



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF PEARSALL
REGULAR MEETING
AUGUST 31, 2015**

1. CALL TO ORDER: Mayor Mary Moore called the meeting to order at 7:02 p.m.

2. ROLL CALL AND ANOUNCEMENT OF A QUORUM:

COUNCIL MEMBERS PRESENT: Mary Moore, Mayor

James H. Leal, Mayor Pro Tem
Alex Hernandez, Council Member
Odilia Villarreal, Council Member
Julian Hernandez, Council Member
Ben Briscoe, Council Member
Toby Lopez, Jr., Council Member

COUNCIL MEMBER ABSENT: Mando Martinez, Council Member

STAFF MEMBERS PRESENT:

Jose Treviño, Interim City Manager
Krystal Garcia, City Clerk
Estrellita Martinez, Deputy City Clerk
Sylvia Rodriguez, City Attorney
Rudy Alvarez, Finance Director
Rudy Olivarez, Streets Supervisor
Rudy Carrizales, Gas Superintendent
Ruben Frausto, Human Resource Director
Xavier Antu, Community Development Director
Conrad Banda, Water/Sewer Supervisor

The Mayor announced that there was a quorum and proceeded with the meeting.

3. INVOCATIONS AND PLEDGE OF ALLEGIANCE:

Invocation Lead By: Dave Richey

Pledge of Allegiance Lead By: All in attendance

4. CITIZENS TO BE HEARD

Josie Gonzalez was recognized by Mayor Mary Moore and approached the City Council with concerns of having a balanced budget and the financial status of the City.

5. BUDGET WORKSHOP

A. Review and Consider the Proposed Annual Appropriations Budget for the Fiscal Year beginning October 1, 2015 and ending on September 30, 2016, as submitted by the City Manager, Finance Director, And the Administrative Staff.

Interim City Manager Jose Treviño stated he found a way to balance the budget and minimize draws from the Fund Balance.

Discussion between City Council Members entailed Employee Salaries, Stipends, and thoughts of establishing a pay scale. Mayor Mary Moore asked for a motion to close

the Workshop, First Motion by Councilman Julian Hernandez, Second by Mayor Pro-Tem James Leal. The vote in favor of the motion was unanimous.
Mayor Pro-Tem James Leal motions to move to Item B and discuss Item A tomorrow, Second by Councilman Ben Briscoe. The vote in favor of the motion was unanimous.

6. NEW BUSINESS

- B. Discuss and consider Resolution No. 2015-08-07 to propose Ad Valorem Tax Rate of \$0.528208 for the fiscal year beginning October 1, 2015 and establishing September 10, 2015 and September 16, 2015 respectively, as the Public Hearing dates for the Proposed Property Tax Rate for the City of Pearsall for the fiscal year beginning October 1, 2015 and ending on September 30, 2016.**

A motion to accept Resolution No. 2015-08-07 was made by Councilman Ben Briscoe, Second by Councilman Alex Hernandez. Council voted (5) For, (0) Against, and (1) Abstain. Voting in Favor of the motion was Councilwoman Odilia Villarreal, Councilman Julian Hernandez, Councilman Alex Hernandez, Councilman Toby Lopez, Jr., and Councilman Ben Briscoe. Mayor Pro-Tem James Leal Abstain. Motion carries.

7. EXECUTIVE SESSION- In accordance with Texas Government Code Chapter 551, Subchapter D: Section 551.071

A motion was made by Councilman Toby Lopez, Jr. to go into Executive Session, Second by Councilman Alex Hernandez. The vote in favor of the motion was unanimous and the City Council went into Executive Session at 8:24pm.

A. Consultation with City Attorney

- 1. Discuss and Consider appointment of Maldonado, Galvan, Morales, Hakeem, & Diaz as Special Legal Counsel to represent the City Council Members, individually on the *Ibarra, Plaintiff v. City of Pearsall, Mando Martinez, Councilman, James Leal, Councilman, Alex. Hernandez, Councilman, Julian Hernandez, Councilman, and Toby Lopez, Jr., Councilman*, as defendants; and to authorize the Mayor to appoint and engage said Special Legal Counsel.**

Upon the council's return to council chambers at 8:50pm a motion was made by Mayor Pro-Tem James Leal, Second by Councilman Toby Lopez, Jr. to return to Open Session. The vote in favor of the motion was unanimous.
No Action taken during Executive Session.

- 8. Discuss and Consider Resolution No. 2015-08-08 to Appoint of Maldonado, Galvan, Morales, Hakeem, & Diaz as Special Legal Counsel to represent the City Council Members, individually on the *Ibarra, Plaintiff v. City of Pearsall, Mando Martinez, Councilman, James Leal, Councilman, Alex. Hernandez, Councilman, Julian Hernandez, Councilman, and Toby Lopez, Jr., Councilman*, as defendants; and to authorize the Mayor to appoint and engage said Special Legal Counsel.**

A Motion was made by Mayor Pro Tem Leal, Second by Councilman Ben Briscoe to approve Resolution No. 2015-08-08. The vote in favor was unanimous.

Mayor Pro-Tem James Leal motion to recess for September 1, 2015 at 7:00pm, Second by Councilman Ben Briscoe. The vote in favor of the motion was unanimous. Meeting was Adjourned at 8:54pm.

