

Minutes of Regular 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 Thursday, September 23, 2021, at 7:00 p.m. at the Pearsall City Hall, 214 S. Ash Street, Pearsall, Texas.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83620746679>

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Webinar ID: 836 2074 6679

1. Call To Order

Mayor Ben T. Briscoe called the meeting to order at 7:00 p.m.

2. Roll Call and Announcement of a Quorum

Council Members Present: Mayor Ben Briscoe, Mayor Pro Tem Julian Hernandez, Council Member James Leal, Council Member Sonia Hernandez, Council Member Davina Rodriguez

Council Members Absent: Council Member Brenda Trevino, Council Member Tiffany Talamantes, Council Member Lionel Gandara

Staff Present: City Manager Federico Reyes, City Clerk Krystal Garcia, Interim Finance Director Jackie Zuniga, Public Works Director Hector Gandara, Chief of Police Humberto Torralba, HR Manager Raquel Yanez, City Attorney Bobby Maldonado, Fire Chief Placido Aguilar

3. Invocation and Pledge of Allegiance

Invocation led by Mayor Ben T. Briscoe. Pledge of Allegiance led by all.

4. Citizens to Be Heard

None

5. Mayor's Message

6. Public Hearing

A. Open Public Hearing

Mayor Ben T. Briscoe stated a motion was not needed to open the public hearing and opened the public hearing at 7:03 p.m.

On a proposal to maintain the tax rate of \$.866624 per \$100 valuation on properties on the tax roll from the preceding year. This proposed rate does not exceed the No-New Revenue Tax Rate or Voter Approval Rate as calculated under Chapter 26, Tax Code.

City Manager Federico Reyes stated there was not an increase in the tax rate from last year.

B. Close Public Hearing

Mayor closed the public hearing at 7:06 p.m.

7. New Business

A. Discuss and Consider Proclaiming September 15, 2021 thru October 15, 2021 as National Hispanic Heritage Month 2021. - Action Item

Councilman James Leal motioned to approve Proclaiming September 15, 2021 thru October 15, 2021 as National Hispanic Heritage Month 2021, second by Councilwoman Davina Rodriguez. The vote in favor of the motion was unanimous.

B. Discuss and Consider proclaiming October 5, 2021 as National Night Out. - Action Item

Councilman James Leal motioned to approve proclaiming October 5, 2021 as National Night Out., second by Councilwoman Davina Rodriguez. The vote in favor of the motion was unanimous.

C. Discuss and consider authorizing the City Manager to award, enter into and execute agreements with United Healthcare and Mutual of Omaha for medical, dental, vision and other ancillary insurance benefits for the 2021-2022 Fiscal Year. - Action Item

City Manager Federico Reyes provided a brief breakdown of the proposed insurance for City of Pearsall employees. Cara Collins and Xavier Guevara from SWBC were available to answer questions from council and staff. Mr. Reyes asked Ms. Collins to explain the basic life insurance. The city provides \$25,000 of life coverage. She stated the city was able to save 15% by switching to a different carrier. Mr. Reyes informed the council the City has opted to not pay for staff's GAP insurance but would recommend the City to pay for staff's long-term disability. Councilwoman Davina Rodriguez inquired if the employees were going to have to pay more with the proposed plan. Cara stated staff would be paying more out of pocket for individuals but went down for family, but the city is asking employees to pay on \$40 for individual coverage. Mr. Reyes recommends approval of the proposed coverage.

Councilwoman Davina Rodriguez motioned to approve authorizing the City Manager to award, enter into and execute agreements with United Healthcare and Mutual of Omaha for medical, dental, vision and other ancillary insurance benefits for the 2021-2022 Fiscal Year, second by Councilwoman Sonia Hernandez. The vote in favor of the motion was unanimous.

D. Discussion regarding Shavano Group Phase I Development.

Mayor Ben T. Briscoe introduced Mr. Joseph Cooper from Shavano Group. He explained Mr. Cooper has a tract of land inside of the TIRZ area and would like to see it developed as a subdivision for new housing. Mr. Cooper stated the 80-acre property was purchased 10 years ago. He provided a map showing the location of the property. The road north of the property is Vaughn Road and on the south end is Pena. Councilwoman Davina Rodriguez stated the 2012 council brought in TIRZ to help to help bring housing to Pearsall. Mayor Pro Tem Julian Hernandez inquired what developments has his company been a part of. Mr. Cooper stated Indian Crossing in Jourdanton was the last project they collaborated on. He stated he would prefer to keep the cost of housing to be under \$200,000 and is a prime time for the market for buyers.

