

CITY COUNCIL AGENDA

A Special Meeting of the City Council of the City of Pearsall, Texas will be held on Tuesday, July 28, 2020 at 7:00 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/86831402309>

Or iPhone one-tap :

US: +13462487799,,86831402309# or +16699009128,,86831402309#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592

Webinar ID: 868 3140 2309

International numbers available: <https://us02web.zoom.us/j/86831402309>

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. Public Hearing**

A. Open Public Hearing

Hold a Public Hearing allowing comment on the City's pending decision regarding applications for a Texas Department of Agriculture 2020 Downtown Revitalization Program grant and a Planning and Capacity Building grant.

B. Close Public Hearing

C. Open Public Hearing

Review and Discuss the re-zoning change requested by Frio County to be able to re-zone their property from an A-O Agricultural & Open Space District to a C-2 Neighborhood Business District. Property's legal description being Abstract 530 Survey 1411 ORTIZ PABLO.

Closed Public Hearing

D. Open Public Hearing

Public hearing with Republic Services to discuss contract deficiencies and placing the contractor on notice that it has a 30-day cure period to correct deficiencies.

Close Public Hearing

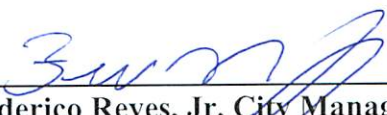
5. New Business

- A. Discuss and Consider adoption of a Citizen Participation Plan to be used in conjunction with the Texas Department of Agriculture's 2020 Downtown Revitalization Program grant and a Planning and Capacity Building grant. - **Action Item**
- B. Discuss and consider Resolution No. 2020-07-01 designating a professional engineering firm for the 2020 Texas Capital Fund Downtown Revitalization/Main Street Program of the Texas Community Development Block Grant (TxCDBG) Program for application and project implementation. - **Action Item**
- C. Discuss and Consider re-zoning change requested by Frio County to be able to re-zone their property from an A-O Agricultural Open Space District to a C-2 Neighborhood Business District. Property's legal description being 530 1411 ORTIZ PABLO. - **Action Item**
- D. Discuss and consider proposals related to the Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act for the City of Pearsall. - **Action Item**
- E. Discuss and consider amending the Decorum Policy. - **Action Item**
- F. Discuss and consider the appointment of a Charter Review Commission in accordance with Article 21 of the City Charter. - **Action Item**

6. General Announcements

7. Adjournment

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

By: 
Federico Reyes, Jr, City Manager

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

By: 
Krystal Garcia, City Clerk

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



CITY OF PEARSALL

GATEWAY TO THE WINTERGARDEN

City Manager

July 2, 2020

Sent via Certified Mail, Return Receipt Requested

BFI Waste Services of Texas, L.P.
D/B/A Allied Services of San Antonio.
A Republic Services Company
4542 S.E. Loop 410
San Antonio, Texas 78222

Re: The Contract Between the City of Pearsall and ACI Executed on July 14, 2015
(September 8, 2015 according to ACI's Notice of Sale Dated January 2019) effective January 1,
2016, extended on May 14, 2017, extended on April 23, 2019 and acquired by Republic Services
in January 2019

To whom it may concern:

Please be advised that on July 30, 2020, the City of Pearsall City Council voted to invoke the
"Rights of the City" provisions of paragraph 18.00 in the above-referenced contract. The City's
position is that Republic has failed to meet the performance standards as outlined in the contract
or is otherwise suspected of a contract breach.

As required under paragraph 18.00 of the contract, this letter is sent by certified mail outlining
each deficiency and setting up a public hearing to discuss the issues in front of the City Council.
At the hearing, the City Council will advise the Contractor of each deficiency and place the
Contractor on notice that it has a 30-day cure period to correct these issues in the future. We trust
you are familiar with the balance of paragraph 18.00. In the event that you are not, we
respectfully request you familiarize yourself with the provisions of paragraph 18.00.

**The public hearing is set for July 28, 2020, at 7pm at the Pearsall City Hall located at 215
South Ash in Pearsall, Texas.**

Although incongruent with paragraph 18.00, the City's position is that it has met and will
continue to meet the good faith dealings requirement in paragraph 21.00 of the contract. The City
has satisfied the paragraph 21.00 requirements through my efforts to directly resolve our disputes
over the past months. In fact, I have communicated with your sales representative repeatedly
over the past months to no avail.

Further, the City has made multiple efforts to resolve any disputes through the provisions of
paragraph 23.00 of the contract. That is, we have tried unsuccessfully to engage your upper

management to resolve the disputes. We have emailed you through your sales representative requesting a response from the appropriate upper management without success. It took multiple efforts to have your sales representative's supervisor from Hondo attend a recent council meeting. We have met the requirements of paragraph 23.00 although again, they are incongruent with paragraph 18.00. For example, paragraph 18.00 provides for termination after the second public hearing while paragraph 23.00 requires mediation. The City's opinion, however, is the plain language of the two competing paragraphs allows for termination without mediation.

The City has determined the Contractor (Republic) is in non-compliance with the contract as follows:

Paragraph 3.08: This section requires brush pickup twice per month on a designated day as agreed upon by the City. The Contractor failed to provide this service to the City for the months of March and April 2020. There was no written explanation as to how the Contractor would rectify this situation, only a verbal promise to get caught up. The City was open to proposed changes in an effort to remedy this situation, but a written response to our proposal was not provided.

Paragraph 4.02: The Contractor has failed to submit a map designating the collection routes to the City for review and comment. I have requested updated route information from the Contractor but have not received the information requested.

