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**The State of Texas
The County of San Patricio
The City of Mathis**

Regular Meeting

March 8, 2021

In accordance with the Texas Open Meetings Act, Chapter 551.041 of the Texas Government Code, the City Council of the City of Mathis held a **Regular Meeting** at **7:00 P.M.** on **Monday, March 8, 2021**, at City Hall Annex, 401 E. San Patricio Avenue. **Public Notice** was hereby given that the City Council may elect to go into closed session at any time during the meeting in order to discuss matters listed on the agenda concerning personnel, consultation with the city attorney, real estate acquisition, or other purposes authorized under the "Open Meetings Act". In the event the City Council elects to go into closed session regarding an agenda item; the purpose of the closed session and the section of the Open Meetings Act authorizing the session will be publicly announced by the presiding officer.

Councilman David Garcia led the invocation followed by the Pledge of Allegiance.

1. Roll call to determine presence of a quorum.

Mayor Ciri Villarreal, Mayor Pro Tem Richard Salinas, Councilwoman Eufemia Nieto, Councilwoman Mary Martinez Olivarez, and Councilman David Garcia.

Absent: Councilwoman Sandra Quinones

City Staff Present: City Manager Michael Barrera, City Secretary Mary Gonzales, Admin. Asst. Monique Alvarado, Finance Director Caron Vela, Police Chief Marshal Roush, Public Works Director Gary Paredes, and EMS Director Paul Pulley. Other City Staff were not required to attend.

Guests: Jason Zapata and Israel Gonzales

2. Call to order.

With a quorum of the Council Members present, the Regular Meeting was called to order by Mayor Ciri Villarreal at 7:01 p.m.

The City Council of the City of Mathis will discuss and act on the following:

3. Consider approval of minutes for February 22, 2021, Regular Meeting.

MOTION: Councilman David Garcia motioned to approve the minutes for February 22, 2021, Regular Meeting. The motion was seconded by Councilwoman Mary Martinez Olivarez and the motion carried 4-0.

4. Citizens to be heard.

Jason Zapata addressed council concerning issues at the water plant. Mr. Zapata shared that he worked for the water plant and can now address issues without fear of punishment. Mr. Zapata stated that Mr. Paredes shut off the water to the water plant for up to two months several times in the past year. Mr. Zapata explained how not having water or PPE is dangerous since that meant no eye wash station or showers which are needed when working with corrosive chemicals. Mr. Zapata stated that when these issues were brought to Mr. Ortiz, he was told nothing could be done. Mr. Zapata informed that there was a chlorine leak that happened in November that caused the regulators to bust which lead to the chlorine leak lasting approximately an hour and a half. Mr. Zapata stated that Mr. Paredes was informed but that no proper procedures were taken. Mr. Zapata shared that if Mr. Paredes didn't like the numbers on the monthly reports, also known as MORs, that are submitted to TCEQ Mr. Paredes would falsify and change them. Mr. Zapata stated that Mr. Paredes also stopped signing MORs so that if something negative came from the report, it wouldn't be the fault of Mr. Paredes. Mr. Zapata shared that water samples are not being taken correctly. He explained that one water sample is supposed to be taken at the plant while three are supposed to be taken in town. Mr. Zapata shared that Mr. Paredes only takes water samples at the water plant after filtration which means we are uncertain how safe the water is in town. Mr. Zapata expressed concern that someone can potentially get ill since the water boil has been lifted and the water in town has not been tested. Mr. Zapata informed that he has evidence for all claims plus more claims of wrong doing. He shared that he is unaware how this continues to happen without the knowledge of Mr. Barrera. Mr. Zapata shared that he attempted to reach out to Mayor Villarreal with more information regarding pumps and the water plant. Mr. Zapata stated that he is willing to take the council on a tour of the water plant to show the council members everything that is wrong. Mr. Zapata informed that if they would like a tour, they would need to go as soon as possible before Mr. Paredes has a chance to correct the issues.

5. Motion approving the Second Reading of Ordinance No. O-21-02-07 Annexing the hereinafter described territory to the City of Mathis, San Patricio County, Texas and extending the boundary limits of said city so as to include said hereinafter described property within said city limits, and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of said city; and adopting a service plan.

