

CITY COUNCIL AGENDA

A Regular Meeting of the City Council of the City of Pearsall, Texas will be held on Tuesday, June 11, 2024, at 6:00 PM at the Pearsall City Hall, 214 S. Ash Street, Pearsall, Texas.

COUNCIL MEMBERS

**BEN T BRISCOE
RACHEAL GARZA
TIFFANY TALAMANTES
BRENDA TREVINO**

**JAMES LEAL
SONIA HERNANDEZ
RAMIRO TREVINO
AURORA GARZA**

1. Call To Order

Mayor Pro Tem James Leal called the meeting to order at 6:00 PM.

2. Roll Call and Announcement of Quorum

Council Members Present: Mayor Ben T. Briscoe, Council Member Ramiro Trevino, Council Member Aurora Garza, Council Member Brenda Trevino at 6:02 PM, Council Member Sonia Hernandez via Zoom at 6:54 PM, Council Member Racheal Garza, Council Member Tiffany Talamantes

Council Members Absent: Mayor Ben T. Briscoe

Staff Present: City Manager Federico Reyes, Assistant City Manager/Community Development Director Yolanda Moran, City Clerk Krystal Garcia, Finance Director Monica Yanez, Chief of Police Daniel Flores, City Attorney Bobby Maldonado, Public Works Director Hector Gandara, Public Information Officer Bianca Ramirez, HR Manager Raquel Yanez, Parks and Recreation/Facilities Director Ramiro Otero

3. Invocation And Pledge of Allegiance

Council Member Aurora Garza led the invocation. Pledge of Allegiance led by all present.

4. Citizens To Be Heard

None

5. Mayor's Message and Staff Reports

Mayor Pro Tem James Leal announced if the council had questions regarding the reports they could get with the city manager and department heads.

5.A Police Activity Report, Narcotics Report and Animal Control Report - Daniel Flores, Chief of Police

5.B Public Works Department Report - Hector Gandara, Public Works Director

5.C Finance Report - Monica Yanez, Finance Director

5.D Community Development Reports - Yolanda Moran, Assistant City Manager/Community Development Director

5.E Municipal Court Reports - Nicolas De Leon, Municipal Court Judge

6. Action to Consent Agenda (Items below are action items)

6.A Approval of May 14, 2024, and May 29, 2024, City Council Meeting minutes - Krystal Garcia, City Clerk

Council Member Racheal Garza motioned to approve the minutes as presented, seconded by Council Member Ramiro Trevino. The vote in favor of the motion was unanimous.

7. Presentations

7.A Swearing in of newly hired police officers - Daniel Flores, Chief of Police

Municipal Court Judge Nicolas DeLeon swore the officers in before they posed for pictures with the council.

7.B Presentation of the Goals of the Operation Clean Cut/ Weedy Lot Project - Yolanda Moran, Assistant City Manager/Community Development Director

Yolanda Moran, Assistant City Manager/Community Development Director reviewed the presentation identifying lots for immediate processing, goals, participating departments as well as the project timeline. Council Member Racheal Garza inquired if the lots had heirs to which Mrs. Moran stated some did not have heirs. Council Member Tiffany Talamantes asked if the general public could help identify problematic properties. Mrs. Moran stated yes and confirmed this already occurs. Fred Reyes, City Manager stated while that could be helpful there were budget constraints. Council Member Aurora Garza asked what the end goal was – to keep cleaning the property and charge the owner? Mr. Reyes stated the liens placed on the property would make the property owner responsible.

7.C Presentation of Section 3 requirement of the TxCDBG Wastewater Improvements Grant No. CDV21-0495 - Yolanda Moran, Assistant City Manager/Community Development Director

Yolanda Moran, Assistant City Manager/Community Development Director reviewed the PowerPoint presentation of Section 3 requirement of the TxCDBG Wastewater Improvements Grant No. CDV21-0495 as it is a program requirement. She reminded the council this grant is for the bar screen to be installed at the waste water treatment plant.

7.D Presentation of Victor Treviño Sports Complex Masterplan Conceptual Rendering and Park Program - City Staff/ Council Member Ramiro Treviño

Fred Reyes City Manager, Yolanda Moran, Assistant City Manager/Community Development Director, Parks and Recreation/Facilities Director Ramiro Otero reviewed the conceptual rendering for the Sports Complex Masterplan. Mr. Reyes reviewed the list of existing and proposed conditions for the park. Mayor Pro Tem James Leal asked if reclaimed water would play a part in the plan. Mr. Reyes informed the council the pond would consist of reclaimed water. Mayor Pro Tem James Leal stated the Parks Department would need additional staff due to the anticipated new facilities. He added the city cannot do it alone and urged the council to

reach out to congressional leaders for support. He thanked staff for working on the project. Mrs. Moran said Ms. Dockery would provide a project breakdown and order of completion. Council Member Racheal Garza inquired if there would be room for veterans and elderly. Mrs. Moran stated the multi-use facility would provide room for their activities. Mayor Pro Tem requested staff not hook up the reclaimed water to irrigation, to use a different line. Mr. Otero the project has been a long time coming as it has been 34 years since money has been put into the facility. He announced Devine is catching up with their new complex as well as other surrounding areas. Frio County Judge Rochelle Camacho made a statement regarding requesting AACOG funding to cover inspection costs.