Paragraph 4.04: The Contractor has not maintained records of complaints and associated resolutions, which would be available for the City to review online or at the Contractor's closest business office Monday through Friday between 8 a.m. and 5 p.m. The Contractor was made aware of the complaint process concerns in a letter dated May 6, 2020.

Paragraph 4.05: The Contractor's collection vehicles do not have a telephone number painted in letters of a contrasting color on each side of the vehicle in a size and type so as to be easily readable from a distance of 50 feet as described in the contract. The Contractor has not furnished a list of the type, model, and age of the equipment to be utilized for servicing as described in the contract.

Paragraph 4.06: The Contractor does not have an office in the City of Pearsall as described in this section. This was also addressed in the May 6, 2020 letter that was sent to the Contractor.

Paragraph 12.04: The City and the Contractor have not developed and implemented a redundant reporting and records system that minimizes potential errors in collection service termination and restarts. The City has requested detailed billing information from the Contractor, but has yet to receive the requested information.

Paragraph 12.11: The Contractor has not provided the two (2) community-wide cleanup programs required in the Contract.

The City reserves the right to amend, modify, revise or supplement the deficiencies on or before the first public hearing.

Thank you for your prompt attention to this matter. Please feel free to contact me if you have any questions or concerns.

Sincerely,


Federico Reyes, Jr.
City Manager

July 21, 2020

City of Pearsall
Federico Reyes, Jr.
City Manager
215 S Ash Street
Pearsall, TX 78061

Re: Certified mail sent on July 2, 2020

Dear Mr. Reyes:

This letter is in response to your list of “deficiencies”. Following our meeting with the council on May 12, 2020 all issues and concerns had seemed to be resolved. We were scheduled for a meeting on June 18, 2020 and we had to cancel due to an unfortunate accident with one of our employees.

Paragraph 3.08: This section requires brush pickup twice per month on a designated day as agreed upon by the City. The Contractor failed to provide this service to the City for the months of March and April 2020. There was no written explanation as to how the Contractor would rectify this situation, only a verbal promise to get caught up. The City was open to proposed changes in an effort to remedy this situation, but a written response to our proposal was not provided.

Response: Due to the COVID 19 the City Manager was notified that these services would be suspended for April and May via phone call on March 24, 2020. March brush pickup was completed in March 2020. The brush list for April and May 2020 were completed along with a city-wide sweep during the bulk cleanup in May 2020. We are now following the contract for monthly brush pickup. Most of my communication has been through phone calls or texts and all future correspondence will be done in a written format.

Resolution: Brush recovery has been completed. Supporting documents can be provided upon request.

Paragraph 4.02: The Contractor has failed to submit a map designating the collection routes to the City for review and comment. I have requested updated route information from the Contractor but have not received the information requested.

Response: The requested updated route information was sent.

Resolution: Sent to City Manager July 7th, 2020.

Paragraph 4.04: The Contractor has not maintained records of complaints and associated resolutions, which would be available for the City to review online or at the Contractor's closest business office Monday thru Friday between 8 am and 5 pm. The Contractor was made aware of the complaint process concerns in a letter dated May 6, 2020.

Response: Republic Services maintains records of complaints thru an email system and can be requested through the city or Republic any time.

Resolution: Records will be maintained at the Hondo office and will be provided monthly as requested by Fred Reyes and Santos Alargon. If the record keeping is not acceptable City Management will reach out to Republic for correction.

Paragraph 4.05: The Contractor's collection vehicles do not have a telephone number painted in letters of a contrasting color on each side of the vehicle in a size and type so as to be easily readable from a distance of 50 feet as described in the contract. The Contractor has not furnished a list of the type, model and age of the equipment to be utilized for servicing as described in the contract.

Response: The phone numbers are being added to all vehicles which will be utilized in Pearsall and a list of equipment being utilized will be submitted.

Resolution: Currently Republic Services branding does not require phone numbers however, Phone numbers are being added to the trucks that service the Pearsall area to meet the contract language. Republic recommends that this be taken out of the contract since customers in the city of Pearsall call city hall for requests.

Paragraph 4.06: The Contractor does not have an office in the City of Pearsall as described in this section. This was also addressed in the May 6, 2020 letter that was sent to the Contractor.

Response: This issue was discussed at the May 12, 2020 City Council meeting explaining that this was not an office and only used to park our equipment and was accepted by the City at the beginning of the contract.

Resolution: The City and Republic have agreed that an office is not necessary and vandalism to vehicles was prevalent and this needs to be removed from contract.

Paragraph 12.04: The City and the Contractor have not developed and implemented a redundant reporting and records system that minimizes potential errors in the collection service termination and restarts. The City has requested detailed billing information from the Contractor, but has yet to receive the requested information.

Response: Republic Services receives request from the City via email which is processed by the Municipalsa@RepublicServices.com email box. This will adjust front load containers in our system which is what the invoice is based off of. Republic Services replies on the City for residential changes/standbys. This information and any deliveries/removals showing in the system is what is used to update the house count on the invoice. The information for front loads has been sent twice so far along with residential routing.

Resolution: A house count is currently being completed to reconcile the billing. City of Pearsall will provide a list of "Paying accounts" in the near future and as directed by the city Republic Services will only service the homes listed. In the event a customer has a can but is not paying for services Republic Services will not service container and will sticker can directing the customer to call city hall. Republic Services will wait for direction on when to remove or deliver a can as it is done now. If you are needed additional details please reach out to Blake Caesar.