Mr. Barrera informed that this is the second reading annexing 93.47 acres on IH 37. HAC Materials has purchased the property and will operate a road construction material yard. Mr. Barrera shared that the property owners are investing approximately 3.7 million dollars in improvements to the property which will become a part of the tax base of the City.

MOTION: Councilman David Garcia motioned to approve the Second Reading of Ordinance No. O-21-02-07 Annexing the hereinafter described territory to the City of Mathis, San Patricio County, Texas and extending the boundary limits of said city so as to include said hereinafter described property within said city limits, and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of said city; and adopting a service plan. The motion was seconded by Mayor Pro Tem Richard Salinas and the motion carried 4-0.

6. Motion approving the Second Reading of Ordinance No. O-21-02-08 amending the comprehensive zoning ordinance and the zoning map so as to give the following newly annexed property on exhibit A; a zoning classification of Industrial District Use, in San Patricio County, Texas; Amending the official zoning map of the city, providing for a savings clause; providing for a severability clause; and providing for an effective date.

Mr. Barrera informed that this is the second reading to zone the 93.47 acres on IH 37 for industrial use so that HAC Materials can operate a road construction material yard.

MOTION: Mayor Pro Tem Richard Salinas motioned to approve the Second Reading of Ordinance No. O-21-02-08 amending the comprehensive zoning ordinance and the zoning map so as to give the following newly annexed property on exhibit A; a zoning classification of Industrial District Use, in San Patricio County, Texas; Amending the official zoning map of the city, providing for a savings clause; providing for a severability clause; and providing for an effective date. The motion was seconded by Councilwoman Eufemia Nieto and the motion carried 4-0.

7. Motion approving the Second Reading of Ordinance No. O-21-02-09 amending the comprehensive zoning ordinance and the zoning map so as to give the following described property more fully described as 0.818 acre tract being all of Lots 6 & 7 & Part of Lots 3, 4, 5 & 9 Block 18 Park Addition, 0.149 acre tract being all of Lot 8, Block 1 Buena Vista Addition; a zoning classification of B-1 Business District Use, being in San Patricio County, Texas. Amending the official zoning map of the city, providing for a savings clause; providing for a severability clause; and providing for an effective date.

Mr. Barrera informed that this was the second reading rezoning the property located at the intersection of Rockport Street and Hwy 359. Mr. Barrera shared that Mr. and Mrs. Gavlik will operate an automotive repair shop at the location.

MOTION: Councilwoman Eufemia Nieto motioned to approve the Second Reading of Ordinance No. O-21-02-09 amending the comprehensive zoning ordinance and the zoning map so as to give the following described property more fully described as 0.818 acre tract being all of Lots 6 & 7 & Part of Lots 3, 4, 5 & 9 Block 18 Park Addition, 0.149 acre tract being all of Lot 8, Block 1 Buena Vista Addition; a zoning classification of B-1 Business District Use, being in San Patricio County, Texas. Amending the official zoning map of the city, providing for a savings clause; providing for a severability clause; and providing for an effective date. The motion was seconded by Mayor Pro Tem Richard Salinas and the motion carried 4-0.

8. Discussion and motion to approve Resolution No. R-21-03-17 authorizing the selection of a professional service provider for the Community Development Block Grant – Community Development Fund.

Mr. Barrera informed that this resolution will award GrantWorks as the grant administrator for the CDBG Community Development Fund. GrantWorks will assist with submitting the application that is due in May of this year. Mr. Barrera shared that three proposals were received; GrantWorks was the lowest cost provider and also scored the highest. Mr. Barrera stated that the grant will pursue funding for either a clarifier repair at the plant and/or sludge solution for the water plant. If awarded the city will be pledging \$40,250. Mayor Pro Tem Salinas asked if we had an estimated cost to repair the clarifier. Mr. Barrera shared that the maximum amount is \$350,000 for the grant plus \$40,000 with the city's pledge. After paying the grant writer and the engineer the city will have approximately \$320,000 available on the project. Mayor Pro Tem Salinas stated that according to the city's ex-employee the water plant needs a lot of work. Mr. Barrera agreed that not enough funds have gone into the water plant and that it does need a lot of work.

