

Ivy Avalos
Mayor

Ruben Reyes
At Large

Cesar Nevarez
District 1/Mayor Pro Tem



Ralph Duran
District 2

Victor Perez
District 3

Yvonne Colon-Villalobos
District 4

REGULAR COUNCIL MEETING MINUTES
MARCH 18, 2021 @ 6:00 P.M.
VIRTUAL MEETING

MEMBERS PRESENT:

Mayor Ivy Avalos
Ruben Reyes
Cesar Nevarez
Victor Perez
Yvonne Colon-Villalobos

MEMBERS ABSENT:

Ralph Duran

STAFF PRESENT:

Adriana Rodarte, City Manager
Olivia Navarro, City Clerk
Jim Martinez (*joined virtually*)

Estevan Gonzales, IT Director
Diana Rodriguez, Recreation Leader
Rosie Escobar, Executive Assistant
Chief David Burton

1. CALL TO ORDER

The meeting was called to order at: 6:12 pm.

2. Pledge of Allegiance and a Moment of Silence

Pledge of Allegiance led by Adriana Rodarte.

3. Establishment of Quorum

Quorum was established with five council members present.

PUBLIC COMMENT

4. Public Comment

Miriam Cruz and Sal Chagoya spoke during Public Comment.

PRESENTATION

5. PRESENTATION TRAINING SESSION BY BRUE KOEHLER.

ADRIANA RODARTE

Presentation made by Bruce Koehler and James Martinez, City Attorney, see Exhibit "A".

CONSENT AGENDA

PUBLIC COMMENTS ARE NOT TAKEN DURING THE INTRODUCTION OF ORDINANCES. PUBLIC COMMENTS WILL BE ALLOWED AT THE SCHEDULED PUBLIC HEARING-ORDINANCE 320

6. EXCUSE ABSENT COUNCIL MEMBERS.

OLIVIA NAVARRO

7. APPROVAL OF REGULAR COUNCIL MEETING MINUTES OF MARCH 4, 2021.

OLIVIA NAVARRO

8. INTRODUCTION, FIRST READING AND CALLING FOR A PUBLIC HEARING OF ORDINANCE 494 AMENDMENT 1 TO DECREASE EXPENDITURES BY \$108,600.00 FISCAL YEAR 2020-2021.

ADRIANA RODARTE

A motion was made by Victor Perez seconded by Ruben Reyes to *approve the Consent Agenda*. Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos

Absent: Ralph Duran

Abstain:

REGULAR AGENDA

PUBLIC HEARING/ORDINANCES

9. PUBLIC HEARING OF AN ORDINANCE FOR THE PROPOSED REZONING OF BLOCK 10, LOT 22 AND BLOCK 16, LOT 1, EASTLAKE VALLEY UNIT 2 SUBDIVISION, LOCATED AT 10061 & 10081 JUDGE COLDWELL FROM C-2, GENERAL COMMERCIAL TO R-2, MEDIUM DENSITY RESIDENTIAL FOR APARTMENTS.

JOB TERRAZAS

Public Hearing opened at 6:42 pm

Miriam Cruz

Public Hearing closed at 6:44 pm

10. SECOND READING AND ADOPTION OF AN ORDINANCE FOR THE PROPOSED REZONING OF BLOCK 10, LOT 22 AND BLOCK 16, LOT 1, EASTLAKE VALLEY UNIT 2 SUBDIVISION, LOCATED AT 10061 & 10081 JUDGE COLDWELL FROM C-2, GENERAL COMMERCIAL TO R-2, MEDIUM DENSITY RESIDENTIAL FOR APARTMENTS. JOB TERRAZAS

A motion was made by Victor Perez seconded by Ruben Reyes to *approve item number ten (10)*.

An amended motion was made by Victor Perez seconded by Cesar Nevarez to *deny the zoning change and keep as commercial for now until such time that we have more certified plans from the developer*. Motion passed.