E. Discuss and consider awarding a contract for the disposal of brush at the city transfer station to KJ Oilfield Services LLC in an amount not to exceed \$275,000 and authorizing the city manager and city attorney to negotiate a contract for this service. - Action Item

City Manager Federico Reyes outlined the RFP process taken by staff. He informed the Council of the 3 bids received and recommends KJ Oilfield Services, LLC be awarded the contract. Councilwoman Davina Rodriguez stated this process needs to be started to help alleviate the problem at the transfer station. Councilman James Leal motioned to approve, second by Councilwoman Davina Rodriguez. The vote in favor of the motion was unanimous.

F. Discuss and consider the waiving of all fees associated with the rental of the Victor Trevino Sports Complex for the PHS Class of 2022 12U/14U Softball Tournament to be held on October 24, 2021. - Action Item

City Manager Federico Reyes read the request made by Councilman Lionel Gandara on behalf of the PHS Class of 2022. Councilwoman Davina Rodriguez motioned to approve, second by Councilwoman Sonia Hernandez. Mayor Pro Tem Julian Hernandez inquired if the cost of the lights being waived was known. City Manager Federico Reyes stated he did not have the numbers and Parks and Rec. Director Ramiro Otero was not available to answer. Mayor Pro Tem Julian Hernandez stated the numbers should be provided so they are informed as to how much in fees is being waived. The vote in favor of the motion was unanimous.

G. Discuss and Consider Resolution No. 2021-09-01 approving the Service Provider Agreement between Frio County Emergency Services District No. 1 and City of Pearsall for the provision of emergency protection and other services. - Action Item

City Manager Federico Reyes stated questions regarding the agreement should be directed to Fire Chief Placido Aguilar. Councilman James Leal inquired about of the ESD funds are being split between its entities. Fire Chief Placido Aguilar stated Pearsall is now covering less property so it balances out. Mayor Ben T. Briscoe informed the Council of his attendance at 2 recent ESD Board Meetings. He briefly explained the board members determination of the funds has been made in the past. Councilwoman Davina Rodriguez motioned to approve, second by Councilwoman Sonia Hernandez. The vote in favor of the motion was unanimous.

H. Update on City of Pearsall Hispanic Heritage Festival.

Mr. Albert Martinez informed the Council that he is 96% ready to go and it looks to be a

successful event. Councilwoman Davina Rodriguez stated the Texas State Fair had a booth offering vaccinations and asked if it was possible if this could be done at the festival and if there were funds available to offer as an incentive. City Manager Federico Reyes stated this could be possible with available ARP funds. Councilwoman Sonia Hernandez inquired if hotels have reported stays related to the festival. Mr. Martinez stated 3 hotels are fully booked due to the event.

I. Discuss changes to the City of Pearsall's Proposed Annual Appropriations Budget for the Fiscal Year beginning October 1, 2021, and ending September 30, 2022.

City Manager Federico Reyes informed the Council of the building maintenance line item in Parks not having funds budgeted. \$20,000 was inserted into the line item after adjusting other line items within the department. Councilman James Leal inquired about the gas line item not having funds. Mr. Reyes stated it has been centralized in service center. Councilman James Leal inquired about janitorial supplies. Mr. Reyes stated it's now centralized under Parks and Rec. Mr. Reyes informed the council the ESD has provided \$117,000 to the PVFD. The City's normal contribution is \$10,000 but has increased this year to \$35,000 in addition to financing for a vehicle. Fire Chief Placido Aguilar stated \$25,000 has been set aside for the purchase of a truck and is asking the City to match funds bringing the total contribution amount to \$50,000. While the City would own the truck if the department ever sells the truck the ESD would get 50%. Councilman James Leal inquired about funds dropping in the Streets Department. City Manager Federico Reyes stated these numbers are true and better gauged than years prior. Councilman James Leal inquired about the utilization of the zipper and pothole patcher. Public Works Director informed the Council the zipper is currently working; the pothole patcher machine is running every other day and a woodchipper has been added to the list of machinery being utilized by the department. Mayor Pro Tem Julian Hernandez inquired about the increase in the Finance Department under the personnel line item. City Manager Federico Reyes stated the increase is because a total of 4 employees will be paid out of the line item, not just 2 as it was done in prior years. Councilman James Leal asked City Manager Reyes if he could provide a list of everyone who is getting a raise. City Manager Reyes stated he would prefer if council members would come in and review the pay scale. Mayor Pro Tem Julian Hernandez stated his understanding is that the salary scale is to bring everyone up to market rates. He added that Pearsall is competitive because the City includes benefits and the salary scale is a great push forward.