MOTION: Mayor Pro Tem Richard Salinas motioned to approve Resolution No. R-21-03-17 authorizing GrantWorks as the professional service provider for the Community Development Block Grant – Community Development Fund. The motion was seconded by Councilwoman Eufemia Nieto and the motion carried 4-0.

9. Discussion and motion approving a not-to-exceed twelve-month extension to the contract for residential sanitation services, including refuse and brush collection for an estimated twelve-month expenditure of \$368,705.

Mr. Barrera informed that he is requesting approval to extend the contract for sanitation serviced for 1 year as the current contract expires on April 30th. Mr. Barrera shared that the exten-

sion will allow the city to develop the RFP to solicit for services. The contract will also address some issues that the city has been facing with the service. Mr. Barrera explained that small portions of debris will be allowed to be mixed in with the bulky debris. The contract also allow for debris to be picked up on vacant lots. Mr. Barrera stated that the CPI that is usually passed on to the citizens will be waived for residential customers during the extension. Councilman Garcia asked if it was going to take the city 1 year to put a bid together. Mr. Barrera explained that designing and issuing the RFP aren't the only things to do and awarding the contract itself will take about 4 months. He added that if the city does decide to go with a new contractor they may not have the equipment or personnel available to service the city so that may take time as well. Mr. Barrera stated that he considered doing a 6 month contract with an option to extend for 6 months but Republic counter offered that if the city wants to extend the contract it would need to be for a full 12 months. Councilman Garcia shared that he is glad to see that the 3.5% CPI increase is going to be waived but is concerned that if the contract is awarded to the current company that they will not offer the same perks. Mr. Barrera explained that this extension will be separate from the bid and that the waiving of the CPI will be a contractual obligation for the 12 month extension. Mr. Barrera shared that one of the things he would like to include in the RFP is that the companies will agree to hold their price for 2 to 3 years. Mayor Pro Tem Salinas asked if brush pickup will be continued. Mr. Barrera explained that one of the problems the city has had with trying to manage the contract is that residents tend to place brush on the vacant lots next to their house instead of on their property. This is an issue because the current contract states that Republic will not pick up at any vacant lots. Mr. Barrera informed that in this new extension contract Republic has agreed to pick up from vacant lots. Another addition to the contract is that if there is construction debris mixed with the bulk items Republic will pick up 3 cubic yards whereas before they would not pick up anything if there was construction debris. Mr. Barrera added that the contract stipulated that if Republic does not get caught up in 30 days the city has the right to cancel the contract. Councilman Garcia shared that the city needs to educate the public as to when bulk and brush are picked up because they will see the truck pass by then decide to put out their bulk and brush when the truck will not return for another month. Councilman Garcia added that he has asked for the information to be placed on the bills, Facebook, etc. in order to educate the public. Mr. Barrera agreed and stated that the city has shared flyers with information on Facebook and has the flyers available at City Hall and placed the information on the city's website. Councilman Garcia stated that not everyone has Facebook and that the city may have to consider mailing out a flyer every quarter. Mayor Villarreal shared that in the past the city has put the information on the back of the water bill. Mayor Villarreal also suggested printing the information on the back of the water bill based on the customer's location so they know specifically when their week is. Councilwoman Olivarez shared that bulk seems to be the main issue since citizens dump the bulk on other properties instead of their own. Mayor Villarreal shared that it is hard to patrol that but nonetheless the bulk still needs to be picked up. Mrs. Gonzales shared that if the changes on the agreement are approved, they will become effective May 1st so the city will have to communicate the changes to the public with a flyer or on the back of the utility bill. Mrs. Gonzales stated that they can check if it is possible to specify the information by location on the back of the bills but that another option would be to post the information by quadrant on the Facebook page a week prior to service so that citizens can prepare. Mayor Pro Tem Salinas stated that he would like a flyer mailed out to each customer. Mr. Barrera stated that sending a flyer out can be done. Councilman Garcia expressed that the information must continue to be sent out and not just once. Mrs. Vela shared that it is limited to how much information can be placed in the back of the bill and that the way the bills are printed it might not be possible to print by quadrant because the accounts are mixed. Mrs. Vela stated that when information is printed on the back of the bills, it is always a generic message that can go out to every customer and that it would be too difficult to print information specifically by quadrant. Councilman Garcia asked that if the information on the bills is populated by cells could another cell be added to indicate quadrant then printed accordingly. Mrs. Vela answered that she is not sure but because of how the billing is processed she does not believe it is possible. Mrs. Gonzales shared that they will look into the task of printing the information by quadrant. Mayor Villarreal shared that he is aware it may not be easy but that the city should still attempt the task.