MEETING RECONVENED AT 7:03 PM ON SEPTEMBER 1, 2015

ROLL CALL AND ANOUNCEMENT OF A QUORUM:

COUNCIL MEMBERS PRESENT: Mary Moore, Mayor
James H. Leal, Mayor Pro Tem
Mando Martinez, Council Member
Odilia Villarreal, Council Member
Julian Hernandez, Council Member
Ben Briscoe, Council Member
Toby Lopez, Jr., Council Member

COUNCIL MEMBER ABSENT: Alex Hernandez, Council Member

STAFF MEMBERS PRESENT: Jose Treviño, Interim City Manager
Krystal Garcia, City Clerk
Sylvia Rodriguez, City Attorney
Rudy Alvarez, Finance Director
Rudy Olivarez, Streets Supervisor
Rudy Carrizales, Gas Superintendent
Ruben Frausto, Human Resource Director
Xavier Antu, Community Development Director
Conrad Banda, Water/Sewer Supervisor
Henry Martinez, Chief of Police

After some discussion of the billing, and collection of the city's utilities the City Council went on to discuss changes in the Employee Salary Schedule, such as salaries being paid through different funds, a UDSA Grant, the City's audit, and raising tax rates.

A motion was made by Councilman Julian Hernandez to close the Workshop, Second by Mayor Pro-Tem James Leal. The vote in favor of the motion was unanimous.

6. NEW BUSINESS

A. Discuss and Consider Ordinance No. 2015-08-06 to propose the city of Pearsall's Annual Appropriations Budget for the Fiscal Year beginning October 1, 2015.

Mayor Pro-Tem James Leal made a motion to approve Ordinance No. 2015-08-06, Second by Councilman Ben Briscoe. The favor of the motion was unanimous.

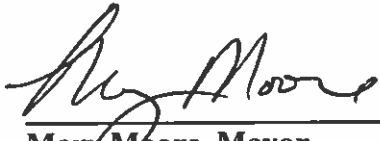
9. GENERAL ANNOUNCEMENTS

Interim City Manager Jose Treviño advised the City Council of Regular City Council Meeting on Tuesday, September 8, 2015.

ADJOURNMENT

There being no further business before the council and upon a motion by Mayor Pro Tem Leal, the meeting was adjourned at 9:14 p.m.

Approved this 8th day of September, 2015.



Mary Moore, Mayor



Krystal Garcia, City Clerk



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF PEARSALL
REGULAR MEETING
September 8, 2015**

1. CALL TO ORDER: Mayor Mary Moore called the meeting to order at 7:02 p.m.

2. ROLL CALL AND ANOUNCEMENT OF A QUORUM:

COUNCIL MEMBERS PRESENT: Mary Moore, Mayor

Mando Martinez, Council Member
Alex Hernandez, Council Member
Odilia Villarreal, Council Member
Julian Hernandez, Council Member
Ben Briscoe, Council Member
Toby Lopez, Jr., Council Member

COUNCIL MEMBER ABSENT: James H. Leal, Mayor Pro Tem

STAFF MEMBERS PRESENT:

Jose Treviño, Interim City Manager
Krystal Garcia, City Clerk
Estrellita Martinez, Deputy City Clerk
Rudy Alvarez, Finance Director
Rudy Olivarez, Streets Supervisor
Rudy Carrizales, Gas Superintendent
Xavier Antu, Community Development Director
Conrad Banda, Water/Sewer Supervisor
Ramiro Otero, Parks & Recreation Director
Henry Martinez, Chief of Police

The Mayor announced that there was a quorum and proceeded with the meeting.

3. INVOCATIONS AND PLEDGE OF ALLEGIANCE:

Invocation By: Councilman Ben Briscoe

Pledge of Allegiance By: Lead by all in attendance

4. CITIZENS TO BE HEARD

None

5. ACTION ON CONSENT AGENDA

MINUTES

- A. Approve Minutes of the Regular City Council Meeting of August 11, 2015.**
- B. Approve Minutes of the Special City Council Meeting of August 25, 2015.**
- C. Approve Minutes of the Special City Council Meeting of August 31, 2015**

A Motion was made by Councilman Mando Martinez, Second by Councilman Julian Hernandez to approve minutes. The vote in favor of the Motion was unanimous.

6. OLD BUSINESS

- A. Discuss and Consider Resolution 2015-08-03 to approve Frio County Appraisal District's 2015 Certified Appraisal Roll**

A Motion was made by Councilman Mando Martinez, Second by Councilman Julian Hernandez to Discuss and Consider Resolution No. 2015-08-03 to Approve Frio County Appraisal District's 2015 Certified Appraisal Roll. After some discussion Mayor Mary Moore asked for a show of hands of those in favor. The vote in favor of the Motion was unanimous

7. NEW BUSINESS

- A. Discuss and Consider Ordinance No. 2015-09-01 to approve a lease of City property located at 803 W. Frio with Kids Are First, Inc. a Head Start non-profit organization.**

After a discussion consisting of the length of the lease, rent received, and the upkeep of the property, a Motion was made by Councilwoman Odilia Villarreal, Second by Councilman Mando Martinez. The vote in favor of the Motion was unanimous.