Paragraph 12.11: The Contractor has not provided the two (2) community-wide cleanup programs required in the Contract.

Response: The first community-wide cleanup was completed in May 2020 and the second one will be in December 2020. We will let you know the exact date via email.

Resolution: Citywide cleanup is referring to the bulk cleanups completed twice a year by Republic. This verbiage needs to be corrected in the contract.

Thank you for prompt attention to this matter and feel free to contact me for any concerns.

Blake Caesar
Municipal Marketing Manager
Republic Services

City Council Agenda

Approved for Agenda:

City Manager's Office

MEETING DATE: July 28, 2020

TO: City Council

FROM: Estrellita Ballesteros, Planner

SUBJECT: Citizen Participation Plan for the 2020 Downtown Revitalization Program grant and the Planning and Capacity Building grant.

Purpose:

The Citizen Participation Plan gives the rules and requirements that the city must follow when conducting public hearings for grants.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

\$0.00

Discussion:

Discussion will be held by Ms. Robin Alexander of GrantWorks.

**THE CITY OF PEARSALL
CITIZEN PARTICIPATION PLAN
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

Note to Grant Recipients regarding Limited English Proficiency (LEP) requirements:

In accordance with federal law, if there is a significant number of the population who are non-English speaking residents and are affected by the TxCDBG project, such citizens should have ‘meaningful access’ to all aspects of the TxCDBG project. To provide ‘meaningful access’, Grant Recipients may need to provide interpreter services at public hearings or provide non-English written materials that are routinely provided in English. Examples of such vital documents may include Citizen Participation notices (e.g., complaint procedures, hearings notices), civil rights notices, and any other published notice that may allow an eligible person with limited English proficiency to participate in discussing proposed CDBG activities.

For more information, see LEP.gov

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas Department of Agriculture’s Texas Community Development Block Grant (TxCDBG) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the City of Pearsall, 215 S. Ash, Pearsall, TX 78061, 830-334-3676 during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the TxCDBG project.

1. A person who has a complaint or grievance about any services or activities with respect to the TxCDBG project, whether it is a proposed, ongoing, or completed TxCDBG project, may during regular business hours submit such complaint or grievance, in writing to the City Manager, at 215 S. Ash, Pearsall, TX 78061 or may call 830-334-3676.
2. A copy of the complaint or grievance shall be transmitted by the City Manager to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The City Manager shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.
4. If the investigation cannot be completed within ten (10) working days per 3 above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the TxCDBG for their further review and comment.

6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of TxCDBG funds. The City, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the City, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. When a significant number of non-English speaking residents are a part of the potential service area of the TxCDBG project, vital documents such as notices should be published in the predominant language of these non-English speaking citizens.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and the City must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a TxCDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City shall comply with the following citizen participation requirements for the preparation and submission of an application for a TxCDBG project:

1. At a minimum, the City shall hold at least one (1) public hearing to prior to submitting the application to the Texas Department of Agriculture.
2. The City shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable TxCDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the TxCDBG program,

and the use of past TxCDBG contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.

4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City must comply with the following citizen participation requirements in the event that the City receives funds from the TxCDBG program:

1. The City shall also hold a public hearing concerning any substantial change, as determined by TxCDBG, proposed to be made in the use of TxCDBG funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the TxCDBG project, the City shall hold a public hearing and review its program performance including the actual use of the TxCDBG funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the TxCDBG project or for the closeout of the TxCDBG project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.
4. The City shall retain documentation of the TxCDBG project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

Mary Moore, Mayor

7-28-2020

Date

MUESTRAS

LA CIUDAD DE PEARSALL PLAN DE PARTICIPACIÓN CIUDADANA PROGRAMA DE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Nota a los receptores de subvención en relación a requisitos de Dominio Limitado del Inglés:

De acuerdo con la ley federal hay un número significativo de población que son residentes y que no hablan inglés y son afectados por el proyecto TxCDBG, estos ciudadanos deben tener "acceso significativo" a todos los aspectos del proyecto TxCDBG. Para proporcionar "acceso significativo", receptores de la subvención pueden ser utilizados para proporcionar servicios de interpretación en las audiencias públicas o proporcionar materiales no escritos en inglés que se proporcionan de manera rutinaria en Inglés. Para obtener más información, consulte LEP.gov.

PROCEDIMIENTOS DE QUEJA

Estos procedimientos de queja cumplen con los requisitos del Departamento de Programa de Agricultura de Texas Community Development Block Grant (TxCDBG) y los requisitos del gobierno local de Texas se encuentran en 24 CFR §570.486 (Código de Regulaciones Federales). Los ciudadanos pueden obtener una copia de estos procedimientos en la Ciudad de Pearsall, 215 S. Ash, Pearsall, TX 78061, 830-334-3676 en horario de oficina.

A continuación se presentan los procedimientos formales de quejas y quejas relativas a los servicios prestados en el marco del proyecto TxCDBG.