Mrs. Vela stated that it's not about the difficulty but she is concerned about the task being time consuming and not productive, she added that she does like the idea of mailing the flyer out once a quarter to the customers. Mrs. Vela also informed that there have been several occasions where a customer has shared that they don't read the back of the bill. Councilman Garcia shared that if the city tries multiple avenues of trying to educate the public multiple times a year then the problem should improve. Councilman Garcia shared that we see these issues every day and can begin to become immune to things but when people from out of town bring it to our attention it becomes clear that there is no justification as to why this continues. Mayor Villarreal asked if post cards were cheaper than mailing out flyers. Mrs. Gonzales confirmed that flyers are more expensive to mail out but that it might negatively impact the map since it will have to be scaled down.

MOTION: Mayor Pro Tem Richard Salinas motioned to approve a not-to-exceed twelve-month extension to the contract for residential sanitation services, including refuse and brush collection for an estimated twelve-month expenditure of \$368,705. The motion was seconded by Councilwoman Mary Martinez Olivarez and the motion carried 4-0.

10. Consider the Certification of Unopposed Candidates for the May 1, 2021, General Election.

Mrs. Gonzales shared that the candidates that filed for election were Ciriaco "Ciri" Villarreal, Jr. for Mayor; Israel Gonzales for Council Member Place 3; and David Garcia for Council Member Place 5 and were all officially unopposed.

MOTION: Councilwoman Eufemia Nieto motioned to approve the Certification of Unopposed Candidates for the May 1, 2021, General Election. The motion was seconded by Councilwoman Mary Martinez Olivarez and the motion carried 4-0.

11. Consider Resolution No. R-21-03-16 accepting the Cancellation Order of the May 1, 2021, General Election.

Mrs. Gonzales informed that this resolution will cancel the General Election scheduled for May 1, 2021 and certifying that the unopposed candidates are hereby elected Ciriaco "Ciri" Villarreal, Jr. as Mayor; Israel Gonzales as Council Member Place 3; and David Garcia as Council Member Place 5. Councilman Garcia asked how much money the city had budgeted for this item and if possible can the money be moved to another project. Mr. Barrera shared that the city budgeted approximately \$8,000 for the election but \$20,000 was already spent for the run-off that occurred in December so the city is actually in the red on that item.

MOTION: Councilwoman Eufemia Nieto motioned to approve Resolution No. R-21-03-16 accepting the Cancellation Order of the May 1, 2021, General Election. The motion was seconded by Councilman David Garcia and the motion carried 4-0.

12. City Manager's Report and all matters pertaining thereto:

Paul Pulley, EMS/Parks Director

• *Emergency Medical Service performance report*

Mr. Pulley reported that for the month of February dispatch had 166 calls; 64 transports; and 22 mutual aid calls and of those only 2 were HALO. There were 105 calls from Mathis; 39 from the county, and the average response time was 7 minutes and 25 seconds. For January the revenue total received was \$21,374.30; the fees were \$2,070.12; and net to the city was \$19,304.18. Mr. Pulley reported that during the weather event there were 44 calls from Mathis; 13 calls from the county; 23 transports; and 30 non-transports. Mr. Pulley shared that on February 5th EMS received a donation from Mrs. Diana Velasco for the amount of \$1,800 for the Landing Pad Project. On February 11 the Food Bank Drive Thru was hosted at the Gonzalo Paiz Park and the Food Bank Drive Thru have now been scheduled for the second Thursday of every month. On February 13 Covid-19 testing was hosted at Gonzalo Paiz Park. On February 18th the EMS Blood Drive was cancelled due to weather and an unscheduled Food Giveaway was hosted at Veteran's

Memorial Park. Mr. Pulley thanked Mr. Garcia, the youth group, Mathis EMS, Mathis Parks employees, CFBF, Mathis PD and Tom Armstrong for helping with that event. On February 28th Mr. Pulley reached out to King and Petrus and scheduled an appointment for March 5th to survey the Landing Pad. Mr. Barrera shared that they were having a difficult time getting someone to give a decent price to survey the Landing Pad. Mr. Barrera stated that once Mrs. Gonzales located the deed to the property the surveying was able to commence and he expressed that this is a major step in getting this project going. Mr. Pulley reported that there was a water distribution at Veterans Memorial Park, City Hall, and the County Yard. Mr. Pulley reported that as of February 28th EMS has 6 full time employees and 6 part time employees.