8. Public Hearing

8.A Open Public Hearing

Mayor Pro Tem James Leal opened the public hearing at 6:45 PM.

8.B On a request for a Land Use Variance/Special Conditions permit for Miguel Angel Sanchez Cabrera and Jessica Ramirez 513 E. Rio Grande to allow 26'8 x 60' Texas Department of Licensing & Regulation Modular Home on property located at 513 E. Rio Grande. The property's legal description being Lot 8 Block 37, of the City of Persall, Parcel ID No. 4611. The property is currently zoned R-1 Single Family Residential. The City of Pearsall Zoning Ordinance requires the side setback minimum to be 15' and the applicant is asking for 13' variance.

8.C Close Public Hearing

There being no public comment Mayor Pro Tem James Leal closed the public hearing at 6:45 PM.

9. New Business (Items below are action items)

9.A Discuss, Consider and Act on the Final Plat for ReFuel Market FM 1581 & IH35. The property's legal description being TRACT I being 3.632 acres, or 158,213 square feet of land situated in the Torres Irrigation & Manufacturing Co., Survey, Abstract No. 734, Frio County, Texas, being out of a called 17.452 acres tract, Frio County, Texas, recorded in Volume 311, Page 398 of the Deed Records of Frio County, Texas and TRACT II being 0.1951 acre of land, or 8,500 square feet of land situated in the Torres Irrigation and Manufacturing Co. Survey, Abstract No. 734, Frio County, Texas, being wholly located within the right-of-way of FM 1581 (width varies), out of a called 17.452 acres tract, recorded in Volume 311, Page 398 of the Deed Records of Frio County and being part of a called 2.000 acres tract, recorded in Volume 36, Page 180 of the Deed Records of Frio County, Texas. - Yolanda Moran, Assistant City Manager/Community Development Director

Yolanda Moran, Assistant City Manager/Community Development Director informed the council the Planning and Zoning Commission recommended approval subject to final comments from YPR. Rick Hatch from the Odyssey Group stated the minor plat received TxDOT approval and were now looking at the final plat. Council Member Ramiro Trevino motioned to approve, Seconded by Council Member Racheal Garza. The vote in favor of the motion was unanimous.

9.B Discuss, Consider and Act on Ordinance No. 2024-06-01 for a Land Use Variance/Special Conditions permit for Miguel Angel Sanchez Cabrera and Jessica Ramirez 513 E. Rio Grande to allow 26'8 x 60' Texas Department of Licensing & Regulation Modular Home on property located

at 513 E. Rio Grande. The property's legal description being Lot 8 Block 37, of the City of Pearsall, Parcel ID No. 4611 - Yolanda Moran, Assistant City Manager/Community Development Director

Yolanda Moran, Assistant City Manager/Community Development Director informed the council the dwelling was, in fact, a modular home. She explained the current zoning ordinance calls for fifteen (15) feet and the applicant asked for thirteen and had received a recommendation of approval from the Planning and Zoning Commission. Council Member Ramiro Trevino voted in favor of the motion, seconded by Tiffany Talamantes. The vote in favor of the motion was unanimous.

- 9.C Discuss, Consider and Act on the Preliminary Re-Plat for Jon Martin, 304 W. Rio Grande establishing Lot 1A, Block "Q" of the Townsite of Pearsall, Frio County, Texas. The property's legal description being Lots 1&2 (0.239 Acres) Block "Q" of the Townsite of Pearsall, described in Document Number: 0150332 of the Frio County, Official Public Records, Frio County, Texas - Yolanda Moran, Assistant City Manager/Community Development Director

Yolanda Moran, Assistant City Manager/Community Development Director reviewed the preliminary re-plat with the council. She reminded the council this replat was a condition for placement of a manufactured home back in January 2024. Council Member Ramiro Trevino voted in favor of the motion, seconded by Council Member Aurora Garza. The vote in favor of the motion was unanimous.