1. Una persona que tiene una queja o reclamación sobre cualquiera de los servicios o actividades en relación con el proyecto TxCDBG, o si se trata de una propuesta, en curso o determinado proyecto TxCDBG, pueden durante las horas regulares presentar dicha queja o reclamo, por escrito el administrador de la ciudad, a Ciudad de Pearsall, 215 S. Ash, Pearsall, TX 78061 o puede llamar a 830-334-3676.
2. Una copia de la queja o reclamación se transmitirá por el administrador de la ciudad a la entidad que es encargada de la queja o reclamación y al Abogado de la Ciudad dentro de los cinco (5) días hábiles siguientes a la fecha de la queja o día que la reclamación fue recibida.
3. El administrador de la ciudad deberá cumplir una investigación de la queja o reclamación, si es posible, y dar una respuesta oportuna por escrito a la persona que hizo la denuncia o queja dentro de los diez (10) días.
4. Si la investigación no puede ser completada dentro de los diez (10) días hábiles anteriormente, la persona que hizo la queja o denuncia será notificada, por escrito, dentro de los quince (15) días cuando sea posible después de la entrega de la queja original o quejas y detallará cuando se deba completar la investigación.
5. Si es necesario, la queja y una copia escrita de la investigación posterior se remitirán a la TxCDBG para su posterior revisión y comentarios.
6. Se proporcionará copias de los procedimientos de queja y las respuestas a las quejas, tanto en Inglés y Español, u otro lenguaje apropiado.

ASISTENCIA TÉCNICA

Cuando lo solicite, la Ciudad proporcionará asistencia técnica a los grupos que son representantes de las personas de bajos y moderados ingresos en el desarrollo de propuestas para el uso de los fondos TxCDBG. La Ciudad, en base a las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, deberá determinar el nivel y tipo de asistencia.

DISPOSICIONES AUDIENCIA PÚBLICA

Para cada audiencia pública programada y llevada a cabo por la Ciudad, se observarán las disposiciones siguientes de audiencias públicas:

1. Aviso público de todas las audiencias deberá publicarse al menos setenta y dos (72) horas antes de la audiencia programada. El aviso público deberá publicarse en un periódico local. Cada aviso público debe incluir la fecha, hora, lugar y temas a considerar en la audiencia pública. Un artículo periodístico publicado también puede utilizarse para cumplir con este requisito, siempre y cuando cumpla con todos los requisitos de contenido y temporización. Los avisos también deben ser un lugar prominente en los edificios públicos y se distribuyen a las autoridades locales de vivienda pública y otros grupos interesados de la comunidad.
2. Cuando se tenga un número significativo de residentes que no hablan inglés serán una parte de la zona de servicio potencial del proyecto TxCDBG, documentos vitales como las comunicaciones deben ser publicados en el idioma predominante de estos ciudadanos que no hablan inglés.
3. Cada audiencia pública se llevará a cabo en un momento y lugar conveniente para los beneficiarios potenciales o reales e incluirá alojamiento para personas con discapacidad. Las personas con discapacidad deben poder asistir a las audiencias y la Ciudad debe hacer los arreglos para las personas que requieren ayudas o servicios auxiliares en caso de necesitarlo por lo menos dos días antes de la audiencia será pública.
4. Una audiencia pública celebrada antes de la presentación de una solicitud TxCDBG debe hacerse después de las 5:00 pm en un día de semana o en un momento conveniente en sábado o domingo.
5. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad deberá cumplir con los siguientes requisitos de participación ciudadana para la elaboración y presentación de una solicitud para un proyecto TxCDBG:

1. Como mínimo, la Ciudad deberá tener por lo menos un (1) audiencia pública antes de presentar la solicitud al Departamento de Agricultura de Texas.
2. La Ciudad conservará la documentación de la convocatoria(s) audiencia, un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otra documentación relativa a la propuesta de utilizar los fondos para tres (3) años a partir de la liquidación de la subvención para el Estado. Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.

3. La audiencia pública deberá incluir una discusión con los ciudadanos como se indica en el manual correspondiente de aplicación TxCDBG, pero no se limita a, el desarrollo de las necesidades de vivienda y desarrollo comunitario, la cantidad de fondos disponibles, todas las actividades elegibles bajo el programa TxCDBG y el uso de fondos últimos contratos TxCDBG, en su caso. Los ciudadanos, con especial énfasis en las personas de bajos y moderados ingresos que son residentes de las zonas de tugurios y tizón, se fomentará a presentar sus opiniones y propuestas sobre el desarrollo de la comunidad y las necesidades de vivienda. Los ciudadanos deben ser conscientes de la ubicación en la que podrán presentar sus puntos de vista y propuestas en caso de que no pueda asistir a la audiencia pública.
4. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad debe cumplir con los siguientes requisitos de participación ciudadana en el caso de que la Ciudad recibe fondos del programa TxCDBG:

1. La Ciudad celebrará una audiencia pública sobre cualquier cambio sustancial, según lo determinado por TxCDBG, se propuso que se hará con el uso de fondos TxCDBG de una actividad elegible a otro utilizando de nuevo los requisitos de notificación
2. Una vez finalizado el proyecto TxCDBG, la Ciudad celebrará una audiencia pública y revisará el desempeño del programa incluyendo el uso real de los fondos TxCDBG.
3. Cuando un número significativo de residentes que no hablan inglés se puede registra para participar en una audiencia pública, ya sea para una audiencia pública sobre el cambio sustancial del proyecto TxCDBG o para la liquidación del proyecto TxCDBG, publicará un aviso en Inglés y Español u otro idioma apropiado y se proporcionará un intérprete en la audiencia para dar cabida a las necesidades de los residentes.
4. La Ciudad conservará la documentación del proyecto TxCDBG, incluyendo aviso de audiencia(s), un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otro registro concerniente al uso real de los fondos por un período de a tres (3) años a partir de la liquidación del proyecto al estado.

Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.