J. Discuss and Consider approval of the 2021-2022 FY Holiday Schedule. - Action Item

City Manager Federico Reyes informed the Council of the additional holidays. National holiday Juneteenth was added, and the change made by staff was to remove President's Day and add on New Year's Eve. Councilwoman Davina Rodriguez motioned to approve the holiday schedule as presented. Mayor Ben T. Briscoe called for a second and no reply was made by council. He announced he was going to take Mayor Pro Tem Julian Hernandez's question. He clarified staff was just swapping days and adding Juneteenth. City Manager stated yes and explained Juneteenth was added and the change made by staff was to remove President's Day and add on New Year's Eve. Councilwoman Davina Rodriguez's motion was seconded by Sonia Hernandez. Mayor Pro Tem Julian Hernandez and Councilman James Leal voted against. Mayor Ben T. Briscoe voted in favor to break the tie in favor of the Councilwoman Davina Rodriguez's motion to approve the holiday schedule as presented.

Motion passed.

K. Discuss and consider setting a date, time, and place for a public hearing on a request for Conditional Use Permit for Jorge and Petra Ayala. - Action Item

City Clerk Krystal Garcia provided the publication timeline and informed the Council that she did not provide a recommendation for the public hearing date because the Regular meeting date would fall on the week after the 30 -ay requirement timeframe and would prefer if Council decided if they would like to meet 2 weeks in a row or push it the regular meeting date. Mayor Ben T. Briscoe recommended the Council to set it for the regular meeting date of November 9, 2021. Councilwoman Davina Rodriguez motioned to set the Public Hearing date as November 9, 2021, second by Sonia Hernandez. Ms. Petra Ayala inquired if the address to her property was going to be issued at that time because one had not been issued yet. Staff informed the room that the once the process was completed an address could be issued. She stated she felt the process has taken long, in her opinion, and not much communication has taken place. City Clerk Krystal Garcia informed the council that staff has met with them multiple times and each time informed of them of the process and items lacking to help complete the process. Mrs. Ayala inquired if the process could be sped up due to them housing animals on the property and they are having to make daily trips to and from Dilley and is becoming costly. Mayor Ben T. Briscoe informed her the process must be carried out completely. Councilwoman Davina Rodriguez apologized for the experience she stated she has had and welcomed the couple to Pearsall. The vote in favor of the motion made by Councilwoman Davina Rodriguez was unanimous.

L. Discuss brush disposal fee schedule and related matters.

City Manager Federico Reyes provided a previously adopted fee schedule for brush disposal at the transfer station. He stated he believes the huge accumulation of brush occurred when fees were waived. Councilwoman Davina Rodriguez stated the fees to be put in place must be based off of the cost the city would incur for the disposal of the brush. Council would like to direct staff to research and provide a breakdown a fee schedule for brush disposal. Mayor Ben T. Briscoe stated this item will be on the next regular meeting agenda. Public Works Director stated it is difficult to gauge brush by yardage and would have to be based off of weight and added that the city does not have a scale.

8. Staff Report

A. August Reports

Mayor Pro Tem Julian Hernandez inquired about 18 - wheelers being parked on the roadway and obstructing roads having to place out markers or cones. Chief of Police Humberto Torralba stated it is a violation if triangle markers with 3 reflectors is not out. He added that he has not received any reports of this being an issue.

9. Review of Bills Paid

A. August Bills

Council did not express issues with the bills paid.

10. General Announcements

None

11. Adjournment

Councilman James Leal motioned to adjourn the meeting at 9:09 p.m., second by Councilwoman Davina Rodriguez. The vote in favor of the motion was unanimous.

Approved this November 9, 2021.



Ben T. Briscoe, Mayor

ATTEST:



Krystal Garcia, City Clerk