- *Parks performance report*

Mr. Pulley reported that the Mathis Little League is having open ceremonies on March 27th at 9 am and that the parks crew tilled the MLL baseball fields one last time as requested by the MLL President Cruz Deleon. Mr. Deleon has shared with Mr. Pulley that the fields and little league area are looking great and that they are ahead of schedule thanks to the Parks crew. Mr. Pulley reported that they have ordered and received hand dryers for the MLL restrooms and concession stand and are waiting for quotes for installing the hand dryers. Two sunshades were also ordered and delivered for the MLL sitting area and will be installed by the Parks crew in the next few weeks. Parking signs for No Parking, Reserved Parking, and Handicap have been ordered and will be installed once all signs arrive. Mr. Pulley thanked the Public Works employees for picking up, delivering, and distributing the loads of crushed limestone at the Gonzalo Paiz Park for the Mathis Little League driveway. The Parks crew has painted the MLL restrooms and concession stand. The Parks crew are also preparing to set up the soccer goals and are looking into purchasing new soccer nets. Mr. Pulley then reported that for the post storm the Parks crew picked up tree limbs in the parks.

Michael Barrera, City Manager

- *Progress Report*

Mr. Barrera presented a progress report over the status of a variety of projects and tasks pertaining to each department that are being worked on for the year.

Caron Vela, Finance Director

- *Special Revenue Funds Variance Report*

Mrs. Vela reported on Revenues for the five month report as of February 28, 2020. The Debt Service fund had a total revenue of \$235,358 with total expenses of \$175,063 which includes the USDA and Bond Payments; leaving the revenues over expenses at \$60,295. The Street improvement fund had a total revenue of \$30,005 with total expenses of \$0; leaving the revenues over expenses at \$30,005. The Hotel/Motel fund had a total revenue of \$12,992 with total expenses of \$19,683; leaving the revenues under expenses at \$6,691. Mr. Barrera shared that the percentage might be low because a quarter of the collections are missing. The Festivals and Events fund had a total revenue of \$20,443 with total expenses of \$22,956; leaving the revenues under expenses at \$2,513.

Mary A. Gonzales, City Secretary

- *Agenda Quarterly Calendar*

Projected agenda items for the upcoming meetings were reported.

13. City Council requests for future Agenda Items.

Councilman David Garcia requested to conduct an investigation regarding concerns of the Water Plant and requested an Executive Session item on the agenda regarding the allegations mentioned during the public forum.

Mayor Pro Tem Richard Salinas asked about an emergency executive session then requested an investigation regarding the Water Plant and requested for an agenda item regarding the Water Plant.

14. Adjourn

With no further items to discuss, Mayor Ciri Villarreal requested a motion to adjourn the Council meeting at 8:39 p.m.

MOTION: Mayor Pro Tem Richard Salinas motioned to adjourn the meeting. The motion was seconded by Councilwoman Mary Martinez Olivarez and the motion carried 4-0.

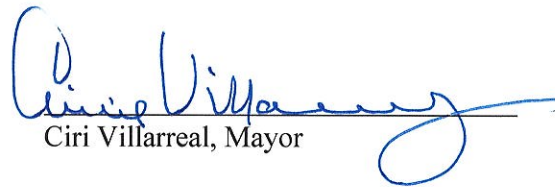
PASSED AND APPROVED ON THIS THE 22 DAY OF March, 2021

UPON THE MOTION OF Councilman David Garcia

SECONDED BY Councilwoman Mary Olivarez AND ADOPTED

BY A VOTE OF 4 TO 0.

ATTEST:


Ciri Villarreal, Mayor


Mary Acosta Gonzales, City Secretary