- B. Discuss and Consider Resolution No. 2015-09-02 to approve an Interlocal Agreement with Frio County whereby the City of Pearsall will provide Frio Co. with Animal Control Services.**

After a brief discussion about the EIJ boundaries, fee schedule, and Animal Control Ordinances a Motion to approve Resolution No. 2015-09-02 was made by Councilman Alex Hernandez, Second by Councilman Toby Lopez, Jr. The vote in favor of the Motion was unanimous.

- C. Discuss and Consider Resolution No. 2015-09-03 establishing boundaries of the City's Historic Commercial District.**

After a brief discussion about which of the town's streets would make up the covered area a Motion to approve Resolution No. 2015-09-03 was made by Councilman Julian Hernandez, Second by Councilman Mando Martinez. The vote in favor of the Motion was unanimous.

- D. Discuss and Consider Resolution No. 2015-09-04 designating areas within the designated Historic Commercial District as slum/blighted and in need of improvement.**

After a discussion about improvements approved through the Grant a Motion to approve Resolution No. 2015-09-04 was made by Councilman Ben Briscoe, Second by Councilman Mando Martinez. The vote in favor of the Motion was unanimous.

- E. Discuss and Consider Resolution No. 2015-09-05 authorizing submission of an application to the Texas Department of Agriculture for a 2015 TX Capital Fund Downtown Revitalization Program grant to construct sidewalk, lighting, and handicap-accessibility improvements in the designated Historic Commercial District.**

After a discussion about the areas around town in need of improvements a Motion to approve Resolution No. 2015-09-05 was made by Councilman Mando Martinez, Second by Councilman Ben Briscoe. The vote in favor of the Motion was unanimous.

F. Discuss and Consider Resolution No. 2015-09-06 adopting a public access plan to be utilized during infrastructure construction projects funded through the Texas Capital Fund Downtown Revitalizing Program.

After a brief discussion a Motion to approve Resolution No. 2015-09-06 was made by Councilman Mando Martinez, Second by Councilman Ben Briscoe. All in favor of the Motion was unanimous.

G. Discuss and Consider Resolution No. 2015-09-07 adopting a Citizen Participating Plan and Citizen Complaint Procedures to be followed during implementation of Texas Community Development Block Grant Program Texas Capital Fund projects.

After a brief discussion a Motion to approve Resolution No. 2015-09-07 was made by Councilman Mando Martinez, Second by Councilman Julian Hernandez. The vote in favor of the Motion was unanimous.

H. Review and Consider the City's Emergency Disaster Plans.

Interim City Manager Jose Treviño spoke with the Emergency Operation Coordinator Rey Kallio who stated the City is tied in the same plan with Frio County. Mr. Kallio also advised Interim City Manager Jose Treviño that City Council Members need to be NIMS certified. He would like to bring an Event Coordinator from San Antonio after gathering people from different entities to get certified at the same time.

8. EXECUTIVE SESSION- In accordance with Texas Government Code Chapter 551, Subchapter D: Section 551.071

A. Review and Consider applications for permanent City Manager position.

A Motion was made by Councilman Toby Lopez, Jr. to go into Executive Session, Second by Councilwoman Odilia Villarreal. The vote in favor of the Motion was unanimous and the council went into Executive Session at 8:04pm.

Upon the council's return to Council Chambers at 8:52 pm a Motion was made by Councilman Mando Martinez to return to Open Session, Second by Councilman Alex Hernandez. The vote in favor of the Motion was unanimous and the council returned to Open Session.

The Mayor announced that NO ACTION was taken in Executive Session.

9. APPROVAL TO PAY BILLS

Finance Director Rudy Alvarez stated the bills would not be available until the meeting set for September 16th, 2015. A Motion was made by Councilman Mando Martinez to Table the Approval to pay bills, Second by Councilman Ben Briscoe. The vote in favor of the Motion was unanimous.

10. GENERAL ANNOUNCEMENTS

Interim City Manager Jose Treviño reminded the City Council of the Public Hearing on September 16, 2015. Interim City Manager Jose Treviño went on to advise the council of the Community Development Block Grant the City was awarded, and briefly went over the current progress of the Hunter's Festival.

ADJOURNMENT

There being no further business before the council and upon a Motion by Councilwoman Odilia Villarreal the meeting was adjourned at 9:00pm.

Approved this 13th day of October, 2015.


Mary Moore, Mayor


Krystal Garcia City Clerk



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF PEARSALL
SPECIAL MEETING
September 10, 2015**

1. **CALL TO ORDER:** Mayor Mary Moore called the meeting to order at 7:01 p.m.

2. **ROLL CALL AND ANOUNCEMENT OF A QUORUM:**

COUNCIL MEMBERS PRESENT: Mary Moore, Mayor

Alex Hernandez, Council Member

Mando Martinez, Council Member- Arrived at 7:03pm

Julian Hernandez, Council Member

Ben Briscoe, Council Member

Toby Lopez, Jr., Council Member

COUNCIL MEMBER ABSENT: James H. Leal, Mayor Pro Tem

Odilia Villarreal, Council Member

STAFF MEMBERS PRESENT:

Jose Treviño, Interim City Manager

Krystal Garcia, City Clerk

Sylvia Rodriguez, City Attorney

Rudy Alvarez, Finance Director

The Mayor announced that there was a quorum and proceeded with the meeting.