- 9.D Discuss and consider Ordinance No. 2024-06-02, for the installation of traffic control devices on Margo Drive at the intersections of North Pecan and Paseo De Tyner in addition to crosswalks - Hector Gandara, Public Works Director

Public Works Director Hector Gandara informed the council the purpose of the ordinance was to turn a 2-way stop, into a 4-way stop as requested by Pearsall ISD. PISD School Board Member Lionel Gandara stated the request came from a concern for the safety of their students crossing the high traffic intersection. Council Member Aurora Garza asked if PISD would be interested in paying for half of the cost to place the traffic control devices and crosswalk. Mr. Gandara stated the cost of signage falls on the city and wouldn't be too much a cost for the city to bare in exchange for safety. Council Member Racheal Gandara asked if the speed humps were going to be removed to which Fred Reyes, City Manager stated they would not be removed as they control the speed of vehicles down the street.

- 9.E Discuss and consider authorizing the City Manager to execute the Streetlight Installation Agreement with AEP Texas for the LED Conversion Project - Fred Reyes, City Manager

Fred Reyes, City Manager reviewed a map of every light covered under the city's account with AEP. He informed the council the annual budget for street lighting totals \$120,000. He pointed out areas in need of lighting such as Gilliam Road and areas around schools. Mayor Pro Tem James Leal asked if the police department could keep an eye out and note what areas are in need of light, when units are out on patrol. Mayor Pro Tem Leal suggest lighting from the football field to the high school as students and coaching staff have to walk back in the dark after games. Council Member Ramiro Trevino inquired about studies for lighting. City Manager Reyes stated there are, in fact, studies that can be conducted. Council Member Brenda Treviño about the savings discussed the last time this item was brought to the council. Mayor Pro Tem Leal stated it should be around three (3) to five (5) years before the city would see the savings. City Manager Reyes the savings would be anywhere from \$10,000 to \$15,000. Bobby Maldonado, City Attorney stated he did not find any issues with the contract as presented to the council. Council Member Racheal Garza voted in favor of the motion, seconded by Council Member Aurora Garza. The vote in favor of the motion was unanimous.

- 9.F Discuss and consider awarding a contract for engineering services and authorizing the city manager to negotiate and execute a contract with the selected firm - Fred Reyes, City Manager

Fred Reyes, City Manager informed the council the firm selected would be hired for the TWDB project. Mayor Pro Tem James Leal inquired why CDM Smith received a ten (10) on financing. City Manager Reyes stated the firm's proposal showed a staff member would be dedicated to the funding portion. Council Member Ramiro Trevino voted in favor of the motion, seconded by Council Member Racheal Garza. The vote in favor of the motion was unanimous.

- 9.G Discuss and consider a Master Agreement with I3 Verticals, LLC to include the interlocal agreement between Sulphur Springs Police Department, Franklin County Sheriff's Office and City of Pearsall - Nicolas De Leon, Municipal Court Judge

Nicolas De Leon, Municipal Court Judge explained to the council the contract is standard and the city currently utilizes the system without issues. Mayor Pro Tem James Leal inquired if the cost proposal could remain at \$8,400 for first three (3) years and be subject to the 5% after the 3rd year. I3 Verticals, LLC representative Mark Soto stated this was a typo and should have reflected to read 3 years. Racheal Garza motioned to approve, seconded by Council Member Brenda Treviño. The vote in favor of the motion was unanimous.

- 9.H Discuss and consider entering into a Interlocal Cooperation Contract with DPS for the Failure to Appear Program - Nicolas De Leon, Municipal Court Judge

Council Member Racheal Garza voted in favor of the motion, seconded by Council Member Aurora Garza. The vote in favor of the motion was unanimous

- 9.I Discuss and consider Resolution No. 2024-06-01 appointing qualified individuals to the Ethics Commission - Krystal Garcia, City Clerk

Krystal Garcia, City Clerk informed the council the terms for the members had expired and appointments were needed.

Council Member Racheal Garza appointed Dr. Oscar Garza; Council Member Brenda Trevino appointed Sylvia Patterson; Council Member Sonia Hernandez appointed Marisol DeLeon; Council Member Ramiro Trevino appointed Grace Medina. Council Member Tiffany Talamantes stated she is waiting on a response from Irma Cantu. Council Member Aurora Garza and Mayor Pro Tem James Leal stated they were not ready to appoint. Council Member Ramiro Trevino voted in favor of the motion, seconded by Council Member Racheal Garza. The vote in favor of the motion was unanimous.

10. Review of Bills Paid

10.A May 2024 Bills

Council did not question the bills.

11. General Announcements

Fred Reyes, City Manager announced:

- The next TIRZ meeting is schedule for June 18, 2024.
- June 25, 2024 TxDOT meeting details
- July 2, 2024 budget workshop reminder
- July 4 City event
- July 17 TxDOT meeting in San Antonio

12. Adjournment

There being no further business before the council and upon a motion from Council Member Racheal Garza, the meeting adjourned at 7:42 PM.

Approved this July 9, 2024



Ben T. Briscoe Mayor

ATTEST:


Krystal Garcia, City Clerk