authorizing litigation on behalf of Brenda Trevino for insurance claim.

8. Open Session

Mayor Pro Tem Julian Hernandez motioned to Return from Executive Session at 9:26 PM, Second by Councilwoman Sonia Hernandez. The vote in favor of the Motion was unanimous.

A. Discussion and Possible Action regarding submitted applications for vacant City Manager position.

Mayor Mary Moore stated there will be No Action Taken on this item, and did not call for a vote.

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

Councilwoman Brenda Trevino Motioned to Untable, Second by Councilwoman Sonia Hernandez. The motion was unanimous.

Mayor Pro Tem Julian Hernandez Motioned to Recommend Mr. Juan Ponce as Municipal Court Judge, Second by Councilwoman Brenda Trevino. The Council voted three (3) in Favor and three (3) Against.

Mayor Pro Tem Julian Hernandez, Councilman Robert Villarreal, and Councilwoman Brenda Trevino voted in Favor of the motion; Councilwoman Sonia Hernandez, Councilman Roland Segovia, and Councilwoman Davina Trevino voted Against the motion.

There being a Tie in the vote, Mayor Mary Moore cast her vote in Favor of the motion. Motion Passed naming Mr. Juan Ponce as Municipal Court Judge.

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

Mayor Mary Moore stated Councilwoman Brenda Trevino is requesting that this item not to be addressed, and does not want assistance any longer.

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

Councilman Roland Segovia requested to have the city attorney's contract to be reviewed at the next regular meeting, Mayor Mary Moore called for three people to support item: Council members Roland Segovia, Sonia Hernandez, and Davina Trevino raised their hand to support item. Mayor Pro Tem Julian Hernandez requested a follow up to the comprehensive study regarding the Tourism Board, Development Office, and Main Street. Councilman Roland Segovia requested to review all city boards and commissions, and to start taking applications.

10. General Announcements

Interim City Manager Josefina Carrizales advised the city council that construction on South Roosevelt street has started. She also advised city council that the police department won First Place during a competition.

11. Adjournment

There being no further business before the Council and upon a Motion by Councilwoman Sonia Hernandez the meeting adjourned at 9:32 PM.

Approved this __ June 2, 2020 ____.

Mary Moore, Mayor

ATTEST:

Krystal Garcia, City Clerk

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 Tuesday, January 14, 2020 at 7:00 PM at the Pearsall City Hall, 215 S. Ash Street, Pearsall, Texas.

1. Call To Order

Mayor Mary Moore Called the meeting to order at 7:00 PM.

2. Roll Call and Announcement of a Quorum

Council Members Present: Mayor Pro Tem Julian Hernandez, Council Member Richard Gandara, Council Member Sonia Hernandez, Council Member Brenda Trevino, Council Member Robert Villarreal, Council Member Roland Segovia, Council Member Davina Rodriguez

Council Members Absent: None

Staff Present: City Manager Federico Reyes, City Clerk Krystal Garcia, Finance Director Santos Alarcon, Police Sgt. John Meyer, Head Librarian Jennifer Muniz, Utilities Director Rudy Carrizales, City Attorney Bobby Maldonado, Planner Estrellita Ballesteros, GIS Technician Eli Viesca

3. Invocation and Pledge of Allegiance

Invocation was led by Councilman Robert Villarreal. Pledge of Allegiance led by all present.

4. Citizens to Be Heard

None.

5. Presentation

A. Presentation of a check to the Maverick Scholarship Fund.

City Manager Federico Reyes announced the funds being donated to the Maverick Scholarship Fund were raised by the 22 Tamale Cook-off entries during the Downtown Christmas event. City Council presented a \$1,100 check to Dr. Nobert Rodriguez on behalf of the scholarship fund.

6. New Business

A. Update on Geographic Information System (GIS).

City Manager Federico Reyes introduced Mr. Eli Viesca GIS Meter Technician so he could explain how the Geographic Information System works and how the City benefits from keeping the system updated. He reviewed with the Council the currently marked lines for Water,

Wastewater, Gas and Sewer. Mayor Pro Tem Julian Hernandez and Councilman Robert Villarreal both asked if LNV has offered any of their files since they have been employed by the City for the past 17 years and have managed the recent work done to the lines. City Manager Federico Reyes stated he was not sure how much they provided but they did receive some information from LNV.

B. Discuss and Consider authorizing the City Manager to award and execute a contract for IT Infrastructure for the City Hall Annex Building.

City Manager Federico Reyes informed the council of the two (2) proposals received and recommended that Council approve F.A. Technologies in the amount of \$29,575.12 with an additional \$6,000 for a 3-year equipment and onsite warranty. Councilman Robert Villarreal Motioned to Approve as presented, Second by Councilwoman Sonia Hernandez. The vote in favor of the Motion was unanimous.

C. Discuss and Consider street paving requests for FY 2019-2020 and authorize city manager to issue an invitation for bid for street paving projects.

City Manager Federico Reyes informed the Council that approximately \$374,000 is left in the budget that can be utilized to fix streets. He asked the Council which streets they feel need the most attention. The Council decided to allow each council member list which they believed to need the most work. Councilwoman Davina Rodriguez chose South Willow to Comal St, Peach/Colorado heading west to Mulberry and Margo Drive. Councilman Robert Villarreal chose Peña St. by Ted Flores Elementary & Davila St. from Willow to Lopez.

Councilwoman Sonia Hernandez chose West Medina RR tracks to FM 1581. Mayor Pro Tem Julian Hernandez chose Moreno and South Elm. Councilman Roland Segovia chose Lopez St.. Councilwoman Brenda Trevino chose West San Antonio St.. Councilman Richard Gandara chose Carter St.. Council also entertained Poplar St. and Bernal St. Councilwoman Davina Rodriguez recommended staff utilize the list provided and determine which streets the most attention at the moment. Councilwoman Sonia Hernandez motioned to approve this list provided by all members of council, Second by Councilman Richard Gandara. The vote in favor of the Motion was unanimous.

D. Discuss and Consider City Council vacancy for Place 1 and determine possible action on filling this vacancy.

Mayor Mary Moore recommended Council directing the City Manager to advertise the vacancies for Place 1 and Place 5. Councilman Roland Segovia asked if these members of council could be allowed to remain as holdovers until the May 2020 Election. City Attorney Bobby Maldonado stated section 3.09 of the Home Rule Charter states the Council "Shall appoint" and therefore are obligated to do so. Councilman Roland Segovia inquired if they were to keep the holdover status would it be a violation of the Charter. City Attorney Bobby Maldonado stated it would be considered a violation of the Charter. Mayor Pro Tem Julian Hernandez stated the City Manager is just getting adjusted to staff and to the Council and thinks that it would be best if the Council could remain as is. City Attorney Bobby Maldonado announced because he senses the Council does not want to appoint individuals to fill the vacancies-he asked the council to move the discussion to Executive Session so he could discuss the legal ramifications of not abiding by what the Charter states. Council entered into Executive Session to further discuss the item with legal counsel. After returning from Executive Session Councilman Roland Segovia Motioned to advertise the vacancies for the next two (2) months and interview applicants in April. Second by Councilwoman Sonia Hernandez. The vote in

favor of the Motion was unanimous.

E. Discuss and Consider City Council vacancy for Place 5 and determine possible action on filling this vacancy.

Motion was made and approved in item 6D.

7. Executive Session

Mayor Mary Moore announced that Items 6D and 6E would be entertained in Executive Session in addition to Items 7A, 7B, and 7C. Mayor Pro Tem Julian Hernandez Motioned to enter into Executive Session at 7:52 PM, Second by Councilman Richard Gandara. The vote in favor of the Motion was unanimous.

A. City Manager Quarterly Evaluation.

B. Deliberation regarding real property located on lots 14-16, Block 3 Pearsall Addition, Frio County, Texas.

C. Discussion regarding the litigation styled Zepeda v. City of Pearsall, Cause No. 15-09-00351CVF.

8. Open Session

Councilwoman Brenda Trevino Motioned to return from Executive Session at 9:06 PM, Second by Councilwoman Davina Rodriguez. The vote in favor of the Motion was unanimous. Mayor announced there was no action taken during Executive Session.

A. Discuss and Consider City Manager Quarterly Evaluation.

No Action taken.

B. Discussion and Consideration regarding real property located on lots 14-16, Block 3 Pearsall Addition, Frio County, Texas.

No Action taken.

C. Discussion and Possible Action regarding the litigation styled Zepeda v. City of Pearsall, Cause No. 15-09-00351CVF.

No Action taken.

9. Staff Report

A. Reports from staff.

Council was provided with copies of reports from staff. There was not a discussion regarding these reports.

10. Review of Bills Paid

A. December 2019 Bills

Council did not have questions regarding the bills.

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

Councilwoman Sonia Hernandez requested to have a calendar of events for the City. City Manager Federico Reyes stated he would include budgets and dates. Councilman Roland Segovia and Councilwoman Davina Rodriguez stated they supported the request to be placed on the agenda.

12. General Announcements

None.

13. Adjournment

There being no further business before the Council and upon a motion by Councilwoman Davina Rodriguez the meeting adjourned at 9:09 PM

Approved this DATE.

Mary Moore, Mayor

ATTEST:

Krystal Garcia, City Clerk

Minutes of Special Meeting

The City Council of The City of Pearsall

A Special Meeting of the City Council of the City of Pearsall, Texas will be held on Tuesday, February 25, 2020 at 6:30 P.M. at the Pearsall City Hall, 215 S. Ash Street, Pearsall, Texas.

1. Call To Order

Mayor Mary Moore called the meeting to order at 6:38 PM.

2. Roll Call and Announcement of a Quorum

Council Members Present: Mayor Mary Moore, Mayor Pro Tem Julian Hernandez, Council Member Richard Gandara, Council Member Sonia Hernandez, Council Member Brenda Trevino, Council Member Robert Villarreal

Council Members Absent: Council Member Roland Segovia, Council Member Davina Rodriguez

Staff Present: City Clerk Krystal Garcia, Planner Estrellita Ballesteros, Municipal Court Judge Juan Ponce, City Attorney Carlos Hernandez

3. Invocation and Pledge of Allegiance

Invocation led by Municipal Court Judge Juan Ponce. Pledge of Allegiance led by all.