Miriam Cruz spoke on this item.

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos

Absent: Ralph Duran

Abstain:

GRANTS DEPARTMENT

11. DISCUSSION AND ACTION TO APPROVE RESOLUTION 639 AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR (OOG), HOMELAND SECURITY GRANTS DIVISION FY 2022 LOCAL BORDER SECURITY PROGRAM (LBSP) GRANT FOR THE SOCORRO POLICE DEPARTMENT. THERE IS NO MATCH REQUIREMENT FOR THIS GRANT. ALEJANDRA VALADEZ

A motion was made by Victor Perez seconded by Ruben Reyes to *approve item number eleven (11)*. Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos

Absent: Ralph Duran

Abstain:

12. DISCUSSION AND ACTION TO ASSIGN CITY MANAGER AS MAYOR'S OFFICIAL DESIGNEE IN ALL DUTIES AND TASKS AS PER THE STATE OF TEXAS' OFFICE OF THE GOVERNORS' EGRANTS GRANTS APPLICATION AND MANAGEMENT SYSTEM. ALEJANDRA VALADEZ

A motion was made by Victor Perez seconded by Cesar Nevarez to *approve item number twelve (12)*. Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos

Absent: Ralph Duran

Abstain:

POLICE DEPARTMENT

13. DISCUSSION AND ACTION ON APPROVING THE MAYOR TO SIGN THE TEXAS STATEWIDE INTEROPERABILITY CHANNEL PLAN AGREEMENT. CHIEF DAVID BURTON

A motion was made by Cesar Nevarez seconded by Ruben Reyes to *approve item number thirteen (13)*. Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos

Absent: Ralph Duran

Abstain:

14. DISCUSSION AND ACTION ON APPROVING THE PURCHASE OF A SHOOTING DECISIONS AND PROFICIENCY TRAINING FACILITY. CHIEF DAVID BURTON

A motion was made by Victor Perez seconded by Cesar Nevarez to *approve item fourteen (14)*.

An amended motion was made by Victor Perez seconded by Ruben Reyes to *approve the modular purchase thru Simtek Modular, LLC*. Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos

Absent: Ralph Duran

Abstain:

CITY MANAGER

15. DISCUSSION AND ACTION ON LEGISLATION REGARDING ANNEXATION. ADRIANA RODARTE

16. DISCUSSION AND ACTION TO OPPOSE HB 2592-CONSOLIDATION OF LAW ENFORCEMENT. ADRIANA RODARTE

A motion was made by Cesar Nevarez seconded by Yvonne Colon-Villalobos to *move items fifteen (15) and sixteen (16) to Executive Session at the end of the meeting*. Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos

Absent: Ralph Duran

Abstain:

17. DISCUSSION AND ACTION TO APPROVE AGREEMENT WITH CODE 4 EMERGENCY SERVICES FOR THE PLANNING, MANAGEMENT AND EXECUTION OF MEDICAL CONSULTING AND MANAGEMENT SERVICES INCLUDING A VACCINATION SITE IN SOCORRO, TEXAS AND AUTHORIZE THE CITY MANAGER OR HER DESIGNEE TO EXECUTE CONTRACT.
ADRIANA RODARTE

A motion was made by Victor Perez seconded by Cesar Nevarez to *approve item seventeen (17)*. Motion passed.

Scott Davidson, President of Code 4 spoke on this item.

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos
Absent: Ralph Duran
Abstain:

MAYOR AND COUNCIL

18. DISCUSSION AND ACTION TO DIRECT STAFF ON THE CREATION OF AN ORDINANCE TO MONITOR PET GROOMING LOCATIONS, IN THE SPIRIT OF AVOIDING ANY POTENTIAL MISTREATMENT OF PETS.
MAYOR IVY AVALOS

A motion was made by Cesar Nevarez seconded by Victor Perez to *approve item eighteen (18)*. Motion passed.

Gustavo Vasquez spoke on this item.