Mary Moore, Alcalde de la Ciudad

7-28-2020

Fecha

City Council Agenda

Approved for Agenda:

City Manager's Office

MEETING DATE: July 28, 2020

TO: City Council

FROM: Estrellita Ballesteros, Planner

SUBJECT: Designating Professional Engineering for 2020 Texas Capital Fund Downtown Revitalization/Main Street Program for application and project implementation.

Purpose:

Designating Professional Engineering for 2020 Texas Capital Fund Downtown Revitalization/Main Street Program for application and project implementation.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

\$0.00

Discussion:

Request for Qualifications for professional engineering firms were due on Monday, July 20th, and only one firm submitted their qualifications, Young Professional Resources. Since there was only one firm that submitted their qualifications, there was no need for score sheets.

RESOLUTION

No. 2020-07-01

A RESOLUTION OF THE CITY OF PEARSALL, TEXAS, AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE PROVIDER CONTRACTS FOR THE 2020 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TxCDBG) TEXAS CAPITAL FUND DOWNTOWN REVITALIZATION/MAIN STREET PROGRAM PROJECT.

WHEREAS, the 2020 TxCDBG Downtown Revitalization/Main Street Program contract requires implementation by professionals experienced in federally-funded community development projects;

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Qualifications (RFQ) process for engineering services and has been completed in accordance with Texas CDBG requirements;

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service;

NOW, THEREFORE, BE IT RESOLVED:

- Section 1. That **Young Professional Resources** be awarded a contract to provide Texas CDBG application and project-related **professional engineering services** for the 2020 TxCDBG Downtown Revitalization/Main Street Program project.
- Section 2. That any and all contracts or commitments made with the above-named services providers are dependent on the successful negotiation of a contract with the service provider;

PASSED AND APPROVED ON JULY 28, 2020.

APPROVED:

Mary Moore, Mayor

ATTEST:

Krystal Garcia, City Clerk



CITY OF PEARSALL

GATEWAY TO THE WINTERGARDEN

Mayor's Office

July 28, 2020

The City of Pearsall sent a Request for Qualifications for the City's 2020 Texas Capital Fund Downtown Revitalization/Main Street Fund application process from the Texas Community Development Block Grant Program administered by the Texas Department of Agriculture. The requests were sent on July 9, 2020 with a deadline of July 20, 2020. Only one proposal from an engineering firm was received as follows:

1. Young Professional Resources

The firm was chosen via vote at the City Council meeting held July 28, 2020.

Mary Moore, Mayor

City of Pearsall

Page 1 of 1

215 S. Ash St.
Office: 830-334-3676

Pearsall, Texas 78061
Website: www.cityofpearsall.org

Pearsall, Texas 78061
Fax No.: 830-334-4750

City Council Agenda

Approved for Agenda:

City Manager's Office

MEETING DATE: July 28, 2020

TO: City Council

FROM: Estrellita Ballesteros, Planner

SUBJECT: Public Hearing on Re-zoning request submitted by Frio County.

Purpose:

Per the City's Zoning Ordinance Sec 48:31 Changes and Amendments To This Regulations, the City Council shall be at liberty to either accept, reject, or take other action, provided such action is consistent with the public notice and the provisions of this section.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

\$0.00

Discussion:

Frio County has submitted a re-zoning request to have their property located at 1796 IH 35 B East, which use to be the Frio Adult Day Care Center, from an A-O Agricultural & Open Space District to a C-2 Neighborhood Business District.

On July 27th, the Planning & Zoning Commission will hold a public hearing on this same matter and I will give their recommendation during this agenda item.



The Largest City Between San Antonio and Laredo

COMMUNITY
DEVELOPMENT

CITY OF PEARSALL

A Business-Friendly, Family-Oriented Community Application For Change of Zoning

\$ 200.00

I. Date of Application: 6-26-2020
Name of Applicant: Frio County
Address: Frio County Courthouse, 500 East San Antonio St., Pearsall TX 78061
Telephone: 830-334-2154
Title Owner: Frio County
Current Occupancy: None

II. Property's Legal Description in Lots and Acreage 1796 14 35 B East

(a) Legal Description of Property Proposed To Be Permitted:

Lot(s) _____ Block _____ Addition _____

(b) Legal Decryption of Property Proposed To Be Permitted:

Number of Acres to Be Re-Zoned: 1.066 - Parcel ID 3004
Survey: _____ Survey No. _____ Abst. _____

III. Proposed Change: C2

IV. Any Deed Restriction(s) Prohibiting Such Proposal? No

V. Reasons for Requesting Change of Zoning: Current zoning does not meet existing use nor proposed use.

VI. Recording Information:

Vol. 272 Pg. 764 Deed Records, Frio County Texas.

VII. As per section 16. Changes and Amendments to this Ordinance
Item B. Page 62

Each such application (for zoning change) shall be accompanied by plats (one reproducible and three copies) and the plans necessary to show to detail of the proposed change requested as the relation of said property to that of all adjoining property thereof and the Street/Road(s), address and suitable legal description of the property proposed to be change/re-zoned. This is a requirements or "NO ACTION" shall be taken on any application for Zoning Change request by the Department.

VII. The Applicant for a Change of Zoning request will be notified by the Department as to how many stamped envelopes the applicant will need to bring to our office so all property owners within 200' feet of the property proposed to be re-zoned can be notified so such re-zoning request.