4. Public Hearing

A. Open Public Hearing

Councilwoman Sonia Hernandez Motioned to Open the Public Hearing at 6:34 PM, Second by Councilman Richard Gandara. The vote in favor of the Motion was unanimous.

Review and Discuss the Land Use Variance requested by Rigtown Partners LP. The Land Use Variance is for the encroachment of 2.4' on Lot 2, Block 1, Black Gold Estates Addition, located at 307 Athol Lane; encroachment of 2.06' on Lot 17, Block 2, Black Gold Estates Addition, located at 1107 Power Plant Road; encroachment of 0.49' on Lot 18, Block 2, located at 1105 Power Plant Road; encroachment of 2.53' on Lot 19, Block 2, located at 1009 Power Plant Road; encroachment of 2.50' on Lot 20, Block 2, located at 1007 Power Plant Road ; encroachment of 1.87' on Lot 21, Block 2, located at 1005 Power Plant Road; encroachment of 9.68' on Lot 24, Block 2, located at 105 Athol Lane; encroachment of 0.90' on Lot 26, Block 2, located 205 Athol Lane; encroachment of 2.43' on Lot 27, Block 2, located at 207 Athol Lane; encroachment of 3.0; on Lot 28, Block 2, located at 209 Athol Lane. Property is currently zoned as a(n) R-1; Single and Two Family Dwelling District.

City Planner Estrellita Ballesteros provided a brief of review of the application process taken by

Mr. Joe Phillips. Mayor Pro Tem Julian Hernandez asked for Ms. Ballesteros to explain the item to the Council. During a recent survey it was concluded that the builder built the houses too close together and violated the current setbacks.

B. Close Public Hearing

Mayor Pro Tem Julian Hernandez Motioned to Close the Public Hearing at 6:41 PM, Second by Councilwoman Sonia Hernandez. The vote in favor of the motion was unanimous.

5. New Business

- A. Discuss and Consider Ordinance No. 2020-02-02 on the Land Use Variance requested by Rigtown Partners LP. The Land Use Variance is for the encroachment of 2.4' on Lot 2, Block 1, Black Gold Estates Addition, located at 307 Athol Lane; encroachment of 2.06' on Lot 17, Block 2, Black Gold Estates Addition, located at 1107 Power Plant Road; encroachment of 0.49' on Lot 18, Block 2, located at 1105 Power Plant Road; encroachment of 2.53' on Lot 19, Block 2, located at 1009 Power Plant Road; encroachment of 2.50' on Lot 20, Block 2, located at 1007 Power Plant Road; encroachment of 1.87' on Lot 21, Block 2, located at 1005 Power Plant Road; encroachment of 9.68' on Lot 24, Block 2, located at 105 Athol Lane; encroachment of 0.90' on Lot 26, Block 2, located 205 Athol Lane; encroachment of 2.43' on Lot 27, Block 2, located at 207 Athol Lane; encroachment of 3.0; on Lot 28, Block 2, located at 209 Athol Lane. Property is currently zoned as a(n) R-1; Single and Two Family Dwelling District.** Mayor Pro Tem Julian Hernandez Motioned to Approve Ordinance No. 2020-02-02, Second by Councilwoman Sonia Hernandez. The vote in favor of the motion was unanimous.

B. Review and Discuss the City Council Rules of Decorum.

City Clerk Krystal Garcia reviewed the proposed City Council Procedures and Decorum Policy with the Council. Mayor Pro Tem Julian Hernandez recommended the following edits to the Decorum Policy draft:

Sec. 1-110. - City Council Agenda. (c) - Allow agenda inquiries during all meetings not just regular and special meetings.

Sec. 1-120. - Types of Meetings. (c) - Add teleconference capabilities and allow for three (3) council members to call an emergency meeting instead of a quorum. (City Attorney Carlos Hernandez stated a new law allows council member participation by teleconference.)

Sec. 1-130. - Order of Business. (b)(1) and (b)(3) - Replace the word "regularly" with "all" in both sections.

Sec. 1-150. - General Procedures. (l) - Specify the "Chair" is not allowed to cast a vote.

Sec. 1-150. - General Procedures. (m)(5) and (m)(6) move to top of the procedures for conducting public hearings; unless ordered by law.

Sec. 1-160. - Decorum (c)(10) - add language "except as provided in Section 3.14 of the charter.

Sec. 1-160. - Decorum (c)(12) - add language "personal communication devices are not allowed in Executive Session".

Sec. 1-160. - Decorum (d)(1) - Councilman Robert Villarreal asked the requirement of a "request to speak" form be removed as HB2840 allows for citizens to speak at any point during a council meeting and does not require a form.

C. Discuss and Consider authorizing the City Manager to establish budgets, event dates and

issue an RFP for an event coordinator for city sponsored events.

Council discussed the list of events the City has hosted in the past and agreed that Veterans Day, 4th of July and the City's annual Christmas event should be handled internally and not by an event coordinator. Councilwoman Sonia Hernandez Motioned to Approve authorizing the City Manager to establish a budget not to exceed \$50,000, and issue an RFP for an event coordinator for the Hispanic Heritage Festival, Second by Councilwoman Brenda Trevino. The vote in favor of the motion was unanimous.

6. Adjournment

There being no further business before the Council and upon an motion from Councilwoman Sonia Hernandez the meeting adjourned at 7:22 PM.

Approved June 2, 2020

Mary Moore, Mayor

ATTEST:

Krystal Garcia, City Clerk

Minutes of Special Meeting

The City Council of The City of Pearsall

A Special Meeting of the City Council of the City of Pearsall, Texas will be held on March 23, 2020, at 6:30 PM at the Pearsall City Hall, 215 S. Ash Street, Pearsall, Texas.

1. Call To Order

Mayor Mary Moore called the meeting to order at 7:00 PM.

2. Roll Call and Announcement of a Quorum

Council Members Present: Mayor Mary Moore, Mayor Pro Tem Julian Hernandez, Council Member Richard Gandara, Council Member Sonia Hernandez, Council Member Brenda Trevino, Council Member Roland Segovia, Council Member Davina Rodriguez

Council Members Absent: Council Member Robert Villarreal

Staff Present: City Manager Federico Reyes, City Clerk Krystal Garcia, Finance Director Santos Alarcon, Chief of Police Peter Salinas, City Attorney Bobby Maldonado, Planner Estrellita Ballesteros

3. Invocation and Pledge of Allegiance

Invocation led by Mayor Mary Moore. Pledge of Allegiance led by all present.

4. Public Hearing

A. Open Public Hearing

Councilwoman Davina Rodriguez Motioned to Open the Public Hearing at 6:32 PM, Second by Councilwoman Sonia Hernandez. The vote in favor of the Motion was unanimous.

On a request for a Conditional Use Permit by Isaias Martinez to place a 2020 28' X 56' manufactured home. Property's legal description being Lots 13-14, Block 2, Davis Addition. Located at N. Willow St. Property is currently zoned as an R-1; Single and Two Family Dwelling District.

Planner Estrellita Ballesteros announced she was unable to convene the Planning and Zoning for meeting. She recommended holding 4A and 5A until the following meeting to be held on April 13, 2020. Councilman Roland Segovia asked if negative responses had not been received could the Council override the Planning and Zoning commission and just approve the item as presented. City Attorney Bobby Maldonado stated the ordinance currently in place requires the Planning and Zoning Commission to provide a recommendation to the Council prior to the Council making a decision.

B. Close Public Hearing

5. New Business

- A. **Discuss and Consider Ordinance No. 2020-03-02 allowing for the placement of a 2020 28' x 56' manufactured home. Property's legal description being Lots 13-14, Block 2, Davis Addition. Property located at North Willow St. Property is currently zoned as an R-1; Single or Two Family Dwelling District.**

Mayor Pro Tem Julian Hernandez Motioned to Table the item, Second by Davina Rodriguez. The vote in favor of the Motion was unanimous.

- B. **Discuss the proclamation issued on March 18, 2020 by Governor Abbott authorizing all political subdivisions holding a general or special election on May 2, 2020 to postpone their election to the November 3, 2020 uniform date due to the health and safety of voters, election workers, and local election officials.**

City Attorney Bobby Maldonado advised he drafted the ordinance for the next item using the Governor's proclamation. Councilman Roland Segovia stated the May 2nd election date should be kept.

- C. **Discuss and consider adopting Ordinance No. 2020-03-01 postponing the May 2, 2020 general or special election to the November 3, 2020 uniform date due to the health and safety of voters, election workers, and local election officials.**

Mayor Pro Tem Julian Hernandez stated the community's welfare is most important. Mayor Pro Tem Julian Hernandez Motioned to Approved Ordinance No. 2020-03-01, Second by Councilwoman Brenda Trevino. The Council voted four (4) in favor, two (2) against. Mayor Pro Tem Julian Hernandez, Councilwoman Brenda Trevino, Councilwoman Sonia Hernandez and Councilwoman Davina Rodriguez voted in favor. Councilman Roland Segovia and Councilwoman Richard Gandara voted against. Motion carries.

- D. **Discuss and Consider the ratification of the City of Pearsall Emergency Pandemic Leave Policy.**

City Manager Federico Reyes, Jr., along with Council, reviewed the Pandemic Leave Policy written for the City of Pearsall employees. Mayor Pro Tem Julian Hernandez asked that in the event to many employees request leave through the policy, are there funds available to hire temporary help. Mr. Reyes stated funds for temporary help were not budget but stated there was not much anticipation of that occurring. Councilwoman Davina Rodriguez Motioned to approve the Pandemic Leave Policy, Second by Mayor Pro Tem Julian Hernandez. The vote in favor of the Motion was unanimous.