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos
Absent: Ralph Duran
Abstain:

19. DISCUSSION AND ACTION TO DIRECT STAFF TO AMEND SEC. 46.1 DEFINITIONS UNDER NUISANCE, AND ORDINANCE SEC. 28-22 (1. WEEDS OR GRASS) TO BETTER THE COMMUNITY APPEARANCE, AND AVOID UNSANITARY CONDITIONS.
RUBEN REYES

A motion was made by Victor Perez seconded by Cesar Nevarez to *approve item number nineteen (19)*.

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos
Absent: Ralph Duran
Abstain:

A motion was made by Victor Perez seconded by Yvonne Colon-Villalobos to *move into Executive Session at this time*.

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos
Absent: Ralph Duran
Abstain:

THE CITY COUNCIL CONVENED INTO EXECUTIVE SESSION AT 7:55 PM

EXECUTIVE SESSION

THE CITY COUNCIL RECONVENED IN OPEN SESSION AT 8:11 PM

A motion was made by Victor Perez seconded by Cesar Nevarez to *move into Executive Session at this time to consult with the city attorney regarding real estate.*
Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos
Absent: Ralph Duran
Abstain:

THE CITY COUNCIL CONVENED INTO EXECUTIVE SESSION AT 8:12 PM

EXECUTIVE SESSION

THE CITY COUNCIL RECONVENED IN OPEN SESSION AT 8:36 PM

**15. DISCUSSION AND ACTION ON LEGISLATION REGARDING
ANNEXATION. *ADRIANA RODARTE***

A motion was made by Victor Perez seconded by Ruben Reyes to *delete item fifteen (15).* Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos
Absent: Ralph Duran
Abstain:

**16. DISCUSSION AND ACTION TO OPPOSE HB 2592-CONSOLIDATION OF
LAW ENFORCEMENT. *ADRIANA RODARTE***

A motion was made by Victor Perez seconded by Cesar Nevarez to *deny and oppose and direct staff to submit a letter to the appropriate individuals.*

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos
Absent: Ralph Duran
Abstain:

20. DISCUSSION AND ACTION ON ADVICE RECEIVED FROM CITY ATTORNEY IN CLOSED SESSION, AND ACTION TO APPROVE REAL ESTATE TRANSACTION; AUTHORIZE FILING OR SETTLEMENT OF LEGAL ACTION; AUTHORIZE EMPLOYMENT OF EXPERT WITNESSES AND CONSULTANTS, AND EMPLOYMENT OF SPECIAL COUNSEL WITH RESPECT TO PENDING LEGAL MATTERS. ADRIANA RODARTE

21. DISCUSSION AND ACTION ON QUALIFICATIONS OF INDIVIDUALS FOR EMPLOYMENT AND FOR APPOINTMENT TO BOARDS & COMMISSIONS, JOB PERFORMANCE OF EMPLOYEES, REAL ESTATE ACQUISITION AND RECEIVE LEGAL ADVICE FROM CITY ATTORNEY REGARDING LEGAL ISSUES AFFECTING THESE MATTERS. ADRIANA RODARTE

22. DISCUSSION AND ACTION REGARDING PENDING LITIGATION AND RECEIVE STATUS REPORT REGARDING PENDING LITIGATION. ADRIANA RODARTE

A motion was made by Victor Perez seconded by Cesar Nevarez *to delete items twenty (20), twenty-one (21) and twenty-two (22).* Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos

Absent: Ralph Duran

Abstain:

23. ADJOURN

A motion was made by Victor Perez seconded by Yvonne Colon-Villalobos *to adjourn at 8:40 pm.*

Ayes: Ruben Reyes, Cesar Nevarez, Victor Perez and Yvonne Colon-Villalobos

Absent: Ralph Duran

Abstain:



Ivy Avalos, Mayor

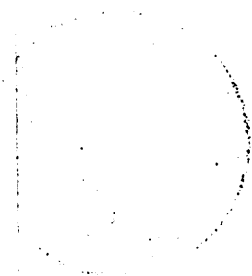


Olivia Navarro, City Clerk



April 1, 2021

Date minutes were approved





Council-Manager Form of Government

James A. Martinez & Bruce A. Koehler

CITY CHARTER

ARTICLE I FORM OF GOVERNMENT AND BOUNDARIES

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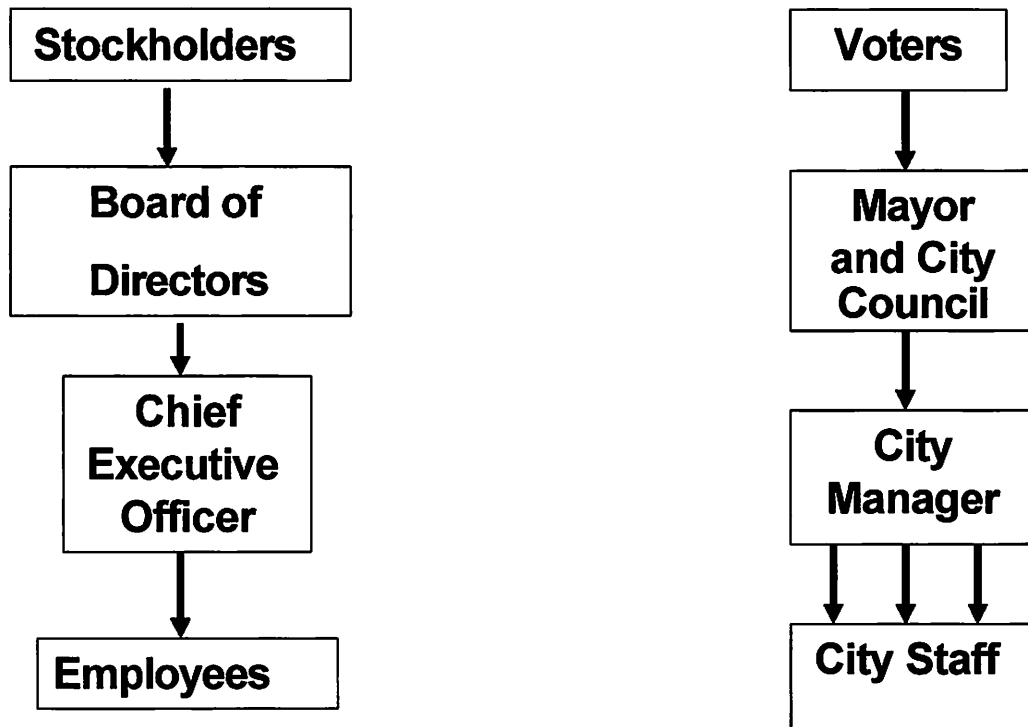
Section 1.02 FORM OF GOVERNMENT

The municipal government provided by this charter shall be known as the "Council – Manager" Government. Pursuant to its provision and subject only to the limitations imposed by the State Constitution, the statutes of this State and by this Charter, all powers of the City shall be vested in an elective Council, hereinafter referred to as the "City Council," which shall enact local legislation, adopt budgets, determine policies, and appoint City Manager, who in turn shall be held responsible to the City Council for the operation of the City. All powers of the city should be exercised in the manner prescribed by this Charter, the State Constitution or the Statutes of the State of Texas.

RECEIVED
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.

OFFICE OF THE SECRETARY
WASHINGTON, D.C.
JANUARY 10, 1917
SIR:
I have the honor to acknowledge the receipt of your letter of the 7th inst. in relation to the matter of the proposed amendment to the act of March 3, 1879, relating to the sale of land in the public domain. The same has been referred to the proper authorities for their consideration.

