

CITY COUNCIL AGENDA

A Regular Meeting of the City Council of the City of Pearsall, Texas will be held on Tuesday, May 12, 2015 at 7:00 P.M. at the Pearsall City Hall, 215 S. Ash Street, Pearsall, Texas.

COUNCIL MEMBERS

George Cabasos, Mayor
Odilia Villarreal, Mayor Pro Tem
Alex Hernandez, Council Member
Margarita Ariza, Council Member
James Leal, Council Member
Mando Martinez, Council Member
Roy Trevino, Council Member
Vacant, Council Member

1. CALL TO ORDER
2. ROLL CALL AND ANNOUNCEMENT OF A QUORUM
3. INVOCATION AND PLEDGE OF ALLEGIANCE
4. CITIZENS TO BE HEARD

In accordance with Section 3.12 of the Pearsall Municipal Charter: "All meetings of the City Council, and all committees thereof shall be opened to the public, and the rules of the Council shall provide that citizens of the City shall have a reasonable opportunity to be heard at any such meetings, in regard to any matter there considered. Any such meetings shall comply with all applicable laws of the State of Texas."

Accordingly, the Pearsall City Council has rules of courtesy in place for all persons in attendance at its meetings. The Presiding Public Official shall at all times preserve order and decorum, prevent personal references to Council Members or the impugning of persons' motives. Citizens requesting to be heard shall sign in before the meeting is called to order and shall be called upon in the order that they signed in. The Presiding Official shall use discretion in time allowed a citizen to be heard. The citizen shall make every effort to be brief, get to the point, and to limit speaking time to no more than 3 minutes. *Personal Attacks Shall Not Be Allowed By Any Speaker.*

5. ACTION ON CONSENT AGENDA

All matters on the Consent Agenda are considered to be of a routine nature by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any member of the City Council may remove any item from the Consent Agenda for separate discussion and consideration.

MINUTES

- A. Approve Minutes of the Regular City Council Meeting of April 15, 2015.

6. PRESENTATIONS AND OTHER SPECIAL CONSIDERATION ITEMS

A. PROCLAMATION

1. Approve Proclamation honoring the 50th Anniversary of the Community Council of South Central Texas and hereby declaring May 2015 as Community Action Month.

7. OLD BUSINESS

- A. Discuss and Consider Resolution No. 2015-04-05 to appoint a Municipal Judge. *Previously Listed Action Item*

- B. Discuss and Consider Ordinance No. 2015-04-01 to approve an advertising Lease Agreement between the Brannan, Escobar, & Saldivar, PLLC as Lessees and the City of Pearsall as Lessor. - Previously Tabled Action Item.
- C. Discuss and Consider Ordinance No. 2015-04-02 to amend the City's Noise Ordinance No. 2008-04-040 to provide for the administration and enforcement of acceptable noise levels from idling of commercial motor vehicles in residential areas within the City limits of the City of Pearsall. - Previously Tabled Action item

8. NEW BUSINESS

- A. Discuss and Consider Resolution No. 2015-05-01 to approve to accept nominations appointing a qualified individual to serve the unexpired term for Place Three (3) on the City of Pearsall City Council in accordance with Section 3.09 of the Pearsall Home Rule Charter and upon receiving nominations, appoint by majority vote a qualified individual to serve the unexpired term of Place Three (3) on the City of Pearsall City Council. - Action Item
 - B. Discuss and Consider Resolution No. 2015-05-04 approving group membership in the AirMedCare Network for the benefit of all employees and authorizing the City Manager to execute necessary group membership documents. - Action Item.
 - C. Discuss and Consider Resolution No. 2015-05-05 to authorize signatories to all City Bank accounts. -Action item
 - D. Discuss and Consider Ordinance No. 2015-05-01 amending Traffic Ordinance passed April 11, 1979, to provide for the erection of traffic control devices designating certain areas along the Interstate Highway (IH-35) frontage roads between FM 1581 on the south end and FM 140 on the north end as a No Parking and Tow Away zone. -Action item
 - E. Review and Consider complaints by Robert Wilson, Attorney at Law presented on behalf of the Frio County Emergency Service District #1 regarding the response of the Pearsall Volunteer Fire Department.
9. EXECUTIVE SESSION – In accordance with Texas Government Code Chapter 551, Subchapter D:

SECTION 551.071

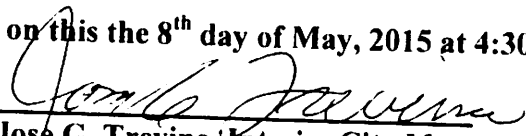
A. Consultation with City Attorney regarding pending claim and litigation:

- 1. Discuss and Consider filing an appeal on the Robert Tobias v. City of Pearsall lawsuit and engaging outside legal counsel to file the appeal and litigation.
- 2. Discuss and Consider engaging Frank Garza and the firm of Davidson, Trolio, Ream, & Garza, P. C. as special legal counsel to evaluate any filed complaints against members of the City Council and/or the City Manager.
- 3. Discuss and Consider claims filed by the Frio-Nueces Current regarding Open Records matters.

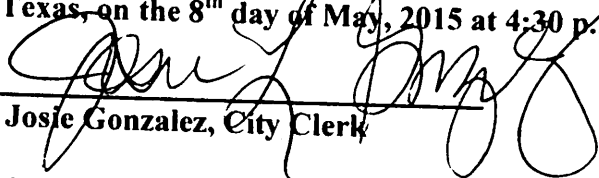
The City Council of the City of Pearsall may at any time during the meeting close the meeting and hold an executive session pursuant to the Texas Open Meetings Act codified as Chapter 551, Texas Government Code which permits closed meetings pursuant to Section 551.071 for purpose of consulting with its attorneys; Section 551.072, deliberating about real property; Section 551.073, deliberating about gifts, and donations; Section 551.074, deliberating about personnel matters; Section 551.076, deliberating about security devices; Section 551.084, regarding exclusion of witness from witness in connection with an investigation; Section 551.086 deliberating, voting, and taking action as a power utility on a competitive matter; Section 551.087 deliberating about economic development negotiations; and Section 551.088, deliberating about test items to discuss and/or deliberate any of the posted matters to be considered during the open meeting. If it does go into Executive Session, the City Council may deliberate in executive session, then reconvene in open session, vote on the matter in open session, and announce it for the City Council minutes.

10. Discuss and Consider Resolution No. 2015-05-02 to appeal the Robert Tobias v. City of Pearsall lawsuit and to engage outside legal counsel to file the appeal and litigation. -Action item
11. Discuss and Consider Resolution No. 2015-05-03 to engage Frank Garza, and the firm of Davidson, Trolio, Ream, & Garza, P. C. as special legal counsel to evaluate any filed complaints and to conduct an independent investigation and report on whether members of the City Council and/or the City Manager violated the Ethics Code, State Law, or the City Charter and to make recommendations on how to proceed with the complaints. -Action item
12. Discuss and Consider Resolution No. 2015-05-06 to resolve Open Records claims filed by the Frio-Nueces Current and to authorize the City Manager to settle any outstanding balances due. -Action item
13. APPROVAL TO PAY BILLS. Action Item
14. GENERAL ANNOUNCEMENTS
15. ADJOURNMENT

Posted for Public Inspection on this the 8th day of May, 2015 at 4:30 p.m.

By: 
Jose G. Trevino, Interim 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 the 8th day of May, 2015 at 4:30 p.m.

By: 
Josie Gonzalez, 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.