- E. **Discuss and Consider Appointing individuals to the Frio County COVID-19 Readiness and Response Committee.**

City Manager Federico Reyes, Jr. stated the committee is comprised of representatives from entities within Frio County. He explained they met to discuss COVID-19 and the actions that could be taken to keep the communities within Frio County safe. Frio County recommended each entity select two (2) representatives to participate in the meetings. Councilman Roland said he and Councilman Richard Gandara would like to be part of the Committee as they have been working on a COVID-19 related program for the elderly in the community. Councilwoman Davina Rodriguez said she would like to participate in the committee and added that whomever is selected needs to readily available to participate in the meetings. Mayor Mary Moore asked

Mr. Reyes if this is item was for a sub-committee or the committee that was already established. Mr. Reyes stated there was not a quorum for the March 16, 2020 meeting leaving no action to be taken on appointing Council members to the Committee. Mayor Pro Tem Julian Hernandez said at the very least the City Manager should be part of the Committee due to the information he would be able to provide. Councilman Roland Segovia Motioned to appoint Roland Segovia, Councilman Richard Gandara, Mayor Mary Moore, Councilwoman Davina Rodriguez and City Manager Federico Reyes Jr., to the Committee. Mayor Mary Moore asked City Attorney Bobby Maldonado if Councilman Richard Gandara would be eligible to be appointed since he won the Primary for Sheriff. Mr. Maldonado said Mr. Gandara is still considered a holdover and is able to participate if appointed. Councilman Richard Gandara Second Councilman Roland Segovia's standing Motion. The Council voted four (4) in favor, two (2) against. Councilman Roland Segovia, Councilman Richard Gandara, Councilwoman Sonia Hernandez, and Councilwoman Davina Rodriguez voted in favor of the Motion. Councilwoman Brenda Trevino and Mayor Pro Julian Hernandez voted against. Motion Carries.

F. Discuss and Consider extension to Declaration of Public Health Emergency dated March 19, 2020, by Mayor Mary Moore, in accordance with state law.

City Manager Federico Reyes, Jr. reviewed Mayor Mary Moore's Declaration, Department of State Health Services Commissioner John W. Hellerstedt's Declaration and Governor's Abbott's Executive Order with the Council. Councilman Roland Segovia asked Police Chief Peter Salinas if any complaints have been filed regarding violations of Governor Abbott's Executive Order. Mr. Salinas stated complaints have not been formally filed-had just received phone calls. Councilman Roland Segovia said he feels as leaders, the Council, is not doing enough to inform the elderly community within Pearsall about the seriousness of the virus. He stated he would like to send out a newsletter with information regarding the virus. Mayor Mary Moore stated the COVID-19 Committee put together an informational flyer in English and Spanish that will be mailed out to the community. Mr. Segovia asked Mayor Moore is she was willing to make the City of Pearsall a leader among the surrounding cities in regards to responding to the virus apart from local entities. Mayor Moore stated it would be better to work together as she and the Council are not aware of what they are facing when it comes to the virus. Mayor Pro Tem Julian Hernandez stated the County has access to more resources than the City and should continue to work with other local entities. Mr. Segovia asked Mayor Moore why the City is still open to the public when the County has already closed the courthouse if everyone is supposed to be working together. Mayor Moore stated the Council had to vote on closure of the City's facilities. Councilwoman Davina Rodriguez stated the City should take action to inform the community. City Manager Federico Reyes redirected the Council to focus on the Declaration. Council discussed the changes to be made to the Declaration to incorporate Governor Abbott's latest Order: indoor/outdoor gatherings of more than 10 people are prohibited as of 11:59 PM and will remain in effect for thirty (30) Days, allow restaurants remain open as long as they provided delivery and carryout options while prohibiting the capability to dine-in. City Attorney Bobby Maldonado offered clarification regarding the effect Governor Abbott's Order has on local business-primarily restaurants. Councilman Roland Segovia recommended an 8:00 PM curfew and work toward getting stricter. Councilman Roland Segovia Motioned to place a city-wide curfew of 9:00 PM effective one week from March 23, 2020 and asked the City Attorney where the provision would fall under. City Attorney Bobby Maldonado recommended a separate ordinance specifically for the curfew itself since the Council had not adopted the Disaster Act of 1975 allowing the City to enforce the provisions included in the proclamation.

Councilwoman Davina Rodriguez stated violators of the City's Declaration should be fined-starting with the juveniles breaking the City curfew. Councilman Roland Segovia asked Mayor Mary Moore at what point would she consider shutting down the City of Pearsall. She stated when the City has at least one (1) confirmed positive case she would consider taking action. City Manager and Council discussed the measures taken by staff to ensure the closure of the City parks. Councilman Roland Segovia asked the City Manager what the first responders had been given for protection. Mr. Reyes said there is very little equipment to go around but has provided gloves and other PPE has been ordered. Councilwoman Rodriguez stated the City needed to get a plan in place and be proactive regarding the virus. Councilman Roland Segovia stated he felt as though Mayor Moore was not being proactive due to her waiting for a positive case. Mayor responded saying she is not just considering COVID-19 to make decisions but the hardship the entire community would endure if the City was to shut down. Council discussed removing section D2 and add item E to read citizens encouraged to stay home; E1: Enforce current curfew for children 16 and under. Councilwoman Davina Rodriguez Motioned to consider changes to the Declaration dated for March 23, 2020, made by Mayor Moore, Second by Mayor Pro Tem Julian Hernandez. The vote in favor of the Motion was unanimous.

G. Discuss and Consider ordering the full or partial closure of City Facilities and limit public access to City facilities.

City Manager Federico Reyes, Jr. informed Council of the City facilities that have been closed to the public. Councilwoman Davina Rodriguez Motioned to Close: City Hall lobby; PD lobby; City Yard; to not accept brush at the Transfer Station. Second by Mayor Pro Tem Julian Hernandez. The vote in favor of the Motion was unanimous.

H. Update on COVID-19 Preparedness Plan.

City Manager Federico Reyes, Jr. stated the City has: canceled all pending events at the sports complex and civic center; issued a closure of the library and parks; encouraged the public to use the drive-thru window to conduct City business and pay utility bills online-City will pay for the convenience fees for online payments; Municipal Court cancelled truancy court and open court; encouraged the public to pay any citations online; stopped all brush collection at the Transfer Station; encouraged citizens to dispose of all rags, newspapers, towels and wipes in the trash to prevent clogging at the Waste Water Treatment Plant; enforced curfew. He added that the City would not disconnect services during the state of emergency due to the COVID-19 pandemic. Councilman Roland Segovia announced the COVID-19 21 Program between the County, Pearsall ISD and the City that would help feed the senior citizens for Pearsall.

6. Executive Session

Councilwoman Brenda Trevino Motioned to enter into Executive Session at 9:11 PM, Second by Councilwoman Sonia Hernandez. The vote in favor of the Motion was unanimous.

A. Review applications for vacant Council Member Place No. 5.

7. Open Session

Councilwoman Brenda Trevino Motioned to return from Executive Session at 9:22 PM, Second by Councilman Richard Gandara. The vote in favor of the Motion was unanimous.

- A. Discuss and Consider Resolution No. 2020-03-04 Appointing a qualified individual to serve the unexpired term of Place Five (5) for the City of Pearsall City Council in accordance with Section 3.09 of the Pearsall Home Rule Charter.**

No discussion. Councilman Roland Segovia Motioned to appoint Mr. Abel Nieto, Second by Mayor Pro Tem Julian Hernandez. Council voted five (5) in favor and one (1) against. Councilman Richard Gandara, Councilman Roland Segovia, Councilwoman Sonia Hernandez, Councilwoman Davina Rodriguez, and Mayor Pro Tem voted in favor. Councilwoman Brenda Trevino voted against. Motion carries.

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

Mayor Pro Tem Julian Hernandez requested to place the Place No. 1 Council vacancy on the agenda. Councilman Richard Gandara and Councilwoman Brenda Trevino supported the request.

- 9. General Announcements**

City Manager Federico Reyes, Jr. announced the funeral details for the late City employee Mr. Valentin Villegas.

- 10. Adjournment**

There being no further business before the Council and upon a motion from Councilwoman Davina Rodriguez the meeting adjourned at 9:30 PM.

Approved this June 2, 2020.

Mary Moore, Mayor

ATTEST:

Krystal Garcia, City Clerk

Minutes of Emergency Meeting

The City Council of The City of Pearsall

An Emergency Meeting of the City Council of the City of Pearsall, Texas will be held on March 16, 2020, at 2:00 PM at the Pearsall City Hall, 215 S. Ash Street, Pearsall, Texas.

1. Call To Order

Mayor Pro Tem Julian Hernandez, in Mayor Mary Moore's absence, called the meeting to order at 2:10 PM.

2. Roll Call and Announcement of a Quorum

Council Members Present: Mayor Pro Tem Julian Hernandez, Council Member Brenda Trevino, Council Member Robert Villarreal

Council Members Absent: Mayor Mary Moore, Council Member Richard Gandara, Council Member Sonia Hernandez, Council Member Davina Rodriguez, Council Member Roland Segovia

Staff Present: City Manager Federico Reyes, City Clerk Krystal Garcia, Finance Director Santos Alarcon, Municipal Court Judge Juan Ponce, Library Director Jennifer Muniz, Public Works Director Hector Gandara, Payroll Clerk Melissa Moralez, Purchasing Clerk Delicia Hernandez, Utility Clerk Anita Vasquez, Chief of Police Peter Salinas, HR Director Ruben Frausto, Utilities Director Rudy Carrizales, Parks and Recreation Director Ramiro Otero

3. Invocation and Pledge of Allegiance

Invocation led by Municipal Court Judge Juan Ponce. Pledge of Allegiance led by all.

4. New Business

A. Discuss current and future planning regarding the city's response to the novel Coronavirus (COVID-19) with city personnel.

Mayor Pro Tem Julian Hernandez announced there was not a quorum so the present Council members will proceed with the meeting and discuss how the City may possibly move forward. City Manager Federico Reyes, Jr. provided a listing of all the events booked at City facilities for the months of March and April that would be rescheduled due to the COVID-19 Pandemic. He stated the City had not closed the parks but would be encouraging citizens to follow CDC guidelines of no mass gatherings of over fifty (50) people. Mr. Reyes added that he had been communicating with WalMart and HEB store managers and pulled the senior citizen discount list so the City could try to provide a bag of basic necessities to the elderly. Judge Juan Ponce

informed staff and Council of the email he received suggesting truancy and open courts be postponed until May 8, 2020. He added staff will continue normal business in the office aside from court. Police Chief Peter Salinas informed the Council to help limit contact and mitigate the virus the PD would be focusing on violent offenses and major property crimes-adding the PD would continue to conduct welfare concern checks. Low grade offenses would not prompt an arrest or citation. City Manager stated he had been working on getting PPE for PD and staff in contact with public. Library Director Jennifer Muniz stated she compiled a list of educational resources for parents to utilize. Mr. Reyes informed Council the funds received from auctioned equipment would be used to provide care packages for the elderly.