The Theory – Board of Directors



Responsibilities

- City Council
- Mayor
- City Manager
- Other Officials

Duties of City Council

Generally:

The City Council shall be the legislative and governing body of the City and shall have the control of the City finances, property, functions, services, affairs and programs, subject only to the terms and provisions of this Charter

[The City Council shall] govern the affairs of the City in conformance with this Charter and the State and Federal Constitutions and Laws, and to determine by majority vote, the best and most appropriate method and manner of efficiently performing the functions and providing the services of the City, consistent with the Council-Manager form of government

City Charter, § 3.04

1. The first part of the report
describes the general situation
of the country and the
state of the economy.

2. The second part of the report
describes the results of the
survey and the findings of the
research.

3. The third part of the report
describes the conclusions of the
research and the recommendations
for further action.

4. The fourth part of the report
describes the appendixes and the
references.

5. The fifth part of the report
describes the summary and the
conclusions of the research.

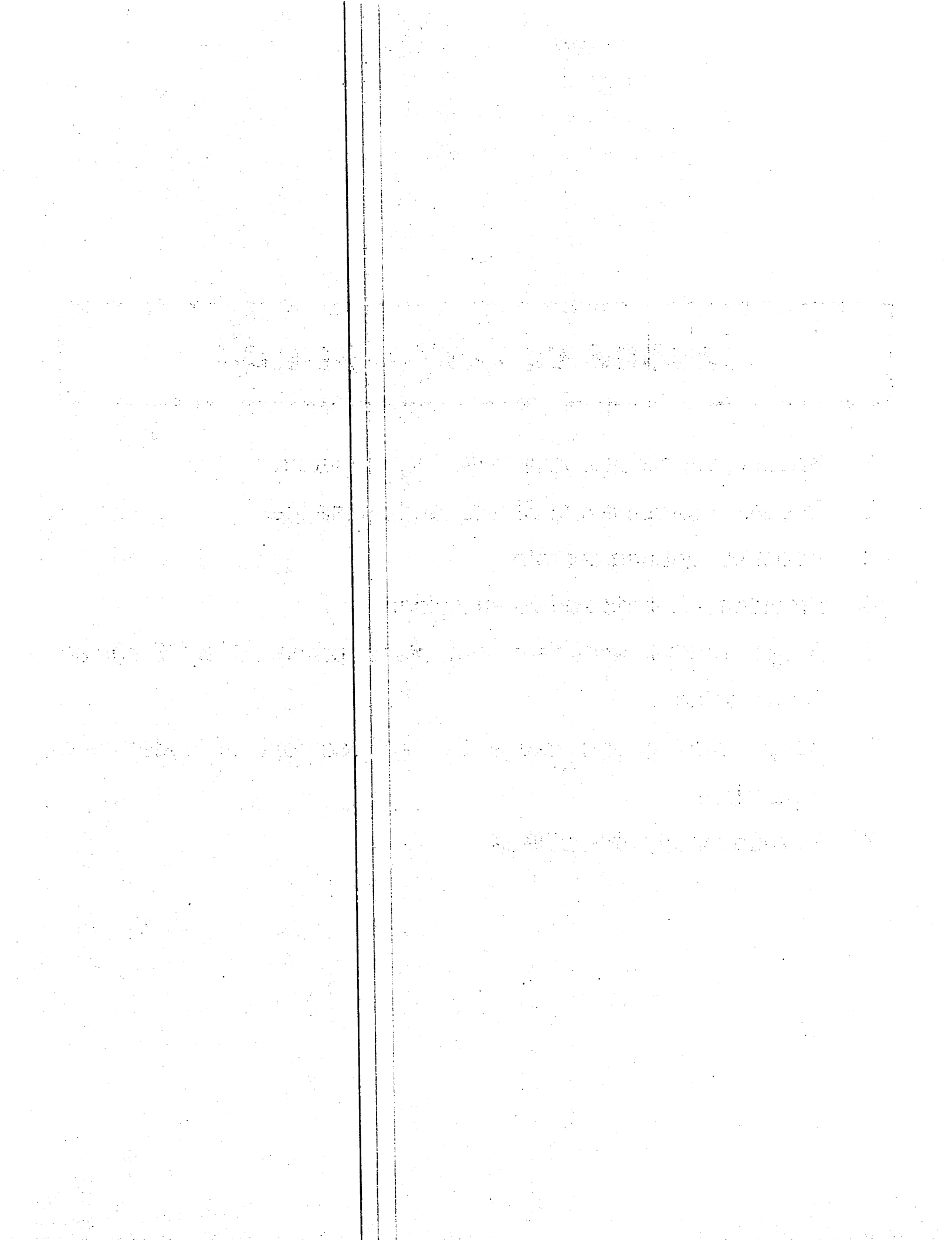
6. The sixth part of the report
describes the appendixes and the
references.