3. **INVOCATIONS AND PLEDGE OF ALLEGIANCE:**

Invocation By: Dave Richey

Pledge of Allegiance: Lead by all in attendance

4. **CITIZENS TO BE HEARD**

A. Josie Gonzalez- Mrs. Gonzalez spoke briefly about debt service, transfers, budget cuts, and employee incentives.

B. Paula Kothman- Ms. Kothman spoke about the appraised value of buildings in the City.

5. **NEW BUSINESS**

A. Public Hearing

1. Open Public Hearing

- a. On a proposal to increase the tax rate to \$0.528208 per \$100 valuation on properties on the tax roll from \$0.43381 per \$100 valuation in the preceding year. This proposed rate exceeds the lower of effective rate or the rollback tax rate as calculated under Chapter 26, Tax Code.

A motion was made by Councilman Mando Martinez to open the Public Hearing, Second by Councilman Toby Lopez, Jr. The vote in favor of the Motion was unanimous. The Public Hearing opened at 7:15 pm.

Interim City Manager Jose Treviño made a presentation on the Proposed Tax Rate and its effect on the Budget. Mayor Mary Moore asked for comments from the Public. There were comments from the Public concerning the Tax Rate. After a brief discussion between City Council Members, Finance Director Rudy Alvarez announced that on Wednesday, September 30, 2015 at 7:00pm at City Hall a meeting will take place at which the Council will vote on the Proposed Tax Rate. A Motion was made by Councilman Toby Lopez, Jr. to close the Public Hearing, Second by Councilman Mando Martinez. The vote in favor of the Motion was unanimous. The Public Hearing was closed at 7:56pm.

6. EXECUTIVE SESSION- In accordance with Texas Government Code Chapter 551, Subchapter D: Section 551.071

None

7. GENERAL ANNOUNCEMENTS

Interim City Manager Jose Treviño reminded the City Council of the meeting being held on Wednesday, September 16, 2015.

8. ADJOURNMENT

There being no further business before the council and a motion by Councilman Mando Martinez, Second by Councilman Toby Lopez, Jr. the meeting was adjourned at 7:58pm.

Approved this 13th day of October, 2015.



Mary Moore, Mayor



Krystal Garcia, City Clerk



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF PEARSALL
SPECIAL MEETING
SEPTEMBER 16, 2015**

Due to Mayor Mary Moore and Mayor Pro-Tem James Leal were absent at the beginning of the meeting the council appointed Councilwoman Odilia Villarreal to lead the meeting. Councilwoman Odilia Villarreal announced that there was a quorum and proceeded with the meeting.

1. **CALL TO ORDER:** Councilwoman Odilia Villarreal called the meeting to order at 7:11pm.

2. **ROLL CALL AND ANOUNCEMENT OF A QUORUM:**

COUNCIL MEMBERS PRESENT: James H. Leal, Mayor Pro Tem-Arrived at 7:23pm
Alex Hernandez, Council Member
Odilia Villarreal, Council Member
Julian Hernandez, Council Member
Ben Briscoe, Council Member
Toby Lopez, Jr., Council Member

COUNCIL MEMBER ABSENT: Mary Moore, Mayor
Mando Martinez, Council Member

STAFF MEMBERS PRESENT: Jose Treviño, Interim City Manager
Krystal Garcia, City Clerk
Sylvia Rodriguez, City Attorney
Rudy Alvarez, Finance Director

3. **INVOCATIONS AND PLEDGE OF ALLEGIANCE:**

Invocation Lead By: Councilman Ben Briscoe
Pledge of Allegiance: Lead by all in attendance.

4. **CITIZENS TO BE HEARD**

None

5. **NEW BUSINESS**

A. Public Hearing

1. **Open Public Hearing**

- a. On a proposal to increase the tax rate to \$0.528208 per \$100 valuation on properties on the tax roll from \$0.43381 per \$100 valuation in the preceding year. This proposed rate exceeds the lower of effective rate or the rollback tax rate as calculated under Chapter 26, Tax Code).

A Motion to Open the Public Hearing was made by Councilman Julian Hernandez, Second by Councilman Ben Briscoe. The vote in favor of the Motion was unanimous and the Public Hearing was Opened at 7:14pm. Councilwoman Odilia Villarreal asked for comments from the Public. There were no comments made by the Public. Finance Director Rudy Alvarez announced that on Wednesday, September 30, 2015, at 7:00 pm at City Hall a meeting will take place at which the council will vote on the Proposed Tax Rate. A Motion to Close the Public Hearing was made by Councilman Julian Hernandez, Second by Councilman Ben Briscoe. The vote in favor of the Motion was unanimous and the Public Hearing was Closed at 7:16pm.

A. Discuss and Consider Resolution No. 2015-09-08 to appoint members to the City's Ethics Commission.

After reviewing Dora J. Carter's application a Motion to Appoint was made by Councilman Julian Hernandez, Second by Councilman Ben Briscoe. The vote in favor of the Motion was unanimous.

6. EXECUTIVE SESSION-In accordance with Texas Government Code Chapter 551, Subchapter: SECTION 551.074

1. Review and Consider applications for permanent City Manager position.

A motion was made by Councilman Ben Briscoe to go into Executive Session, Second by Councilman Julian Hernandez. The vote in favor of the motion was unanimous and the council went into Executive Session at 7:18pm.

Upon the council's return to Council Chambers at 7:35pm a Motion to return to Open Session was made by Councilman Julian Hernandez, Second by Councilman Ben Briscoe. The vote in favor of the Motion was unanimous

Mayor Pro-Tem James Leal announced that NO ACTION was taken in Executive Session.