B. Discuss and consider appointment of members to the Frio County committee regarding the Coronavirus (COVID-19) and other urgent related matters.

City Manager Federico Reyes said Mayor Mary Moore, Mayor Pro Tem Julian Hernandez and Councilwoman Davina Rodriguez expressed interest in participating in the committee. No Action taken due to lack of quorum.

5. Adjournment

There being no further business before the Council and upon a motion from Councilwoman Brenda Trevino the meeting adjourned at 3:12 PM.

Approved this 2nd of June, 2020.

Mary Moore, Mayor

ATTEST:

Krystal Garcia, City Clerk

Minutes of Special Meeting

The City Council of the City of Pearsall

A Special Meeting of the City Council of the City of Pearsall, Texas will be held on Tuesday, March 31, 2020, at 6:00 PM at the Pearsall Public Library located at 200 E. Trinity Street, Pearsall, Texas.

1. Call To Order

Mayor Mary Moore called the meeting to order at 6:00 PM.

2. Roll Call and Announcement of a Quorum

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

Council Members Absent: NONE

Staff Present: City Manager Federico Reyes, City Clerk Krystal Garcia, Finance Director Santos Alarcon, Chief of Police Peter Salinas, Planner Estrellita Ballesteros, Head Librarian Jennifer Muniz, City Attorney Bobby Maldonado, Municipal Court Judge Juan Ponce, GIS/Meter Technician Eli Viesca

3. Invocation and Pledge of Allegiance

Invocation led by Municipal Court Judge Juan Ponce. Pledge of Allegiance led by all.

4. New Business

A. Discuss and Consider Resolution No. 2020-03-05 Appointing a qualified individual to serve the unexpired term of Place One (1) for the City of Pearsall City Council in accordance with Section 3.09 of the Pearsall Home Rule Charter.

Councilman Abel Nieto asked if Councilman Richard Gandara could be allowed to remain on the Council as a holdover. Mayor Pro Tem Julian Hernandez stated the position was advertised and they had only received 2 applications throughout the entire process the application could be looked at and discussed. He recommended the Council follow the same procedure used to replace Councilman Robert Villarreal. Council applicant Aurora Perez said she followed the steps provided by Council to obtain the seat and was confused as to why there would be an issue as she has served on the Council before. Councilwoman Davina Rodriguez stated she understood that only Place 5 was advertised and Place 1 was to be kept as a holdover. City Clerk Krystal Garcia clarified that both Places 1 and 5 had been advertised as directed by Council during a previous meeting. Mayor Pro Tem Julian Hernandez stated he believed the Council should remain consistent with the Charter and motion Motioned to Approve Resolution No. 2020-03-05 with Aurora Perez appointed to Place 1, Second by Councilwoman Brenda

Trevino. The council voted two (2) in favor and four (4) against. Councilwoman Brenda Trevino and Mayor Pro Tem Julian Hernandez voted in favor. Councilman Abel Nieto, Councilman Roland Segovia, Councilwoman Davina Rodriguez and Councilwoman Sonia Hernandez voted against. Councilman Richard Gandara did not cast a vote. Councilman Roland Segovia motioned to reject all applications and keep Councilman Richard Gandara as a holdover until the November election. Mayor Mary Moore asked City Attorney Bobby Maldonado if the Council could do that. Mayor Pro Tem Julian Hernandez stated he believes they Council would be in violation of the Charter and goes against the processed followed when the Council replaced Councilman Robert Villarreal. Mayor Mary Moore agreed. Mr. Maldonado stated it would be easier if the motion was to reject all applications and not fill the vacancy. Councilman Roland Segovia stated that was his motion. Councilman Abel Nieto second the motion. Mayor called for those in favor. Councilman Abel Nieto, Councilman Roland Segovia, Councilwoman Davina Rodriguez and Councilwoman Sonia Hernandez voted in favor. Mayor Mary Moore asked if the Council could follow through with the motion due to the purpose of the item was to replace Councilman Gandara and the Motion was to keep him on the Council as a holdover. City Attorney Maldonado stated he recommends the verbiage of the motion to be "reject all applications for Place 1 at this time". Councilman Roland Segovia rescinded his previous motion and then motioned to reject all applications and Councilman Gandara will keep his seat as a holdover until the next council election. He asked Mr. Maldonado if the motion was done correctly to which Mr. Maldonado replied that the motion needs to be "to reject all applications". Councilman Roland Segovia stated his motion was to reject all applications, Second by Councilman Abel Nieto. The Council voted four (4) in favor and two (2) against. Councilman Abel Nieto, Councilman Roland Segovia, Councilwoman Davina Rodriguez and Councilwoman Sonia Hernandez voted in favor. Councilwoman Brenda Trevino and Mayor Pro Tem Julian Hernandez voted against. Councilman Richard Gandara did not cast a vote. Motion carries.

B. Discuss and Consider Declaration of Public Health Emergency #3, in accordance with state law.

City Manager Federico Reyes informed the Council the Declaration was filed at 1:00 PM and will remain in effect for seven (7) days. He reviewed the exhibit attached to the declaration. Included in the exhibit were guidelines to limit people congregating in mass quantities; restrict barber/beauty shops/nail salons, transient vendors from conducting business; furniture stores were to close; allow restaurants to remain open as long as they complied with the Governor's Executive Order; closed all bars; worship services are allowed only by teleconference. City Attorney Bobby Maldonado stated a new order was just put into effect shortly before the meeting and did not have adequate time to carefully read through it and recommends the Council holding off until he has had enough time to review it. Councilman Roland Segovia Motioned to Table the item, Second by Councilwoman Davina Rodriguez. The vote in favor of the Motion was unanimous.

C. Discuss and Consider COVID-19 Senior/Disabled Meal Plan.

Mayor Mary Moore announced that a Frio County citizen donated \$50,000 to be funneled through the churches and school to help feed County residents over the age of 60. Dr. Norbert Rodriguez joined the meeting via teleconference and briefly reviewed the menu as well as the prices of the meals. He explained the funding would cover breakfast and lunch for five (5) days a week. The average price for breakfast was \$1.13 and the average price for lunch was \$2.70.

Municipal Court Judge Juan Ponce stated all churches within Pearsall were invited to participate and would be utilized to distribute the meals. Councilman Roland Segovia Motioned that if after thirty (30) days, or on May 1st, if the funding from the \$50,000 were to run out, \$25,000 to be utilized to feed the elderly and disabled within the City of Pearsall, Second by Councilwoman Davina Rodriguez. Municipal Court Judge Juan Ponce announced he received a message stating the \$50,000 would include meals for disabled citizens as well. Councilman Roland Segovia announced that his motion still stands. Mayor Pro Tem Julian Hernandez called for discussion and recommended the Council first look at City resources and evaluate if it could be done on a week by week basis. Councilwoman Davina Rodriguez stated that if in thirty days, if the funds are not needed, the motion would be rescinded but wishes to move forward with the motion provided by Mr. Segovia. Mayor Pro Tem Julian Hernandez asked if the item was approved would the Council be willing to turn over the funding to the "Alliance of Churches" to continue the program through the school to provide the meals. Councilman Roland Segovia stated the purpose of the item was to feed the elderly and disabled while putting money back into the local economy by allowing local restaurants to provide the meals. Municipal Court Judge Ponce informed the Council that the \$50,000 donation is expected to cover 55-60 days' worth of meals to the disabled and elderly of Frio County. Mayor Mary Moore asked is Mr. Segovia needed to rescind and amend is motion to which he responded he did not need to amend it. Mayor Moore called for those in favor of Councilman Segovia's motion. The Council voted five (5) in favor and two (2) against. Councilman Roland Segovia, Councilman Abel Nieto, Councilman Richard Gandara, Councilwoman Sonia Hernandez and Councilwoman Davina Rodriguez voted in favor of the motion. Councilwoman Brenda Trevino and Mayor Pro Tem Julian Hernandez voted against. Motion carries.

D. Update on COVID-19 Preparedness Plan.

City Manager Federico Reyes stated he was informed by Frio Regional Hospital's CEO that Frio County had received an "F" score for social distancing according to an article. He reviewed Republic Services proposed response to COVID-19. Councilman Roland Segovia stated this was a breach of contract due to the virus and recommended the City Manager send a certified letter stating the City would not remit payment for three (3) months.

5. Executive Session

Councilwoman Brenda Trevino Motioned to enter into Executive Session at 7:16 PM, Second by Councilwoman Sonia Hernandez. The vote in favor of the Motion was unanimous.

A. Review and Discuss the City Manager's Evaluation.

6. Open Session

Mayor Pro Tem Julian Hernandez Motioned to return from Executive Session at 7:40, Second by Councilman Richard Gandara. The vote in favor of the motion was unanimous. Mayor Mary Moore announced no action was taken during Executive Session. **Note: Councilman Segovia did not enter Executive Session and was not present after Executive Session**

A. Discuss and Consider the City Manager's Evaluation.

Mayor Pro Tem Julian Hernandez Motioned to accept the City Manager's evaluation and extend the contract for another year, Second by Councilwoman Brenda Trevino. The vote in favor of

the Motion was unanimous. *Councilman Roland Segovia was not present*

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

Councilwoman Sonia Hernandez requested a status update on the Polo Patino Park Audit. The request was supported by Councilwoman Davina Rodriguez and Councilwoman Brenda Trevino.

8. General Announcements

NONE

9. Adjournment

There being no further business before the Council and upon a motion by Councilwoman Davina Rodriguez the meeting adjourned at 7:46 PM.

Approved this June 2, 2020.

Mary Moore, Mayor

ATTEST:

Krystal Garcia, City Clerk

Minutes of Special Meeting

The City Council of the City of Pearsall

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

1. Call To Order

Mayor Mary Moore called the meeting to order at 6:02 PM.

2. Roll Call and Announcement of a Quorum

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

Council Members Absent:

Staff Present: City Manager Federico Reyes, Jr., City Clerk Krystal Garcia, Finance Director Santos Alarcon, GIS Technician Eli Viesca, Chief of Police Peter Salinas, City Attorney Bobby Maldonado, Municipal Court Judge Juan Ponce

3. Invocation and Pledge of Allegiance

Invocation led by Municipal Court Judge Juan Ponce. Pledge of Allegiance led by all.