7. The seventh part of the report
describes the appendixes and the
references.

8. The eighth part of the report
describes the appendixes and the
references.

Duties of City Council

1. Appoint, supervise and remove City Manager.
2. Ensure enforcement of Charter and ordinances.
3. Adopt budget and tax rate.
4. Provide for boards and commissions.
5. Adopt, modify and carry out plans proposed by Planning Commission.
6. Adopt, modify and cause the enforcement of codes and regulations.
7. Provide for all public utilities.



Duties of City Council

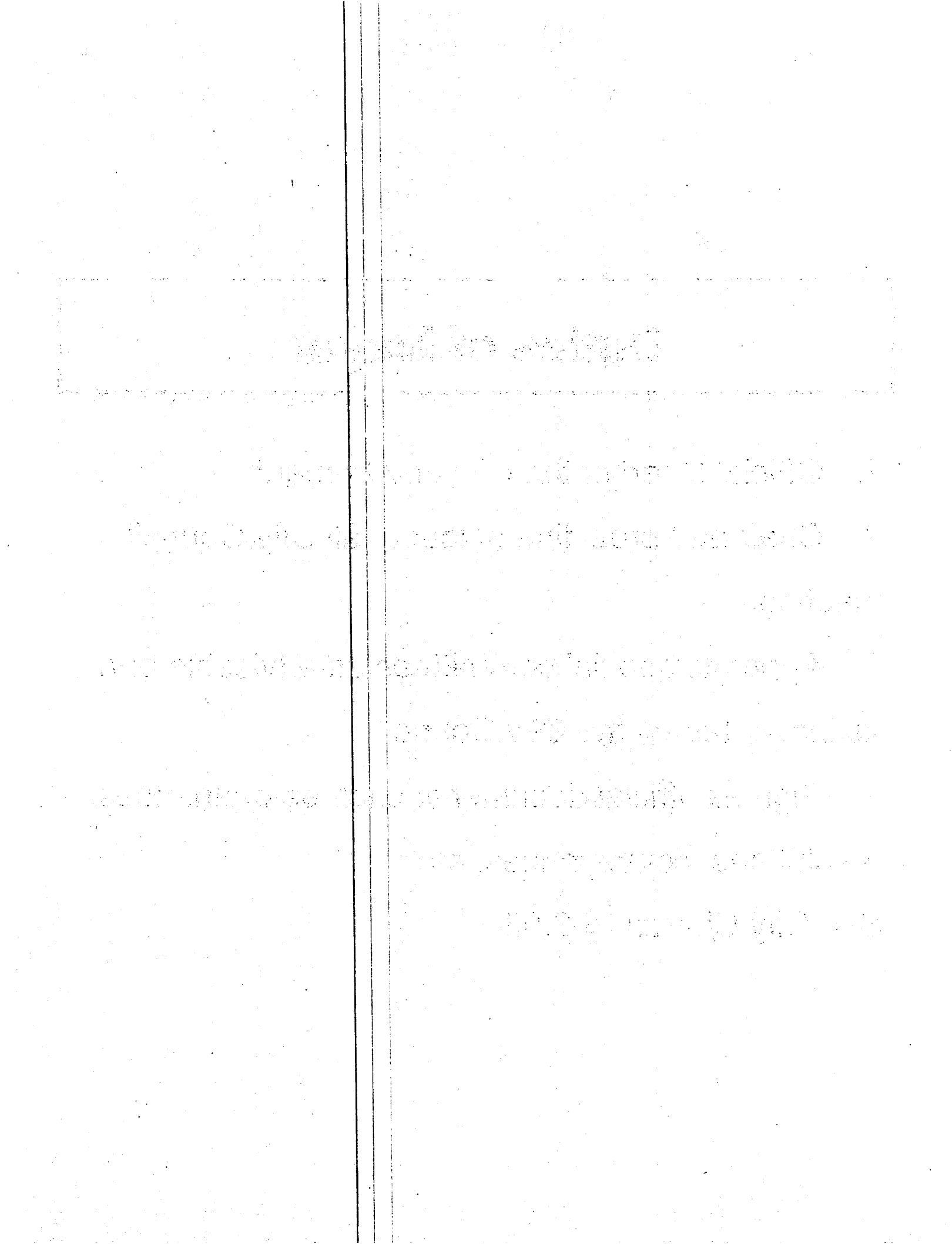
8. Pass ordinances and resolutions.
9. Exercise police powers for the safety of all citizens.
10. Control and regulate the use of public streets and City property.
11. Make investigation into municipal affairs.
12. Require fidelity bonds.
13. Appoint and remove City Attorney and Municipal Judge.
14. Call bond elections and special elections.