General Real Estate Property Information

[New Property Search](#)

Property ID:

Property Legal Description:

530 1411 ORTIZ PABLO

Property Location:

1796 IH 35 B EAST

PEARSALL TX 78061

Owner Information:

FRIO COUNTY - TEXAS

STATE OF TEXAS

500 E SAN ANTONIO ST - BOX 7

PEARSALL TX 78061

Previous Owner:

SRR, LLC FRIO ADULT DAYCARE

[View Previous Owner Information](#)

Property Detail:

Agent:	None
Property Exempt:	X
Category/SPTB Code:	XVC
Total Acres:	1.066
Total Living Sqft:	See Detail
Owner Interest:	1.000000
Homestead Exemption:	
Homestead Cap Value:	0
Land Ag/Timber Value:	0

[Go To Previous Page](#)

Account / Geo Number:

00195-00002-00530-001810

Survey / Sub Division Abstract:

Block:

Section / Lot:

[View Building Detail Information](#)

[View Land Detail Information](#)

Deed Information:

Volume:	272
Page:	764
File Number:	0155680
Deed Date:	10/1/2019

[View GIS Map](#)

The map link above is not affiliated with this website. It is a 3rd party GIS link to provide additional information only.

[Map It With Google](#)

The Google map link above is in no way affiliated with this website. It is a 3rd party link to provide a visual location only.

[Printer Friendly Version](#)

Click the button above for a printable version of this record with all available details.

Land Market Value:	19,000
Improvement Value:	272,220
Property Market Value:	291,220

[* View Property Tax Information](#)

[* View 5 Year Value History](#)

01	FRIO COUNTY	291,220	0	0
01R	LATERAL ROAD	291,220	0	0
11	PEARSALL CITY	291,220	0	0
34	PEARSALL ISD	291,220	0	0
34IS	PEARSALL ISD I&S	291,220	0	0
60	FRIO HOSPITAL DISTRICT	291,220	0	0
63	FRIO CO EMER SERV DIST	291,220	0	0
65	EVERGREEN UNDGRND WTR	291,220	0	0

* Where supporting website data is available.

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Real Estate Appraisal Information is the 2020 PROPOSED Appraisal Values. © Frio County Appraisal District | Last Real Estate Update: 05/21/2020



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Previous Owner Information

3004	SRR, LLC FRIO ADULT DAYCARE	FRIO COUNTY - TEXAS	272	764	0155680	10/1/2019
3004	WELLS ELIZABETH K	SRR LLC FRIO ADULT DAYCARE	62	650		7/13/2009
3004		WELLS ELIZABETH K	33	508	118784	4/10/2007
3004	KING NANCY GOAD	WELLS ELIZABETH K	22	797	116955	7/14/2006
3004	GOAD RAY E	KING NANCY GOAD	960	376		5/11/2001
3004		GOAD RAY E	0	0		1/1/1900