4. Presentation

A. Discuss budget to actual revenue and expenditure projection.

Finance Director Santos Alarcon provided information regarding the current state and near future projections for the General Fund and Utility Fund of the FY 2019-2020 Budget. The Fiscal Year-to-Date Report he reviewed with Council included: an overview of the sales tax gain and loss; the top 10 taxpayers; and industry performance for the City of Pearsall. He stated if the COVID-19 pandemic were to last throughout the rest of the year the City would see a \$680,225 reduction in revenues based on a 20% reduction in sales tax. Councilman Roland Segovia stated he did not think Mr. Alarcon's projections were accurate because people are still shopping at local stores. After speaking with WalMart and HEB management, he learned both stores tripled their daily sales since the pandemic started. He added local fast food restaurants have not been affected since they already provide drive-thru service. Mr. Segovia asked what was Mr. Alarcon's recommendation to the City Manager to ensure the budget would be met without having to lay employees off. Mr. Alarcon said options had not been discussed yet but stated the only option would be to make cuts to personnel as well as capital outlay from the General Fund. Councilwoman Davina Rodriguez said businesses are still brining in a lot of money even with the pandemic. She recommended putting the projects associated with the new

City Hall building on hold out of concern of going over the approved budget. Mr. Alarcon stated the City would not go over budget on those projects since TML would reimburse the funds expended once the approved budget for the project had been met. For the Utility Fund he stated he anticipates a 10% reduction in the City collection rate-if that does not occur the City would still see a \$438,000 deficit.

5. New Business

A. Discuss and Consider City streets to be paved and/or directing the City Manager to advertise for bids.

Councilwoman Davina Rodriguez stated the heavy rain over the weekend caused major flooding in the Roosevelt and Chaparral area. Mayor Mary Moore asked if there was money allocated to do the project. City Manager Federico Reyes, Jr. said there is \$374,000 available for fixing streets. Councilwoman Davina Rodriguez and Councilwoman Sonia Hernandez offered to remove the streets they had previously requested for completion and replace it with this issue. Mayor Mary Moore said the retention pond would have to be done first in order to keep the same problem from occurring. Mayor Pro Tem Julian Hernandez said many cities have put projects on hold to prepare for possible issues that may arise due to the pandemic. He recommended looking into putting a hold on the new city hall project to ensure money is available. Mr. Reyes clarified that the new city hall project is not being funded by sales tax or property tax. Councilman Roland Segovia said Carter, Ash and Walnut on the southeast side of town should still be done in addition to the proposed retention pond project. Mayor Pro Tem Julian Hernandez asked if the recommended streets would require improvements to the infrastructure. City Manager Reyes said he would find out what work would need to be done prior to fixing the proposed streets. Councilman Richard Gandara stated people needs to be held accountable and get the project done. Councilwoman Davina Rodriguez said the retention pond would have to be done prior to fixing the street. Councilman Roland Segovia referred to the "Opinion of Probable Construction Cost" provided by LNV and Motioned 4, 7 and 9 on the Southeast side plus the Chaparral and Roosevelt corner lots be paved or find a solution for a retention pond with one of the land owners and work on the retention pond for the area. Second by Mayor Pro Tem Julian Hernandez. The vote in favor of the Motion was unanimous.

B. Discuss and Consider freezing or suspending the collection of Hotel Occupancy Taxes and/or directing the City Manager to draft an ordinance to that effect.

Mayor Mary Moore asked if the hotels and motels could legally not pay taxes to the City. City Attorney Bobby Maldonado said the provisions in Chapter 351 of the Tax Code adopted by the City does not address freezing, suspending or eliminating the payments. He added the City would have to eliminate the tax completely and then bring it back at a later date. Councilman Roland Segovia Motioned to table the item and direct the City Attorney to look into the possible rescinding of the Ordinance of the Hotel Motel Occupancy Tax of the City of Pearsall and place the item on the next agenda, Second by Councilman Abel Nieto. The vote in favor of the Motion was unanimous.

C. Discuss and Consider rescinding or eliminating the monthly utility bill \$6.50 surcharge and/or directing the City Manager to draft an ordinance to that effect.

Councilwoman Davina Rodriguez stated she understood the City would not benefit much from the \$6.50 surcharge. Mayor Mary Moore stated the surcharge funds \$230,000 toward the 2016

bond payment. City Manager Federico Reyes, Jr. stated the surcharge funds are allocated to operating budget and to pay off the 2016 bond debt. Councilman Roland Segovia said the rate study done in 2012 was to be slowly implemented over a 5-year period. He added the City annexed almost 300 acres and received over \$400,000 from sales tax from STEC. Mayor Pro Tem Julian Hernandez requested the contract with the bank be reviewed prior to making a decision to ensure the City would not be in violation. City Attorney Bobby Maldonado clarified the payment received from STEC is a payment in lieu of taxes. He added the ordinance for the bond series was passed in May of 2016 and the states the payment would come from utility fund revenues, not a surcharge - the ordinance for the surcharge was adopted in November of 2016. Councilman Roland Segovia asked if he could just rescind Ordinance No. 2016-11-01 to remove the surcharge. City Attorney Maldonado stated he preferred if Council would direct staff develop an ordinance rescinding the previous ordinance. Councilwoman Rodriguez said the surcharge is not justifiable- a rate study should have been done with the bond series. Mayor Pro Tem Hernandez asked what would be the financial effect if the surcharge were to be removed. City Manager Reyes and Finance Director stated if they surcharge were to be removed the City would lose a little more than \$150,000 over a span of 6 months. Councilman Roland Segovia Motioned to direct the City Attorney and City Manager to draft an ordinance to eliminate Ordinance 2016-11-01 and to eliminate the \$6.50 surcharge effective May 1, 2020. Second by Councilwoman Davina Rodriguez. The vote in favor of the Motion was unanimous.

D. Discuss and Consider naming the new City Hall Annex Building and/or directing the City Manager to draft a resolution to that effect.

Councilman Roland Segovia stated he requested the item to see if the Council had any recommendations on naming the building after someone. Councilwoman Brenda Trevino said she remembered having a conversation about naming the building after Pepe Trevino. Councilman Roland Segovia said he wants to follow the ordinance in currently in place and submit names to the City Manager to be brought to and voted on by City Council. Councilman Segovia Motioned to Table the item, Second by Councilwoman Davina Rodriguez. The vote in favor of the Motion was unanimous.

E. Discuss and Consider an extension of Declaration of Public Health Emergency #3, issued by Mayor Mary Moore on March 31, 2020.

City Manager Federico Reyes, Jr requested the item be discussed in Executive Session. Mayor Pro Tem Julian Hernandez Motioned to extend Declaration of Public Health Emergency #3, for 2 weeks with an amendment to the Worship Services" Section to read: Religious and worship services be provided by video and teleconference and other remotes measures but at the same time still allow for mass gathering as issued by the Governor of the State of Texas, Second by Councilwoman Davina Rodriguez. The vote in favor of the motion was unanimous.

F. Discuss and Consider Resolution No. 2020-04-01 Appointing a qualified individual to serve the unexpired term of Place One (1) for the City of Pearsall City Council in accordance with Section 3.09 of Pearsall Home Rule Charter.

Councilman Roland Segovia motioned to dismiss the item, Second by Councilwoman Davina Rodriguez. The Council voted five (5) in favor and two (2) against. Councilman Roland Segovia, Councilman Richard Gandara, Councilman Abel Nieto, Councilwoman Sonia Hernandez and Councilwoman Sonia Hernandez voted in favor. Councilwoman Brenda Trevino and Mayor Pro Tem Julian Hernandez voted against. Motion carries.

6. Executive Session

City Manager Federico Reyes, Jr recommended discussing items 5E and 5F in Executive Session due to possible legal questions that may arise. Councilwoman Davina Rodriguez stated item 5F should not be discussed at all since it was previously passed with a 5-2 vote and Mayor was not a voting factor and therefore violates Robert's Rules of Order. Mayor Mary Moore stated she brought the item back because the Council is in violation of the Charter. City Attorney Bobby Maldonado said the Council had several options to deal with the item: move to table, move to dismiss or move to discuss in closes session but did confirm Councilwoman Rodriguez's concern regarding Robert's Rules of Order. Mr. Maldonado added that the Charter conflicts with Robert's Rules of Order. Mayor Moore announced Items 5E, 6A and 6B would be discussed in Executive Session and item 5F would be discussed in Open Session. Councilwoman Brenda Trevino Motioned to enter into Executive Session at 7:35 PM, Second by Mayor Pro Tem Julian Hernandez. The vote in favor of the Motion was unanimous.

- A. Discussion regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the Municipal Court Judge.**
- B. Discuss renegotiating the contract for solid waste and collection and disposal service with Republic Services.**

7. Open Session

Mayor Mary Moore announced no action was taken in Executive Session. Councilwoman Sonia Hernandez Motion to return to Open Session at 8:45 PM, Second by Councilman Richard Gandara. The vote in favor of the Motion was unanimous.

- A. Discuss and consider the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the Municipal Court Judge.**

Mayor Pro Tem Julian Hernandez Motioned the item be reflected in writing and placed in the employee's file as discussed in Executive Session, Second by Councilwoman Davina Rodriguez. The vote in favor of the motion was unanimous.
- B. Discuss and Consider renegotiating the contract for solid waste and collection and disposal service with Republic Services and directing the City Manager to move forward as discussed.**

Councilman Roland Segovia motioned to authorize the City Attorney and the City Manager to renegotiate the contract with Republic Services, Second by Councilman Abel Nieto. The vote in favor of the Motion was unanimous.

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

City Manager Federico Reyes, Jr. said the next agenda would be full.

9. General Announcements

None.

10. Adjournment

There being no further business before the Council and upon a motion from Councilwoman Davina

Rodriguez the meeting adjourned at 8:50 PM

Approved June 2, 2020

Mary Moore, Mayor

ATTEST:

Krystal Garcia, City Clerk

Minutes of Special Meeting

The City Council of The City of Pearsall

A Special Meeting of the City Council of the City of Pearsall, Texas will be held on Monday, April 20, 2020 at 6:00 PM at the Pearsall City Hall, 215 S. Ash Street, Pearsall, Texas.

1. Call To Order

Mayor Mary Moore called the meeting to order at 6:00 PM.