7. APPROVAL TO PAY BILLS

After some discussion a Motion to Approve to pay bills was made by Councilman Ben Briscoe, Second by Councilman Toby Lopez, Jr.. The vote in favor of the Motion was unanimous.

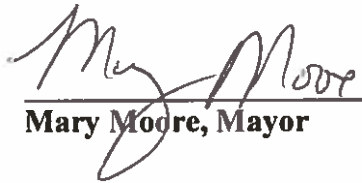
8. GENERAL ANNOUNCEMENTS

Interim City Manager Jose Treviño reminded the council of the TML Annual Conference they will be attending next week and also made them aware of the 2 Public Works Consultants he contracted.

9. ADJOURNMENT

There being no further business before the council and upon a motion by Councilman Ben Briscoe, Second by Councilman Toby Lopez, Jr. the meeting was adjourned at 8:00pm.

Approved this 13th day of October, 2015.



Mary Moore, Mayor



Krystal Garcia, City Clerk



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF PEARSALL
SPECIAL MEETING
SEPTEMBER 30, 2015**

1. CALL TO ORDER: Mayor Mary Moore called the meeting to order at 7:05 p.m.

2. ROLL CALL AND ANNOUNCEMENT OF A QUORUM:

COUNCIL MEMBERS PRESENT: Mary Moore, Mayor

James H. Leal, Mayor Pro Tem-Arrived at 7:19pm

Mando Martinez, Council Member

Odilia Villarreal, Council Member

Julian Hernandez, Council Member

Ben Briscoe, Council Member

Toby Lopez, Jr., Council Member

COUNCIL MEMBER ABSENT: Alex Hernandez, Council Member

STAFF MEMBERS PRESENT:

Jose Treviño, Interim City Manager

Krystal Garcia, City Clerk

Sylvia Rodriguez, City Attorney

Rudy Alvarez, Finance Director

Rudy Olivarez, Streets Supervisor

Rudy Carrizales, Gas Superintendent

Ramiro Otero, Parks & Recreation Director

Xavier Antu, Community Development Director

Conrad Banda, Water/Sewer Supervisor

The Mayor announced that there was a quorum and proceeded with the meeting.

3. INVOCATIONS AND PLEDGE OF ALLEGIANCE:

Invocation Lead By: Ben Briscoe

Pledge of Allegiance: Lead by all in attendance

4. CITIZENS TO BE HEARD

1. Josie Gonzalez spoke about the conditions of City Trucks.
2. Rosalinda Treviño requested a street light to be installed in the alley off of Fairview and Walnut and asked for the weeds in the alley behind her house to be cut.
3. Paula Kothman spoke on City finances and late fee collections.

5. NEW BUSINESS

A. Public Hearing

1. Open Public Hearing

- a. On the City of Pearsall's Proposed Annual Appropriations Budget for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016.

A Motion to open the hearing was made by Councilman Ben Briscoe, Second by Councilman Mando Martinez. The vote in favor of the Motion was unanimous and the public hearing opened at 7:15pm. Mayor asked if there were comments from the public. The public spoke about budget amendments, collection fees, the tax rate, and delinquent accounts.

2. Close Public Hearing

A Motion to close the public hearing was made by Mayor Pro-Tem James Leal, Second by Councilman Ben Briscoe. The vote in favor of the Motion was unanimous and the public hearing closed at 7:48pm.

B. Discuss and Consider Ordinance No. 2015-09-01 to adopt the City of Pearsall's Proposed Annual Appropriations Budget for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016.

A Motion to Approve Ordinance No. 2015-09-01 was made by Mayor Pro Tem James Leal, Second by Councilman Mando Martinez. The vote in favor of the Motion was unanimous. The Council voted (6) For, (0) Against, and (1) Absent. Councilman Toby Lopez, Jr., Councilman Julian Hernandez, Mayor Pro Tem James Leal, Councilman Mando Martinez, Councilman Ben Briscoe, and Councilwoman Odilia Villarreal voted For the Motion. Councilman Alex Hernandez was Absent from the meeting.

C. Discuss and Consider Ordinance No. 2015-09-02 to establish the Tax Rate and Levy for the City of Pearsall for the fiscal year beginning October 1, 2015 and ending in September 30, 2016.

A Motion to Approve Ordinance No. 2015-09-02 was made by Mayor Pro Tem James Leal, Second by Councilman Mando Martinez. The vote in favor of the Motion was unanimous. The Council voted (6) For, (0) Against, and (1) Absent. Councilman Toby Lopez, Jr., Councilman Julian Hernandez, Mayor Pro Tem James Leal, Councilman Mando Martinez, Councilman Ben Briscoe, and Councilwoman Odilia Villarreal voted For the Motion. Councilman Alex Hernandez was Absent from the meeting.

D. Discuss and Consider Resolution No. 2015-09-09 to accept the Annual Financial Audit for the Fiscal Year 2013-2014 as performed by Garza/Gonzalez & Associates, P.C.

Eli Mendoza, an Auditor from Garza/Gonzalez & Associates, P.C. was present to answer any questions that the City Council had. After a review of the findings of the audit and a brief discussion a Motion to Approve Resolution No. 2015-09-09 was made by Councilman Ben Briscoe, Second by Mayor Pro Tem James Leal. The vote in favor of the Motion was unanimous.