1

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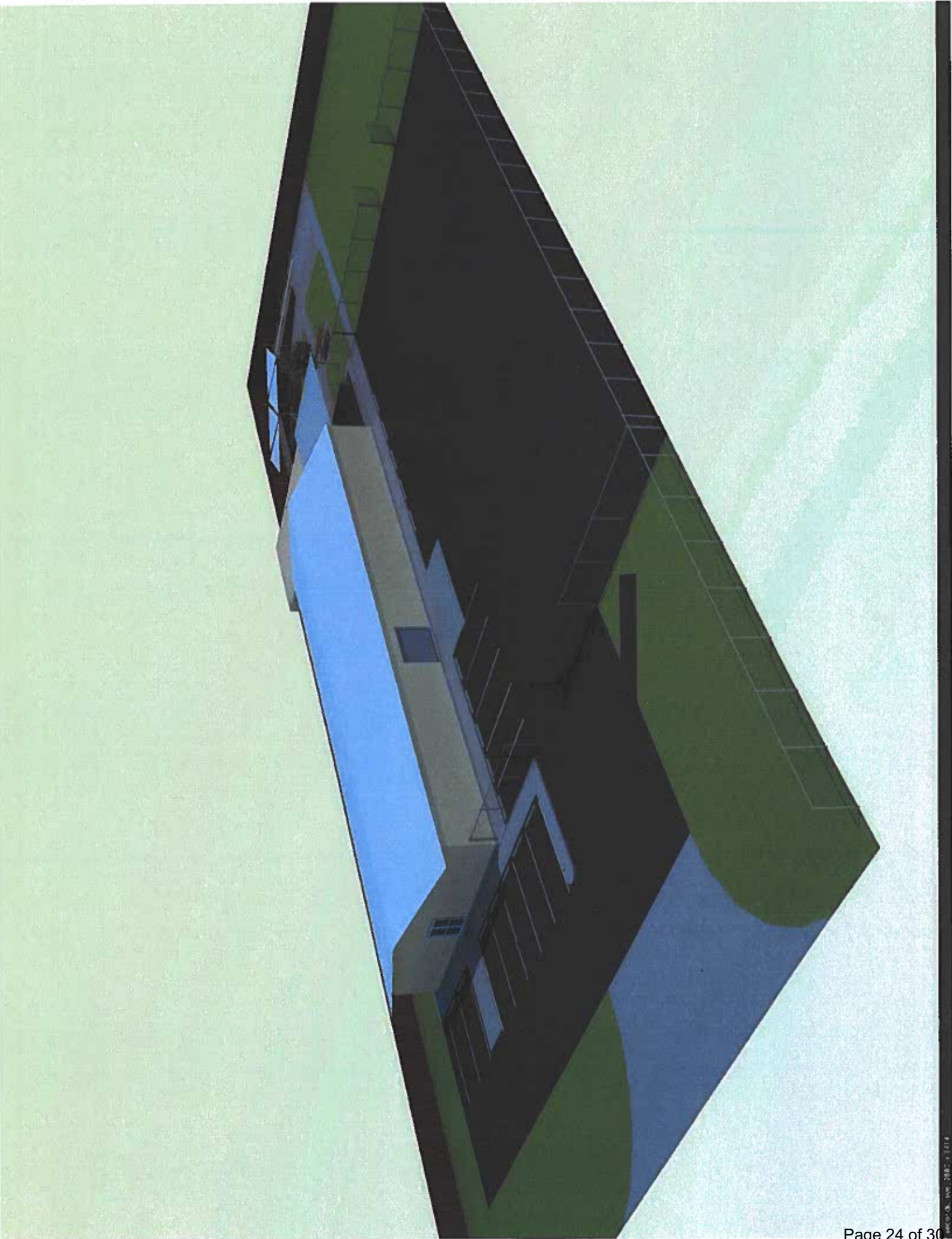
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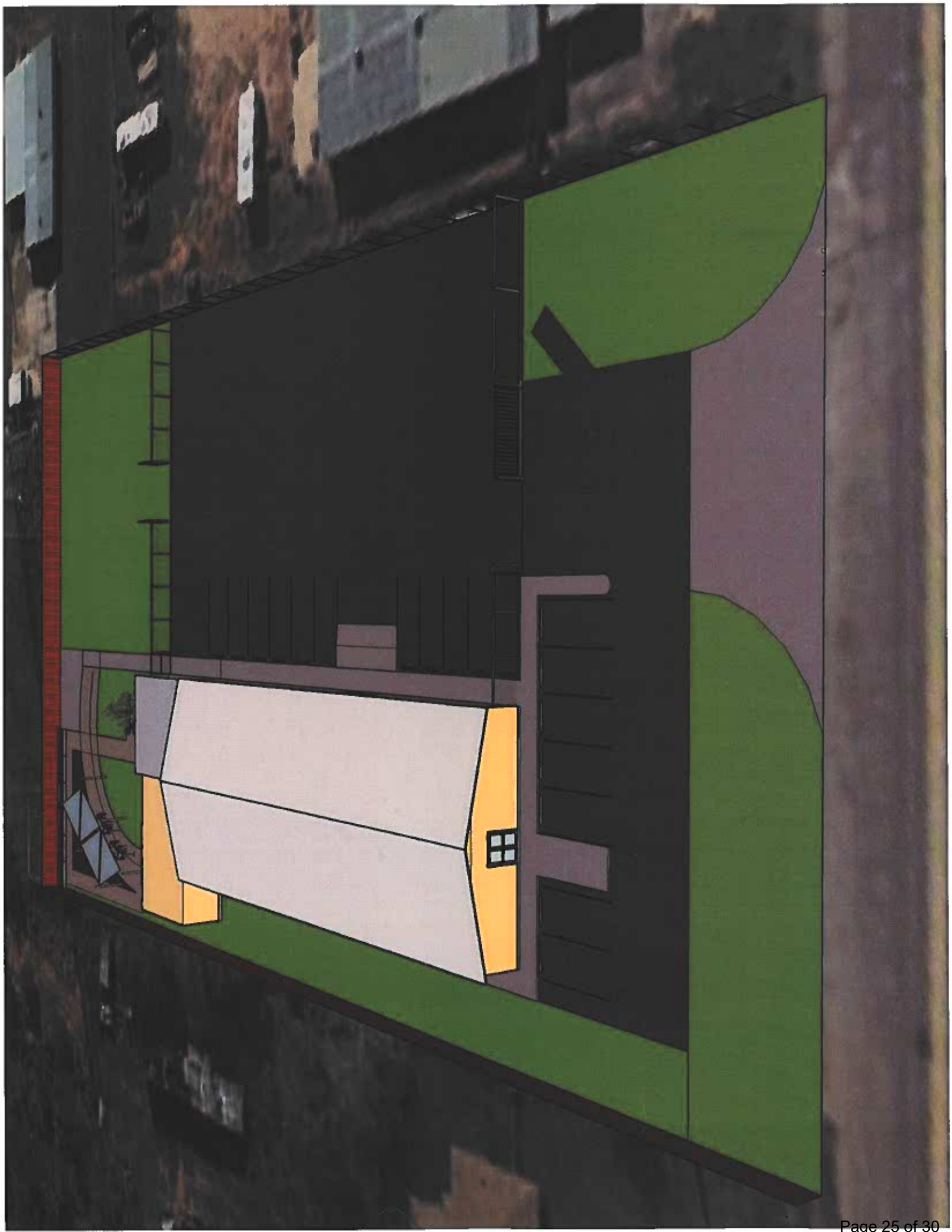
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Sec 48-82 Table A

(a) Table A, Permitted and conditional uses

TABLE A
AGRICULTURE AND OPEN SPACE DISTRICT (A-O)