2. Roll Call and Announcement of a Quorum

Council Members Present: Mayor Mary Moore, Mayor Pro Tem Julian Hernandez, Council Member Richard Gandara, Council Member Sonia Hernandez, Council Member Brenda Trevino, Council Member Roland Segovia, Council Member Abel Nieto

Council Members Absent: Council Member Davina Rodriguez

Staff Present: City Manager Federico Reyes, City Clerk Krystal Garcia, Finance Director Santos Alarcon, GIS Technician Eli Viesca, Chief of Police Peter Salinas, HR Director Ruben Frausto, City Attorney Bobby Maldonado

3. Invocation and Pledge of Allegiance

Invocation led by Councilman Abel Nieto. Pledge of Allegiance led by a

4. New Business

A. Discuss and Consider Declaration of Public Health Emergency #4, in accordance with state law.

City Manager Federico Reyes briefly summarized Governor Abbott's Executive Order #14 providing a plan to re-open the State of Texas. He clarified that State parks were opened with the Order but all City Parks would remain closed to the public until further notice. Councilman Roland Segovia informed Council of the mask mandates in surrounding cities and asked Mayor Mary Moore what her professional opinion was on the usage of facial coverings. She stated she recommends facial coverings because while the City does not have active cases people from out of town do pass through. After some discussion the Council agreed to add a mandatory facial covering provision for citizens 10 and up in public places to the Declaration #4. Council spoke with Chief of Police Peter Salinas and asked him to enforce the facial covering provision. City Attorney Bobby Maldonado advised Chief Salinas the provision could be enforced and treated as a Class B Misdemeanor if violated. Councilman Roland Segovia Motioned to Approve Declaration # 4 with the addition of wearing masks in public for all citizens age 10 and up,

Second by Councilwoman Sonia Hernandez. The vote in favor of the Motion was unanimous.

B. Discuss, consider, and possible action to review the City's Purchasing Procedures to authorize the City Manager to issue a request for Proposals for the procurement of meals for senior and disabled citizens in an amount not to exceed the \$25,000 that was previously approved by Council.

City Manager Federico Reyes, Jr. cited Texas Local Government Code regarding "Competitive Requirements for Purchases and Requests for Proposals for Certain Procurements". Councilman Roland Segovia stated he realized the procurement process needed to be followed so he decided to bring the item back to be voted on in the correct manner. Mayor Pro Tem Julian Hernandez asked City Attorney Bobby Maldonado if Council would have to select one (1) vendor. Mr. Maldonado said because it is not a common expense the City would not be limited to selecting one vendor by designing the RFP to allow multiple vendors. City Manager Federico Reyes, Jr. asked Council for factors to include in the RFP. He explained the money would come from the Contingency line item in Administration. Councilman Segovia explained how the \$25,000 would be expended and provided a breakdown of how the program would work on a daily basis. He added he has a master list of those who will be receiving meals. Councilman Roland Segovia Motioned to follow the current procurement policy and to advertise in the local paper for one week starting April 23, 2020; Proposals should be addressed to the City Manager Federico Reyes and proposals will be opened on May 1; Proposals will be for 1 meal for 1 week, everyday starting May 15; 250 Plates a day should be in the proposals; award proposals to the top 4 proposals on May 4, at Special Meeting and start the project on May 15., Second by Councilman Richard Gandara. Council voted four (4) in favor and two (2) against. Councilman Roland Segovia, Councilman Richard Gandara, Councilman Abel Nieto and Councilwoman Sonia Hernandez voted in favor. Mayor Pro Tem Julian Hernandez and Councilwoman Brenda Trevino voted against. Motion carries.

C. Discuss and consider authorizing the City Manager to issue a Request for Qualifications (RFQ) for engineering and surveying services for the City of Pearsall.

Mayor Pro Tem asked if the City could select a pool of engineering firms. City Manager Federico Reyes, Jr. stated it is possible to have a pool to pick from. He explained the first step would be to determine the best qualified to work with the City; the second step would be to negotiate the contract and then pricing could be discussed. Mayor Pro Tem Julian Hernandez Motioned to authorize the City Manager to issue a Request for Qualifications (RFQ) for engineering and surveying services for the City of Pearsall, Second by Councilwoman Sonia Hernandez. The vote in favor of the motion was unanimous.

D. Review and Discuss the draft of Purchasing Policy.

City Manager Federico Reyes, Jr. briefly reviewed with Council the draft of the City of Pearsall Purchasing Policy.

E. Discuss Council revisions to Rules of Decorum for the City of Pearsall City Council.

City Manager Federico Reyes, Jr. discussed the revisions suggested by Council during the February 25, 2020 meeting. He discussed a revision made to Page 1, Section 1-110(d)- "Agenda items placed on the agenda by the Mayor or members of the City Council previously considered and whereby action was taken by the City Council may not be placed on a future agenda for reconsideration **one year** of such action unless either directed by a majority of the City Council to the City Manager during any scheduled regular or special meeting. **Three** members of the

City Council who are requesting that the item be reconsidered on an agenda must be on the prevailing side of the previous vote on the item." Mayor Pro Tem Julian Hernandez suggested instead of "three members", it should read "one member". Mayor Mary Moore suggested it read "majority". City Attorney Bobby Maldonado suggested it read "majority present at the meeting in which the item is being considered". He also suggested a provision be added allowing a waiver of the rules upon a majority vote and suggested the term "majority" be defined. Mr. Maldonado stated the Rules of Decorum cannot conflict with the Charter. Mr. Reyes reviewed additional revisions made. Mayor Pro Tem Julian Hernandez informed Mr. Reyes of a paragraph in the Charter that outlines what the Council is able to do during meetings. Mr. Reyes said the item would be placed on the agenda in the form of an ordinance for the Council to act upon.

5. Executive Session

Councilwoman Sonia Hernandez motioned to enter into Executive Session at 7:26 PM, Second by Councilwoman Brenda Trevino. The vote in favor of the Motion was unanimous.

- A. Update regarding South Texas Coop, Inc. vs Frio CAD Cause No. 18-09-00349CVF.**
- B. Discuss renegotiating the contract for solid waste and collection and disposal service with Republic Services.**
- C. Consultation with attorney regarding the Polo Patino Forensic Audit and legal matters.**
- D. Discuss the sale of real property commonly known as 311 East Hackberry, Pearsall, Texas.**
- E. Discuss the sale of real property commonly known as 213 South Oak, Pearsall, Texas.**
- F. Discuss the sale of three parcels totaling 75+/- acres of real property owned by the City of Pearsall located on Power Plant Road in Pearsall, Texas under Frio Central Appraisal District Property ID numbers 4766, 7655 and 10869.**

6. Open Session

Councilman Richard Gandara Motioned to return from Executive Session, Second by Councilwoman Sonia Hernandez. The vote in favor of the motion was unanimous.

- A. Discussion and Consideration regarding South Texas Coop, Inc. vs Frio CAD Cause No. 18-09-00349CVF.**

Mayor Pro Tem Julian Hernandez motioned to reject the settlement and continue to participate in litigation, Second by Councilman Roland Segovia. The vote in favor of the Motion was unanimous.
- B. Discuss and Consider renegotiating the contract for solid waste and collection and**

disposal service with Republic Services and directing the City Manager to move forward as discussed.

Councilman Roland Segovia motioned to direct the City Manager to send a certified letter to Republic Disposal Services and be put on notice of breach of contract and follow paragraph 18, Second by Councilwoman Sonia Hernandez. The vote in favor of the Motion was unanimous.

C. Discussion and Consideration regarding the Polo Patino Forensic Audit and legal matters.

No Action.

D. Discuss, consider, and possible action authorizing the sale of real property commonly known as 311 East Hackberry, Pearsall, Texas; and authorizing the City Manager to take necessary action.

Councilman Roland Segovia motioned to entertain items 6D, 6E and 6F together authorizing the City Manager to get the properties appraised, Second by Councilman Abel Nieto. The vote in favor of the Motion was unanimous.

E. Discuss, consider, and possible action authorizing the sale of real property commonly known as 213 South Oak, Pearsall, Texas; and authorizing the City Manager to take necessary action.

Councilman Roland Segovia motioned to entertain items 6D, 6E and 6F together authorizing the City Manager to get the properties appraised, Second by Councilman Abel Nieto. The vote in favor of the Motion was unanimous.

F. Discuss, consider and possible action authorizing the sale of three parcels totaling 75+/- acres of real property owned by the City of Pearsall located on Power Plant Road in Pearsall, Texas under Frio Central Appraisal District Property ID numbers 4766, 7655 and 10869; and authorizing the City Manager to take necessary action.

Councilman Roland Segovia motioned to entertain items 6D, 6E and 6F together authorizing the City Manager to get the properties appraised, Second by Councilman Abel Nieto. The vote in favor of the Motion was unanimous.

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

8. General Announcements

City Manager Federico Reyes, Jr. announced there would be a meeting the following week.

9. Adjournment

There being no further business before the Council the meeting adjourned at 8:52 PM.

Approved June 2, 2020

Mary Moore, Mayor

ATTEST:

Krystal Garcia, City Clerk

Minutes of Special Meeting

The City Council of the City of Pearsall

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.

1. Call To Order

In Mayor Mary Moore's absence, Mayor Pro Tem Julian Hernandez called the meeting to order at 6:00 PM.

2. Roll Call and Announcement of a Quorum

Council Members Present: Mayor Mary Moore arrived at 6:58 PM, Mayor Pro Tem Julian Hernandez, Council Member Richard Gandara, Council Member Sonia Hernandez, Council Member Brenda Trevino, Council Member Roland Segovia, Council Member Davina Rodriguez participated through Z, Council Member Abel Nieto

Council Members Absent: NONE

Staff Present: City Manager Federico Reyes, City Clerk Krystal Garcia, Finance Director Santos Alarcon, Chief of Police Peter Salinas, City Attorney Bobby Maldonado, GID Technician Eli Viesca

3. Invocation and Pledge of Allegiance

Invocation led by Councilman Abel Nieto. Pledge of Allegiance led by all.