E. Discuss and Consider report on Hunter's Festival by Summit Marketing.

A Motion to Table the report was made by Mayor Pro Tem James Leal, Second by Councilman Ben Briscoe. The vote in favor of the Motion was unanimous, Tabled item will be set for the Regular City Council Meeting on October 13, 2015.

6. EXECUTIVE SESSION- In accordance with Texas Government Code Chapter 551, Subchapter D: Section 551.071

NONE

7. GENERAL ANNOUNCEMENTS

Interim City Manager Jose Treviño announced the City and PVFD will be hosting National Night Out on October 6, 2015 at the Fire Department.

8. ADJOURNMENT

There being no further business before the council and upon a motion by Councilman Ben Briscoe, the meeting was adjourned at 9:00 p.m.

Approved this 13th day of October, 2015.



Mary Moore, Mayor



Krystal Garcia, City Clerk



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF PEARSALL
REGULAR MEETING
October 13, 2015**

CALL TO ORDER, ROLL CALL, AND A QUORUM WAS ANNOUNCED.

COUNCIL MEMBERS :

Present: Mary Moore, Mayor
James H. Leal, Mayor Pro Tem
Mando Martinez, Council Member
Julian Hernandez, Council Member
Ben Briscoe, Council Member
Toby Lopez, Jr., Council Member
Absent: Alex Hernandez, Council Member
Odilia Villarreal, Council Member

STAFF PRESENT :

Jose G. Trevino, Interim City Manager
Estrellita Martinez, Deputy City Clerk
Rudy Alvarez, Finance Director
Sylvia Rodriguez, City Attorney
Henry Martinez, Chief of Police Department
Judge Noemi Flores, Municipal Court
Ramiro Otero, Parks & Recreation Director
Xavier Antu, Director of Community Development
Rudy Carrizales, Gas Superintendent
Rudy Olivarez, Street Supervisor
Conrad Banda, Water Supervisor

With a Roll Call conducted by Deputy City Clerk Martinez concluding with a quorum of the Council Members present, the Regular Meeting of the Pearsall City Council was called to order by Mayor Mary Moore at 7:00 p.m. on Tuesday, October 13, 2015, in the Council Chambers of the Pearsall City Hall, 215 S. Ash Street, Pearsall, Texas.

3.INVOCATIONS AND PLEDGE OF ALLEGIANCE

Invocation By: **Dave Richey, Chair of the Ethics Commission**

Pledge of Allegiance By: **Lead by all in attendance**

4.CITIZENS TO BE HEARD

- A. **Jose Muñoz:** Mr. Munoz asked for assistance from the City in the disposal of the burned remnants of his home. Interim City Manager Trevino asked the Council to waive the \$40 permit, and allow him to work alongside with ACI in order to place a bin on their property so they can dispose of the material.
- B. **Dave Richey:** Mr. Richey addressed the City Council on the topics of the Hunter's Festival, installation of traffic control device to be set out on Louise Lane, and for the City's assistance in upcoming Farmer's Market days.

5.ACTION ON CONSENT AGENDA

- A. **Approve Minutes of the Regular City Council Meeting of September 8, 2015.**
- B. **Approve Minutes of the Special City Council Meeting of September 10, 2015.**
- C. **Approve Minutes of the Special City Council Meeting of September 16, 2015.**
- D. **Approve Minutes of the Special City Council Meeting of September 30, 2015.**

MOTION: Upon a motion to Approve made by Mayor Pro Tem Leal and a Second by Council Member Martinez the council voted five (5) For and none (0) Against in a unanimous decision to Approve the meeting minutes for the Regular City Council Meeting, and the three Special City Council Meetings for the month of October.

8.EXECUTIVE SESSION – In accordance with Texas Government Code Chapter 551, Subchapter D, Section 551.074

In accordance with Texas Government Code Chapter 551, Subchapter D: Mayor Pro Tem Leal motioned to go into Executive Session, Second by Council Member J. Hernandez, the Pearsall City Council convened into Executive Session at 7:10 p.m., on October 13, 2015 in the Conference Room of the Pearsall City Hall, 215 South Ash Street, Pearsall, Texas, in order to continue discussing matters pertaining to:

- A. Discuss and Consider request from Municipal Court to increase the number of hours and the amount of pay for the Municipal Court Judge.**
- B. Conduct personal interviews with selected applicants for permanent City Manager position.**

MOTION: Mayor Pro Tem Leal motioned to return to Regular Open Session at 9:59 p.m., Second Motion done by Council Member J. Hernandez.

NO ACTION WAS TAKEN DURING EXECUTIVE SESSION.

9. Discuss and Consider Resolution No. 2015-10-03 to approve an increase in the City's appointed Municipal Judge's annual salary.

MOTION: Upon a motion to Table made by Mayor Pro Tem Leal and a Second by Council Member Briscoe the council voted five (5) For and none (0) Against in a unanimous decision to Table Resolution No. 2015-10-03.

10. Discuss and Consider Resolution No. 2015-10-04 to appoint a permanent City Manager.

Mayor Pro Tem Leal stated that the City Council will now be checking references for the City Manager candidates.

MOTION: Upon a motion to Table made by Mayor Pro Tem Leal and a Second by Council Member J. Hernandez the council voted five (5) For and none (0) Against in a unanimous decision to Table Resolution No. 2015-10-04.