See City Charter, § 3.04

Duties of Mayor

1. Official Head of the City government.
2. Chair and presiding officer at all City Council meetings.
3. Appoints special committees as advisable and as instructed by the City Council.
4. Sign all official documents such as ordinances, resolutions, conveyances, etc.

See City Charter, § 3.03



Duties of City Manager

1. Chief administrative and executive officer of the City.
2. Appoint and removal all department heads with the advice and consent of City Council.
3. See that all laws, provisions of Charter and acts of City Council are faithfully executed
4. Prepare and submit the annual budget and capital program

See City Charter, § 4.02

Duties of City Manager

5. Report on finances and administrative activities of City.
6. Keep City Council fully advised as to the financial condition and needs of City.
7. Oversee the direction and completion of grant activity.
8. Make other reports and perform other duties set forth in Charter and required by City Council and the laws of State of Texas.

See City Charter, § 4.02

[illegible]

Other Key Officials

- City Attorney
- Chief of Police
- Municipal Court Judge

Code of Ethics

- Members [of City Council] shall be expected to model the Socorro Code of Ethics and to follow Robert's Rules of Order.

City Code § 2-51.

- All city officials and employees have a fiduciary duty to the city to be ethical in fulfilling the responsibilities of their positions.

City Code § 2-336.

Code of Ethics

City Council Members and Employees cannot:

1. Accept or solicit, for personal financial gain, any benefit.
2. Use their official positions improperly to secure unwarranted privileges or exemptions for themselves, relatives, or others.
3. Participate in making or influencing any city governmental decision or action in which they know that they have any financial interest.
4. Give the impression that a person can improperly influence them in the performance of their official duties.
5. Use or disclose, other than in the performance of their official duties or as may be required by law, confidential information.

See City Code § 2-339.

Code of Ethics

6. Use or disclose, other than in the performance of their official duties or as may be required by law, confidential information.
7. Transact any business (other than ministerial acts) on behalf of the city with any business entity of which they are officers, agents or members or in which they have a financial interest.
8. Receive any fee or compensation for their services as officers or employees of the city from any source other than the city.
9. Knowingly perform or refuse to perform any act in order to deliberately thwart the execution of the city ordinances, rules or regulations or the achievement of official city programs.
10. Otherwise use their position for personal gain.

See City Code § 2-339.

Disclaimer

This presentation is for educational purposes only and does not provide legal advice on any specific dispute or factual situation.