4. New Business

A. Discuss and Consider Declaration of Public Health Emergency #5, in accordance with state law.

Council agreed to wait for Mayor Mary Moore to arrive before discussing the item-will proceed with the rest of the agenda. *This item was discussed immediately after item 4F was discussed*

City Manager Federico Reyes, Jr. reviewed Governor Abbott's latest Executive Order regarding COVID-19. City Attorney Bobby Maldonado informed the Council that the Governor's latest Order supersedes all local orders across the State of Texas. Councilwoman Davina Rodriguez said the City could not enforce the use of face masks in public per Governor Abbott. City Attorney Bobby Maldonado stated he does not like the idea of the Council trying to enforce anything inconsistent with the Governor's Order. Council discussed leaving all City facilities closed due to seven (7) COVID-19 cases in Frio County. Councilman Roland Segovia Motioned to follow Governor Abbott's latest order, Second by Councilwoman Sonia Hernandez. The vote in favor of the Motion was unanimous.

B. Discussion regarding donation of memorial equipment.

City Manager Federico Reyes, Jr. read the minutes from the May 14, 2018 meeting- the last time the item was discussed. Councilman Roland Segovia said he would like to bring the item back as an action item. Mr. Reyes stated he would like direction on how to deal with requests for memorial equipment from the community. Councilwoman Davina Rodriguez stated the City should not pay for the equipment. She added if family members would be willing to pay for the benches or trees it would help beautify the park. Mr. Reyes informed Council that he would place it on an upcoming agenda.

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.

City Manager Federico Reyes, Jr. stated the area has flooded for years and believes it will continue until the drainage issue is fixed. Councilman Roland Segovia estimates the repair of the street will not cost hundreds of thousands of dollars. He recommended zipping the street and putting asphalt to make it drivable until the issue has been fixed. Councilwoman Davina Rodriguez said if the infrastructure and drainage problem is not fixed then the project would result in money wasted and suggested the City seek advice from engineers on how to fix the issue before the City spends money. Councilman Richard Gandara asked how long it has been an issue. Mayor Pro Tem Hernandez said they Council had been discussing the issue for more than three (3) years. Councilman Gandara stated the citizens cannot wait for more years to pass by without the issue being addressed. Mayor Pro Tem Hernandez recommended looking at the City's resources prior to taking action because of the City's recent expenditures during the ongoing COVID-19 pandemic. Councilwoman Davina Rodriguez Motioned to table the item, Second by Councilwoman Brenda Trevino. Councilman Roland Segovia requested a discussion-Mayor Pro Tem Hernandez permitted the discussion. He stated he was not sure where the City would receive advice from due to the City no longer having an engineering firm under contract and added the Council needed to act and not table the item. The Council voted four (4) in favor and three (3) against. Councilwoman Davina Rodriguez, Councilwoman Sonia Hernandez, Councilwoman Brenda Trevino and Mayor Pro Tem Julian Hernandez voted in favor of tabling the item. Councilman Roland Segovia, Councilman Richard Gandara and Councilman Abel Nieto voted against. Motion carries- item tabled.

D. Review and Consider directing the City Manager and legal counsel on meeting with fire marshal on possible public safety and hazards of building.

Councilman Roland Segovia stated he placed the item on the agenda for the old library and "El Paisano" buildings located downtown. He would like to know if the buildings were a hazard to the citizens. City Manager Federico Reyes, Jr. informed the Council that the local Fire Marshal retired and had not been replaced yet. City Attorney Bobby Maldonado stated the State Fire Marshal could help if assistance was requested. Councilman Roland Segovia Motioned to direct the City manager and City attorney to meet with the State Fire Marshal, Second by Councilman Richard Gandara. Councilwoman Sonia Hernandez stated the City should look at all buildings within the City, not just one. Mayor Pro Tem Julian Hernandez asked if any cost would be associated with the meeting because the City doesn't need to spend money if it is not necessary. Mr. Reyes informed Council to meeting with the State Fire Marshal would not cost the City anything but the cost would come if demolition were to take place. Previous motion stands. The Council voted six (6) in favor and one (1) abstention by Councilwoman Davina Rodriguez.

E. Review, consider and authorize legal counsel on search of property owner deeds on North Chaparral Road.

City Manager Federico Reyes, Jr. explained there were two (2) local attorneys who offer title searching services. City Attorney Bobby Maldonado said he would agree to the do the work at no cost if he was provided with clear direction from the Council. Councilwoman Davina Rodriguez said the City needed to first look at where the retention pond would be located before doing property research. Councilman Roland Segovia Motioned to authorize legal counsel to conduct a search of property owner deeds on Chaparral and North Roosevelt, Second by Councilman Abel Nieto. The vote in favor of the Motion was unanimous. Councilwoman Davina Rodriguez stated, for the records, that she was voting in confidence.

F. Review and Consider moving forward with 2019-2020 budgeted item of Police Department new vehicle purchase.

Councilman Roland Segovia stated the vehicles currently being utilized by staff are in poor condition and need to be replaced. Mayor Pro Tem Julian Hernandez asked Chief of Police Peter Salinas of the last time vehicles were purchased for the PD. Chief Salinas confirmed that the department purchased five (5) Tahoes in 2012 and then made another vehicle purchase again in 2017. He added the department is looking to replace the 2012 Tahoes as those are not in good condition. Councilman Roland Segovia Motioned to direct the City Manager and Chief of Police to come up with a package to be looked at the next Council meeting, Second by Councilman Richard Gandara. The vote in favor of the Motion was unanimous.

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

Mayor Pro Tem Julian Hernandez asked Council members to utilize the "Inquiry" section of the agenda to best notify the rest of Council of upcoming agenda items.

6. General Announcements

City Manager Federico Reyes, Jr. provided information regarding the COVID-19 mobile test collection dated April 30, 2020, from 8:00 AM - 5:00 PM at Frio Regional Hospital.

7. Adjournment

There being no further business before the Council the meeting adjourned at 8:02 PM

Approved June 2, 2020

Mary Moore, Mayor

ATTEST:

Krystal Garcia, City Clerk

City Council Agenda

Approved for Agenda:

City Manager's Office

MEETING DATE: June 2, 2020

TO: City Council

FROM: Estrellita Ballesteros, Planner

SUBJECT: Public Hearing for final approval on Conditional Use Permit for Isaias Martinez

Purpose:

Per the City's Zoning Ordinances Sec 26:23 and 48:61 (Conditional Use Permit) a final hearing for submitted Conditional Use Permits shall be approved or denied with appropriate conditions by City Council.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

\$0.00

Discussion:

On April 13, 2020, the Planning & Zoning Commission approved the recommendation for Mr. Martinez to place the double wide manufactured home on his property located at N. Willow St.

City Council Agenda

Approved for Agenda:

City Manager's Office

MEETING DATE: June 2, 2020

TO: City Council

FROM: Estrellita Ballesteros, Planner

SUBJECT: Public Hearing for final approval on Conditional Use Permit for
Isaias Martinez

Purpose:

Per the City's Zoning Ordinances Sec 26:23 and 48:61 (Conditional Use Permit) a final hearing for submitted Conditional Use Permits shall be approved or denied with appropriate conditions by City Council.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

\$0.00

Discussion:

On April 13, 2020, the Planning & Zoning Commission approved the recommendation for Mr. Martinez to place the double wide manufactured home on his property located at N. Willow St.

**ORDINANCE
NO. 2020-03-02**

AN ORDINANCE GRANTING A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE PLACEMENT OF A 2020 DOUBLE-WIDE 28' x 56' MANUFACTURED HOME ON THE PROPERTY LEGALLY DESCRIBED AS BEING LOTS 13-14, BLOCK 2, DAVIS ADDITION, LOCATED AT N. WILLOW ST., IN THE CITY OF PEARSALL, FRIO COUNTY, TEXAS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Isaias Martinez Owner of the Property a filed a request for a Conditional Use Permit to for the placement of a 2020 Double Wide 28' x 56' Manufactured Home on his property legally described as being Lots 13-14, Block 2, Davis Addition, located at N. Willow St. in the City of Pearsall, Frio County, Texas; and

WHEREAS, pursuant to Section 23, F.1. (ii.) of the Manufactured Home Ordinance dated May 13, 1998, proper notice was provided to residents living within 200' of the request for Conditional Use Permit and where the Planning and Zoning Commission following no public opposition voted to recommend this conditional permit request to the City Council; and

WHEREAS, the City Council finds it is in the public interest to approve the requested Conditional Use Permit to for the placement of a 2020 Double Wide 28' x 56' Manufactured Home on the property legally described as being Lots 13-14, Block 2, Davis Addition, located at N. Willow St. in the City of Pearsall, Frio County, Texas

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEARSALL, TEXAS:

Section 1: That the Conditional Use Permit requested by Isaias Martinez, Owner of the for the placement of a 2020 Double Wide 28' x 56' Manufactured Home on his property legally described as being Lots 13-14, Block 2, Davis Addition, located at N. Willow St. in the City of Pearsall, Frio County, Texas, is hereby approved subject to the general conditions of Section 23 of the Manufactured Home Ordinance.

Section 2: This Ordinance, upon passage shall be published twice in the newspaper of general circulation in the City, effective from and after the date of its publication, as provided by law.

PASSED, APPROVED, and ADOPTED this the 2nd day of June, 2020.

**Mary Moore
Mayor**

ATTEST:

**Krystal Garcia
City Clerk**

City Council Agenda

Approved for Agenda:

City Manager's Office

MEETING DATE: June 2, 2020

TO: City Council

FROM: Estrellita Ballesteros, Planner

SUBJECT: Public Hearing for final approval on Conditional Use Permit for Alfonso Garcia & Miriam Martinez

Purpose:

Per the City's Zoning Ordinances Sec 26:23 and 48:61 (Conditional Use Permit) a final hearing for submitted Conditional Use Permits shall be approved or denied with appropriate conditions by City Council.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

\$0.00

Discussion:

On May 11, 2020, the Planning & Zoning Commission approved the recommendation for Mr. Garcia & Ms. Martinez to place the double wide manufactured home on his property located at 101 N. Lopez St.