7.NEW BUSINESS

A. Discuss and Consider Resolution No. 2015-10-01 to award bid on our published "Request for Proposals" for the City's Natural Gas Line Replacement Project.

After some discussion, Rick Garcia from LNV explained to the City Council that they recommend the bid be awarded to Brush Country Energy Services. Interim City Manager Trevino stated that the gas lines that have been chosen to be replaced are the high priority lines.

MOTION: Upon a motion to Approve made by Mayor Pro Tem Leal and a Second by Council Member Martinez the council voted five (5) For and none (0) Against in a unanimous decision to Approve Resolution No. 2015-10-01.

B. Discuss and Consider Resolution No. 2015-10-02 to approve an update of the organizational chart that reflects the organizational structure of our City in accordance with the Administrative Code Article 7 Section .02 of the Home Rule Charter.

MOTION: Upon a motion to Table made by Mayor Pro Tem Leal and a Second by Council Member Martinez the council voted five (5) For and none (0) Against in a unanimous decision to Table Resolution No. 2015-10-02.

11.APPROVAL TO PAY BILLS

After some discussion the City Council approved to pay the bills listed with the addition of a bill from the law firm of Maldonado Galvan Morales Hakeem & Diaz in the amount of \$5840.

MOTION: Upon a motion to Approve to pay bills made by Mayor Pro Tem Leal and a Second by Council Member Briscoe the council voted five (5) For; none (0) Against in a unanimous decision to Approve to pay bills.

12.GENERAL ANNOUNCEMENTS

Interim City Manager Trevino dispersed a copy of the Emergency Management Plan to the Council members, and advised them that during a recent meeting it was determined that communication equipment needs to be purchased before going to the County to have a County wide practice. Interim City Manager Trevino advised the Council that the Homecoming Proclamation would be ready for pick up on Thursday. The Council was advised that the Christmas parade would take place on Thursday, December 17, with Christmas in the Park festivities to follow at Fireman's Park.

ADJOURNMENT

Mayor Pro Tem Leal motioned to adjourned the regular session of the Pearsall City Council at 9:15 p.m., with a Second by Councilman Briscoe.

These minutes approved on the 10th day of November 2015.

APPROVED: Mary Moore
Mary Moore, Mayor

ATTEST:

Krystal Garcia
Krystal Garcia, City Clerk



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF PEARSALL
SPECIAL MEETING
October 27, 2015**

1. CALL TO ORDER: Mayor Mary Moore called the meeting to order at 7:04 p.m.

2. ROLL CALL AND ANOUNCEMENT OF A QUORUM:

COUNCIL MEMBERS PRESENT: Mary Moore, Mayor

James H. Leal, Mayor Pro Tem Arrived at 7:06 pm

Alex Hernandez, Council Member

Mando Martinez, Council Member

Odilia Villarreal, Council Member

Julian Hernandez, Council Member

Ben Briscoe, Council Member Arrived at 7:27 pm

Toby Lopez, Jr., Council Member

STAFF MEMBERS PRESENT:

Jose Treviño, Interim City Manager

Krystal Garcia, City Clerk

Sylvia Rodriguez, City Attorney

Rudy Alvarez, Finance Director

Ruben Frausto, Human Resource Director

Henry Martinez, Chief of Police

Peter Salinas, Police Captain

Noemi Flores, Municipal Court Judge

The Mayor announced that there was a quorum and proceeded with the meeting.

3. INVOCATIONS AND PLEDGE OF ALLEGIANCE:

Invocation Lead by: Ruben Frausto

Pledge of Allegiance: Lead by all present

4. CITIZENS TO BE HEARD

None

5. ACTION ON CONSENT AGENDA

None

6. OLD BUSINESS

A. Discuss and Consider Resolution No. 2015-10-02 to approve an update of the organizational chart that reflects the organizational structure of our City in accordance with the Administrative Code Article 7 Section .02 of the Home Rule Charter.

Mayor Pro Tem James Leal Motioned to Untable the item, Second by Councilman Mando Martinez. The vote in favor or the Motion was unanimous. After some discussion Mayor Pro Tem James Leal Motioned to Approve Resolution No. 2015-

10-02, Second by Councilman Mando Martinez. The vote in favor of the Motion was unanimous.

B. Review and Consider report on Hunter's Festival by summit Marketing.

Mayor Pro Tem James Leal Motioned to Untable the item, Second by Councilman Julian Hernandez. The vote in favor of the Motion was unanimous. Alesandro Birdine reported to the Council on the festivities. Interim City Manager Jose Treviño advised the Council that he held a Critique Session with Mr. Birdine and other City employees who were involved in the project.

7. NEW BUSINESS

A. Discuss and Consider Resolution No. 2015-10-05 to approve Service Contract with Frio county Emergency Service District (ESD) #1.

Fire Chief Placido Aguilar made himself available to answer all questions from the Council including how much area PVFD would cover when responding to calls. A Motion to Approve Resolution No. 2015-10-05 was made by Mayor Pro Tem James Leal, Second by Councilman Julian Hernandez. The vote in favor of the Motion was unanimous.