Permitted Uses	Conditional Uses
Permitted uses include, but are not limited to, the following:	Conditional uses include, but are not limited to, the following:
Dwellings, single-family	Aircraft, landing strips rental or repair
Farm	Airports, landing strips and terminal facilities
Garden (home)	Barn or stable for livestock
Crop production	Broadcast towers for radio, television or microwave
Country club	Cemeteries, mausoleums or crematories for the disposal of human dead
Pasturage	Drive-in theaters
Customary accessory uses	Flea markets
Nurseries and truck garden, limited to the propagation, cultivation and sale of plants, provided no obnoxious fertilizer is stored upon the premises and no obnoxious soil or fertilizer conducted thereon.	Golf course and clubhouse, except miniature golf courses, courses, driving ranges and other similar activities operated as a business, provided no clubhouse, swimming pool or parking area is closer than 100 feet from a property line
Greenhouses	Livestock production
Mobile homes and mobile home parks or trailer courts	Mines or quarries with permit not to exceed five years
Private stable or livestock	Mobile home and mobile home parks or trailer courts
Nursery sales office	Oil well drilling
Picnic groves and fishing lakes, including minor and incidental concession facilities for patrons only	Reservoirs, wells, towers, filter beds or water supply plants
Amusement parks, commercial baseball athletic fields, race tracks, circuses, carnivals or fairgrounds	Rodeo grounds and pens

Any additions or interpretation shall be the responsibility of the commission, with approval from the Council	Sanitary landfills
	Sewage, refuse or garbage disposal plants
	Skeet shoot or target ranges
	Any additions or interpretation shall be the responsibility of the commission, with approval from the council

SINGLE- AND TWO-FAMILY DWELLING DISTRICT (R-1)

Permitted Uses	Conditional Uses
Permitted uses include, but are not limited to, the following:	Conditional uses include, but are not limited to, the following:
Dwellings, single- and two-family	Hobby shop - See section 48-84
Railroad rights-of-way, but not including yards	Daycare center
See accessory uses in section 48-84.	Churches, publicly owned community buildings, public museums and public libraries
	Public parks and playgrounds
	Public administration buildings, police and fire stations
	Public schools, private schools, institutions of higher learning, including customary accessory uses
	Telephone exchange
	Temporary signs and structures, including real estate sales office located on property being sold and limited to period of sale, but not exceeding one year without permit extension.
	Used structures moved from another location
	Wells, water towers or water supply plants
	Temporary school livestock and/or agricultural Projects
	Any additions or interpretation shall be the responsibility of the Commission, with approval from the Council.
All modular homes must be approved with a specific use permit if placed in an R-1 or R-2 district.	

MULTIFAMILY DWELLING DISTRICT (R-2)

Permitted Uses	Conditional Uses

Permitted uses include, but are not limited to, the following:

Permitted uses in R-1

Apartment houses or multiple dwellings of less than ten units.

See accessory uses in section 48-84

Any additions or interpretation shall be the responsibility of the Commission, with approval from the Council.

Conditional uses include, but are not limited to, the following:

Conditional uses in R-1

Apartment houses or multiple dwellings of ten units or more.

Boardinghouses and lodginghouses

Fraternity or sorority houses and dormitories

Townhouses or rowhouses

Any additions or interpretation shall be the responsibility of the Commission, with approval from the Council.

All modular homes must be approved with a specific use permit if placed in a R-1 or R-2 district.

MANUFACTURED HOUSING DISTRICT (R-3)

Permitted Uses	Conditional Uses
Permitted uses include, but are not limited to, the following:	Conditional uses include, but are not limited to, the following:
Single, two family and multifamily manufactured housing	Drive-in grocery store
Modular Homes	Mini-storage
Any additions or interpretation shall be the responsibility of the Commission, with approval from the Council.	Laundromat
	Any additions or interpretation shall be the responsibility of the Commission, with approval from the Council

COMMERCIAL, OFFICE & PROFESSIONAL, DISTRICT (C-1)

Permitted Uses	Conditional Uses
Permitted uses include, but are not limited to, the following:	Conditional uses include, but are not limited to, the following:
Permitted uses in R-1 and R-2	Hospitals, sanitariums, nursing homes or homes for convalescents and the aged, other than for the insane, feeble-minded, alcoholics or drug addicts
Conditional uses in R-1 and R-2	Philanthropic or eleemosynary institutions, other than penal institutions
Offices to be used only for the administrative functions of companies,	Private clubs or fraternal orders

corporations, social or philanthropic organizations or societies	
Offices for accountants, architects, brokers, engineers, dentists, lawyers, optometrists, physicians, osteopaths, chiropractors, real estate and insurance	Any additions or interpretation shall be the responsibility of the Commission, with approval from the Council
Mortuaries	
Medical laboratories	
Customary accessory uses	
See Table B for supplementary district regulations	
Any additions or interpretation shall be the responsibility of the Commission, with approval from the Council	

NEIGHBORHOOD BUSINESS DISTRICT (C-2)

Permitted Uses	Conditional Uses
Permitted uses include, but are not limited to, the following:	Conditional uses include, but are not limited to, the following:
Any additions or interpretation shall be the responsibility of the Commission, with approval from the Council	Barbershop
	Beauty shop
	Candy store
	Delicatessen
	Flower shop
	Gift shop
	Ice cream parlor
	Pastry shop
	Restaurant
	Drive-in grocery store
	Dairy product storage/distribution facility
	Any additions or interpretation shall be the responsibility of the Commission, with approval from the Council

GENERAL BUSINESS DISTRICT C-3

Permitted Uses	Conditional Uses

Sec 48-57 Annexed Territory

Any territory hereafter annexed to the City shall be classified for A-O Agriculture and Open Space District only unless otherwise determined by the Planning and Zoning Commission and City Council at the time of annexation. Within six months from the date of annexation, the newly annexed territory shall be rezoned by the City Council for a land use consistent with the comprehensive plan and on the recommendation of the Planning and Zoning Commission. In an area classified A-O, no person shall construct, enlarge, move, alter or demolish any building or structure without first obtaining a building permit from the Building Official as required in applicable City ordinances.

(Ord. of 4-4-1983, § 9)