**ORDINANCE
NO. 2020-06-01**

AN ORDINANCE GRANTING A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE PLACEMENT OF A 2020 DOUBLE-WIDE 28' x 56' MANUFACTURED HOME ON THE PROPERTY LEGALLY DESCRIBED AS BEING LOTS 1- 2, BLOCK 14, COLONIA ALTA VISTA ADDITION, LOCATED AT 101 N. LOPEZ ST., IN THE CITY OF PEARSALL, FRIO COUNTY, TEXAS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Alfonso Garcia & Miriam Martinez Owners of the Property a filed a request for a Conditional Use Permit to for the placement of a 2020 Double Wide 28' x 56' Manufactured Home on his property legally described as being Lots 1- 2, Block 14, Colonia Alta Vista Addition, located at 101 N. Lopez St. in the City of Pearsall, Frio County, Texas; and

WHEREAS, pursuant to Section 23, F.1. (ii.) of the Manufactured Home Ordinance dated May 13, 1998, proper notice was provided to residents living within 200' of the request for Conditional Use Permit and where the Planning and Zoning Commission following no public opposition voted to recommend this conditional permit request to the City Council; and

WHEREAS, the City Council finds it is in the public interest to approve the requested Conditional Use Permit to for the placement of a 2020 Double Wide 28' x 56' Manufactured Home on the property legally described as being Lots 1- 2, Block 14, Colonia Alta Vista Addition, located at 101 N. Lopez St. in the City of Pearsall, Frio County, Texas

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEARSALL, TEXAS:

Section 1: That the Conditional Use Permit requested by Alfonso Garcia & Miriam Martinez, Owners of the for the placement of a 2020 Double Wide 28' x 56' Manufactured Home on his property legally described as being Lots 1- 2, Block 14, Colonia Alta Vista Addition, located at 101 N. Lopez St. in the City of Pearsall, Frio County, Texas, is hereby approved subject to the general conditions of Section 23 of the Manufactured Home Ordinance.

Section 2: This Ordinance, upon passage shall be published twice in the newspaper of general circulation in the City, effective from and after the date of its publication, as provided by law.

PASSED, APPROVED, and ADOPTED this the 2nd day of June, 2020.

**Mary Moore
Mayor**

ATTEST:

**Krystal Garcia
City Clerk**

City Council Agenda

Approved for Agenda:

City Manager's Office

MEETING DATE: June 2, 2020

TO: City Council

FROM: Estrellita Ballesteros, Planner

SUBJECT: Public Hearing for final approval on Conditional Use Permit for Mr. & Mrs. Conrad Salinas for their son Mr. Carlos Salinas.

Purpose:

Per the City's Zoning Ordinances Sec 26:23 and 48:61 (Conditional Use Permit) a final hearing for submitted Conditional Use Permits shall be approved or denied with appropriate conditions by City Council.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

\$0.00

Discussion:

On May 11, 2020, the Planning & Zoning Commission approved the recommendation for Mr. & Mrs. Conrad Salinas for their son Mr. Carlos Salinas to place the single wide manufactured home on his property located at Wells Road.

**ORDINANCE
NO. 2020-06-02**

**AN ORDINANCE GRANTING A REQUEST FOR A CONDITIONAL USE PERMIT
TO ALLOW FOR THE PLACEMENT OF A 2020 DOUBLE-WIDE 14' x 76'
MANUFACTURED HOME ON THE PROPERTY LEGALLY DESCRIBED AS
BEING 496 1413 MORALES P.F., LOCATED AT WELLS ROAD, IN THE CITY OF
PEARSALL, FRIO COUNTY, TEXAS AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Mr. and Mrs. Conrad Salinas, Owners of the Property, a filed a request for a Conditional Use Permit for their son Carlos Salinas to for the placement of a 2020 Double Wide 14' x 76' Manufactured Home on his property legally described as being 496 1413 Morales P.F. Located at Wells Road. in the City of Pearsall, Frio County, Texas; and

WHEREAS, pursuant to Section 23, F.1. (ii.) of the Manufactured Home Ordinance dated May 13, 1998, proper notice was provided to residents living within 200' of the request for Conditional Use Permit and where the Planning and Zoning Commission following no public opposition voted to recommend this conditional permit request to the City Council; and

WHEREAS, the City Council finds it is in the public interest to approve the requested Conditional Use Permit to for the placement of a 2020 Double Wide 14' x 76' Manufactured Home on his property legally described as being 496 1413 Morales P.F. Located at Wells Road. in the City of Pearsall, Frio County, Texas;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
PEARSALL, TEXAS:**

Section 1: That the Conditional Use Permit requested by Mr. and Mrs. Conrad Salinas, Owners of the for their son Carlos Salinas, for the placement of a 2020 Double Wide 14' x 76' Manufactured Home on his property legally described as being 496 1413 Morales P.F. Located at Wells Road. in the City of Pearsall, Frio County, Texas; is hereby approved subject to the general conditions of Section 23 of the Manufactured Home Ordinance.

Section 2: This Ordinance, upon passage shall be published twice in the newspaper of general circulation in the City, effective from and after the date of its publication, as provided by law.

PASSED, APPROVED, and ADOPTED this the 2nd day of June, 2020.

**Mary Moore
Mayor**

ATTEST:

**Krystal Garcia
City Clerk**

City Council Agenda

Approved for Agenda:

City Manager's Office

MEETING DATE: June 2, 2020

TO: City Council

FROM: Estrellita Ballesteros, Planner

SUBJECT: Public Hearing for final approval on Conditional Use Permit for Mr. & Mrs. Rudy Longoria for their grandson Mr. Daniel Carbajal.

Purpose:

Per the City's Zoning Ordinances Sec 26:23 and 48:61 (Conditional Use Permit) a final hearing for submitted Conditional Use Permits shall be approved or denied with appropriate conditions by City Council.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

\$0.00

Discussion:

On May 11, 2020, the Planning & Zoning Commission approved the recommendation for Mr. & Mrs. Rudy Longoria for their grandson Mr. Daniel Carbajal to place the double wide manufactured home on his property located at 1113 E. San Antonio St.

**ORDINANCE
NO. 2020-06-03**

AN ORDINANCE GRANTING A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE PLACEMENT OF A 1993 DOUBLE-WIDE 32' x 53' MANUFACTURED HOME ON THE PROPERTY LEGALLY DESCRIBED AS BEING LOTS 11, BLOCK 138, PEARSALL ADDITION, LOCATED AT 1113 E. SAN ANTONIO ST. IN THE CITY OF PEARSALL, FRIO COUNTY, TEXAS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Mr. and Mrs. Rudy Longoria, Owner of the Property, a filed a request for a Conditional Use Permit, on behalf of their Grandson Daniel Carbajal, for the placement of a 1993 Double Wide 32' x 53' Manufactured Home on his property legally described as being Lots 11 Block 138, Pearsall Addition, located at 1113 E. San Antonio St. in the City of Pearsall, Frio County, Texas; and

WHEREAS, pursuant to Section 23, F.1. (ii.) of the Manufactured Home Ordinance dated May 13, 1998, proper notice was provided to residents living within 200' of the request for Conditional Use Permit and where the Planning and Zoning Commission following no public opposition voted to recommend this conditional permit request to the City Council; and

WHEREAS, the City Council finds it is in the public interest to approve the requested Conditional Use Permit to for the placement of a 1993 Double Wide 32' x 53' Manufactured Home on his property legally described as being Lots 11 Block 138, Pearsall Addition, located at 1113 E. San Antonio St. in the City of Pearsall, Frio County, Texas

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEARSALL, TEXAS:

Section 1: That the Conditional Use Permit requested by Mr. And Mrs. Rudy Longoria, Owner of the property, on behalf of their Grandson Daniel Carbajal, for the placement of a 1993 Double Wide 32' x 53' Manufactured Home on his property legally described as being Lots 11 Block 138, Pearsall Addition, located at 1113 E. San Antonio St. in the City of Pearsall, Frio County, Texas, is hereby approved subject to the general conditions of Section 23 of the Manufactured Home Ordinance.

Section 2: This Ordinance, upon passage shall be published twice in the newspaper of general circulation in the City, effective from and after the date of its publication, as provided by law.

PASSED, APPROVED, and ADOPTED this the 2nd day of June, 2020.

**Mary Moore
Mayor**

ATTEST:

**Krystal Garcia
City Clerk**

City Council Agenda

Approved for Agenda:

City Manager's Office

MEETING DATE: 6/2/2020

TO: City Council

FROM: Estrellita Ballesteros, Planner

SUBJECT: Discuss and consider setting a date, time, and place for a public hearing on a request for Conditional Use Permit for Gilbert Barajas, Jr. at 734 N. Roosevelt.

Purpose:

Mr. Gilbert Barajas Jr. is the property owner 734 N. Roosevelt, where he is requesting to place a 2019 Double Wide 32' x 66' manufactured home. He will be using this manufactured home as his primary residence. On May 26, two letters were mailed out to all citizens whom reside within 200 feet of the address for which the conditional use was submitted for. There has been no negative responses received.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

\$0.00

Discussion:

Per the city's Manufactured and Mobile Home Ordinance and the Zoning ordinance for Conditional Use Permits, city council is to set the date of a public hearing before acting upon a conditional use permit. Notice of the hearing shall be published at least one time in a newspaper of general circulation in the City not less than 30 days prior to the date of the hearing. Date of publication would be July 11, 2020, so the hearing would have to be scheduled on or after July 11th (Saturday). July 14th is the Regular City Council Meeting so my recommendation would be to set the Public Hearing for July 14th.

City Council Agenda

Approved for Agenda:

City Manager's Office

MEETING DATE: 6/2/2020

TO: City Council

FROM: Estrellita Ballesteros, Planner

SUBJECT: Discuss and consider setting a date, time, and place for a public hearing on a request for Conditional Use Permit for Jose Amaya, Jr. at 219 W. Phelps.

Purpose:

Mr. & Mrs. Jose Amaya, Jr. is the property owner 219 W. Phelps, where he is requesting to place a 2020 Double Wide 26' x 45' manufactured home. He will be using this manufactured home as his primary residence. On May 29, ten letters were mailed out to all citizens whom reside within 200 feet of the address for which the conditional use was submitted for.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

\$0.00

Discussion:

Per the city's Manufactured and Mobile Home Ordinance and the Zoning ordinance for Conditional Use Permits, city council is to set the date of a public hearing before acting upon a conditional use permit. Notice of the hearing shall be published at least one time in a newspaper of general circulation in the City not less than 30 days prior to the date of the hearing. Date of publication would be June 11, 2020, so the hearing would have to be scheduled on or after July 11th (Saturday). July 14th is the Regular City Council Meeting so my recommendation would be to set the Public Hearing for July 14th.