

REGULAR CITY COUNCIL AGENDA

A Regular Meeting of the City Council of the City of Pearsall, Texas will be held on Tuesday, January 13, 2015 at 7:00 P.M. at the Pearsall City Hall, 215 S. Ash Street, Pearsall, Texas.

COUNCIL MEMBERS

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

1. CALL TO ORDER
2. ROLL CALL AND ANNOUNCEMENT OF A QUORUM
3. INVOCATIONS AND PLEDGE OF ALLEGIANCE
4. ACTION ON AGENDA

All matters on the Agenda are considered by the City Council and will be enacted by one motion, resolution, or ordinance. There will be separate discussion of these items. Approval Agenda items authorizes the Mayor/City Manager to execute all matters necessary to implement each item.

5. 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.*

6. MINUTES

Approval of minutes for: November 18, 2014. December 22, 2014. Special Work Shop
November 18, 2014. *Action Item*

7. PRESENTATIONS

Paul Zepeda, Chief of Police; City of Pearsall December 2014 Law Enforcement Report

8. OLD BUSINESS

9. NEW BUSINESS

A. OPEN PUBLIC HEARING

1. Discussion and consideration by Eddie Trevino, Owner of the property and applicant has filed a request to re-zone from a (n) R-1; Single and Two Family Dwelling District to a (n) C-3; General Business District. Legally described as: Lot (s) 3-5, Block 1 Frio Heights Addition Property is zoned as a (n) R-1; Single and Two Family Dwelling District located at: 411 S. Trevino St. Pearsall, Frio County, Texas.

2. CLOSE PUBLIC HEARING

- B. Discussion, consideration and action for Ordinance No. 2015-01-01 Eddie Trevino, Owner of the property and applicant has filed a request to re-zone from a (n) R-1; Single and Two Family Dwelling District to a (n) C-3; General Business District. Legally described as: Lot (s) 3-5, Block 1 Frio Heights Addition Property is zoned as a (n) R-1; Single and Two Family Dwelling District located at: 411 S. Trevino St. Pearsall, Frio County, Texas. **Action Item**
- C. Discussion, consideration and action for Ordinance No. 2015-01-02 ordering a general election for May 09, 2015 for the purpose of electing the Mayor and three (3) City Council Member Places; Place No. 5,6, and 7 pursuant to the Home Rule Charter, ordering the appointment of an early voting ballot board, and setting the rates of pay for election officials. **Action Item.**
- D. Discussion, consideration and action for Resolution No. 2015-01-01 to approve the appointment and administer the oath of office of Josie L. Gonzalez as the official City Clerk for the City of Pearsall.
- E. Discussion, consideration and action for Resolution No. 2015-01-02 to approve recognition of Anita Vasquez, Utility Billing Clerk for her 41 years of service to the City of Pearsall. **Action Item.**
- F. Discussion, consideration and action for Resolution No. 2015-01-03 to approve the resignation submitted by Ruben P. Trevino from the Planning and Zoning Board. **Action Item**
- G. Discussion, consideration and action for Resolution No. 2014-01-04 in support of the proposed NewKerk Village, TDHCA No. 15219, a proposed development for affordable rental housing located at W. Comal Street and Northeast IH-35 in the City of Pearsall. **Action Item**
- H. Discussion, consideration and action for Resolution No. 2015-01-05 awarding bid No.2014-12-211 Remodel former City Hall and Police Department for the best bid and not necessarily the lowest bid. **Action Item**

10. EXECUTIVE CLOSED SESSION – In accordance with Texas Government Code Chapter 551, Subchapter D:

- A. Discussion and consideration for update status of pending lawsuits. Section 551.071.
- B. Discussion, consideration and action approving amended engagement letter with outside counsel Denton, Navarro, Rocha, Bernal, Hyde and Zech, P.C. for legal actions against the City of Pearsall in *Cause number 14-08-00236-CVF; entitled and Concerned Citizens of Pearsall and Henry Martinez, Plaintiffs v. City Pearsall, TX, Petra Davina Trevino-Rodriguez, individually, Eliberto Roy Trevino, individually and Richard Alvarez, individually.* Section 55.071.

11. RETURN TO OPEN SESSION – In accordance with Texas Government Code Chapter 551, Subchapter D:

- A. Discussion and consideration for update status of pending lawsuits. **Action Item**
- B. Discussion, consideration and action approving amended engagement letter with outside counsel for Denton, Navarro, Rocha, Bernal, Hyde and Zech, P.C. for legal actions against the City of Pearsall in *Cause number 14-08-00236-CVF; entitled and Concerned Citizens of Pearsall and Henry Martinez, Plaintiffs v. City Pearsall, TX, Petra Davina Trevino-Rodriguez, individually, Eliberto Roy Trevino, individually and Richard Alvarez, individually.* **Action Item**

C. APPROVAL TO PAY BILLS. **Action Item**

D. CITY MANAGER'S REPORT

ADJOURNMENT _____

Posted for Public Inspection on this 9th day of January, 2015 at 5:00 p.m.

By: _____

Richard Alvarez, 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 9th day of January, 2015 at 5:00 p.m.

By: _____

Josie Gonzalez, Interim 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.

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.