B. Discuss and Consider Resolution No. 2015-10-01 to amend the City of Pearsall gas Ordinance.

After some discussion a Motion to approve Resolution No. 2015-10-01 was made by Councilman Mando Martinez, Second by Councilwoman Odilia Villarreal. The Council voted (6) For (0) Against. Councilman Toby Lopez, Jr., Councilman Julian Hernandez, Councilman Mando Martinez, Councilman Alex Hernandez, Councilman Ben Briscoe, and Councilwoman Odilia Villarreal voted For. *Mayor Pro Tem James Leal momentarily left his seat and was not available to vote*

C. Discuss and consider Ordinance No. 2015-10-02 to create and establish a Municipal Court Building Security Fund and authorize the assessment and collection of a Municipal Court Building Security fund Fee in the amount of \$3.00.

After some discussion a Motion to approve Resolution No. 2015-10-02 was made by Councilman Mando Martinez, Second by Councilwoman Odilia Villarreal. The Council voted (6) For (0) Against. Councilman Toby Lopez, Jr., Councilman Julian Hernandez, Councilman Mando Martinez, Councilman Alex Hernandez, Councilman Ben Briscoe, and Councilwoman Odilia Villarreal voted For. *Mayor Pro Tem James Leal momentarily left his seat and was not available to vote*

D. Discuss and Consider Resolution No. 2015-10-06 to approve an amendment to the Energy Service Contract with Suez Energy Resources NA, Inc.

Tom Ratza gave a presentation and made himself available to answer questions from the Council. Mayor Pro Tem James Leal Motioned to approve Resolution No. 2015-10-06 upon the change of the contract being extended for only 2 years, Second by Councilman Odilia Villarreal. The vote in favor of the Motion was unanimous.

- E. Discuss and Consider Resolution No. 2015-10-07 to establish a Selection Review committee and appoint its members all in compliance with the provisions of our Texas Department of Agriculture CDBG Grant Contact No. 7215370 for Community Development.**

After a brief discussion Councilman Ben Briscoe Motioned to approve Resolution No. 2015-10-07, Second by Councilman Mando Martinez. The vote in favor of the Motion was unanimous.

8. EXECUTIVE SESSION- In accordance with Texas Government Code Chapter 551, Subchapter D: Section 551.071

A Motion to go into Executive Session was made by Mayor Pro Tem James Leal, Second by Councilwoman Odilia Villarreal. The vote in favor of the Motion was unanimous and the Council went into Executive Session at 8:23 pm.

- A. Discuss and Consider Mediator's proposal for settlement on the Ibarra v. City of Pearsall lawsuit.**
B. Review and Consider references on selected applicants for permanent City Manager position.

Upon the Council's return to chambers at 9:40 pm a Motion to return to Open Session was made by Mayor Pro Tem James Leal, Second by Councilman Toby Lopez, Jr.. The vote in favor of the Motion was unanimous.

9. Discuss and consider Resolution No. 2015-10-08 to approve or reject the Mediator's proposed settlement agreement on the Ibarra v. City of Pearsall lawsuit.

Mayor Pro Tem Motioned to Reject Resolution No. 2015-10-08, Second by Councilman Ben Briscoe. The Council voted (3) For, (4) Against. Councilman Toby Lopez, Jr., Mayor Pro Tem James Leal, and Councilman Ben Briscoe voted For. Councilman Julian Hernandez, Councilman Mando Martinez, Councilman Alex Hernandez, and Councilwoman Odilia Villarreal Voted Against. Motion Fails.

Councilman Mando Martinez Motioned to Approve Resolution No. 2015-10-08, Second by Councilman Alex Hernandez. The Council voted (4) For, (3) Against. Councilman Julian Hernandez, Councilman Mando Martinez, Councilman Alex Hernandez, and Councilwoman Odilia Villarreal Voted For. Councilman Toby Lopez, Jr., Mayor Pro Tem James Leal, and Councilman Ben Briscoe voted Against. The Motion Carries.

10. Discuss and Consider Resolution No. 2015-10-03 to approve and increase in the City's appointed Municipal Judge's annual salary.

Mayor Pro Tem Motioned to Untable the item, Second by Councilman Ben Briscoe. The vote in favor of the Motion was unanimous. Mayor asked for a Motion to Approve. No Motion was made. Item Died.

11. Discuss and Consider Resolution No. 2015-10-04 to appoint a permanent City Manager.

Mayor Pro Tem James Leal Motioned to Untable the item, Second by Councilman Mando Martinez. The vote in favor of the Motion was unanimous. Mayor Pro Tem James Leal Motioned to appoint Cathleen Taylor as permanent City Manager pending a background check and mutual agreement on the contract, Second by Councilman Mando Martinez.

The Council voted (6) For, and (1) Against. Mayor Pro Tem James Leal, Councilman Toby Lopez, Jr., Councilman Julian Hernandez, Councilman Mando Martinez, Councilman Alex Hernandez, and Councilwoman Odilia Villarreal voted For. Councilman Ben Briscoe voted Against. Motion Carries.

12. GENERAL ANNOUNCEMENTS

Mayor Pro Tem wants all City lots to be cleaned and would like for the City to recognize Manuel Chavana for his act of heroism.

ADJOURNMENT

There being no further business before the council and upon a Motion by Mayor Pro Tem Leal, the meeting was adjourned at 9:50 p.m.

These minutes approved on the 10th day of November 2015.

APPROVED: _____


Mary Moore, Mayor

ATTEST:


Krystal Garcia, City Clerk