

Jesus Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodríguez
District 2

Victor Perez
District 3 / Mayor-Pro Tem

Joseph E. Bowling
District 4

Willie Norfleet, Jr.
City Manager

REGULAR COUNCIL MEETING MINUTES MARCH 6, 2014

MEMBERS PRESENT:

Mayor Jesus Ruiz
Joseph E. Bowling
Sergio Cox
Gloria M. Rodriguez

MEMBERS ABSENT:

Victor Perez (*Arrived to the meeting at 6:11 p.m.*)
Rene Rodriguez (*Arrived to the meeting at 6:09 p.m.*)

STAFF PRESENT:

Willie Norfleet, Jr., City Manager
Sandra Hernandez, City Clerk
Olivia Navarro, Assistant City Clerk
Sam Leony, Planning and Zoning Director
James Martinez, City Attorney

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Mayor Jesus Ruiz.

2. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

Pledge of Allegiance was led by Ralph Duran.

3. ESTABLISHMENT OF QUORUM

A roll call was held and a quorum was established with four members present.

4. PUBLIC COMMENT

No speakers for Public Comment.

PRESENTATION

- 5. PRESENTATION BY RURAL AND SMALL COMMUNITIES ECONOMIC DEVELOPMENT ON THE ADAPTATION OF POLICY 380 FOR THE CITY OF SOCORRO RELATED TO INCENTIVES FOR NEW BUSINESSES.**

SAM LEONY

Rafael Arellano, of the City Development Department for the City of El Paso made the presentation.

Rene Rodriguez arrived to the meeting at 6:09 p.m.

Victor Perez arrived to the meeting at 6:11 p.m.

CONSENT AGENDA

- 6. EXCUSE ABSENT COUNCIL MEMBERS.** ***SANDRA HERNANDEZ***

- 7. APPROVAL OF SPECIAL COUNCIL MEETING MINUTES OF FEBRUARY 13, 2014 AND REGULAR COUNCIL MEETING MINUTES OF FEBRUARY 20, 2014.** ***SANDRA HERNANDEZ***

- 8. APPROVAL OF TRAVEL FOR ISELA GONZALEZ TO ATTEND THE REGIONAL CLERKS SEMINAR APRIL 28 THROUGH 30, 2014 IN SOUTH PADRE, TEXAS.** ***KARINA HAGELSIEB***

- 9. APPROVAL OF TRAVEL FOR CYNTHIA CHAPARRO TO ATTEND THE JUVENILE CASE MANAGER CONFERENCE JULY 14-18, 2014 IN AUSTIN, TEXAS.** ***KARINA HAGELSIEB***

- 10. APPROVAL OF TRAVEL FOR JAVIER ESPARZA TO ATTEND THE BAILIFF AND WARRANT OFFICER SEMINAR MAY 18 – 20, 2014 IN SAN ANTONIO, TEXAS.** ***KARINA HAGELSIEB***

A motion was made by Gloria M. Rodriguez seconded by Rene Rodriguez to *approve the Consent Agenda with the exception of item number seven (7).* Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

REGULAR AGENDA

ORDINANCES

- 11. PUBLIC HEARING OF ORDINANCE 328, AN ORDINANCE CHANGING THE ZONING OF TRACT 1B, BLOCK 28, SOCORRO GRANT, FROM A-1 (AGRICULTURAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL). THE PLANNING AND ZONING COMMISSION RECOMMENDS APPROVAL.**

SAM LEONY

Public Hearing Opened at 6:27 p.m.

No speakers for Public Hearing

Public Hearing Closed at 6:27 p.m.

- 12. SECOND READING AND ADOPTION OF ORDINANCE 328, AN ORDINANCE CHANGING THE ZONING OF TRACT 1B, BLOCK 28, SOCORRO GRANT, FROM A-1 (AGRICULTURAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL). THE PLANNING AND ZONING COMMISSION RECOMMENDS APPROVAL.**

SAM LEONY

A motion was made by Rene Rodriguez seconded by Gloria M. Rodriguez to *approve item number twelve (12)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

- 13. PUBLIC HEARING OF ORDINANCE 329, AN ORDINANCE CHANGING THE ZONING OF LOT 46, BLOCK 9, FRIEDMAN ESTATES (11463 SOCORRO ROAD) FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-1 (LIGHT COMMERCIAL). THE PLANNING AND ZONING COMMISSION RECOMMENDS APPROVAL.**

SAM LEONY

Public Hearing Opened at 6:28 p.m.

No speakers for Public Hearing

Public Hearing Closed at 6:28 p.m.

- 14. SECOND READING AND ADOPTION OF ORDINANCE 329, AN ORDINANCE CHANGING THE ZONING OF LOT 46, BLOCK 9, FRIEDMAN ESTATES (11463 SOCORRO ROAD) FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-1 (LIGHT COMMERCIAL). THE PLANNING AND ZONING COMMISSION RECOMMENDS APPROVAL.**

SAM LEONY

A motion was made by Gloria M. Rodriguez seconded by Joseph E. Bowling to *approve item number fourteen (14)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

- 15. PUBLIC HEARING OF ORDINANCE 330, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOCORRO, TEXAS, PROVIDING FOR THE ISSUANCE OF CITY OF SOCORRO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014; LEVYING AD VALOREM TAXES AND PROVIDING FOR THE PAYMENT AND SECURITY OF THE CERTIFICATES OF OBLIGATION; APPROVING AN OFFICIAL STATEMENT AND AWARDED SALE OF SAID CERTIFICATES OF OBLIGATION; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING THERETO.**

WILLIE NORFLEET, JR.

- 16. SECOND READING AND ADOPTION OF ORDINANCE 330, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOCORRO, TEXAS, PROVIDING FOR THE ISSUANCE OF CITY OF SOCORRO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014; LEVYING AD VALOREM TAXES AND PROVIDING FOR THE PAYMENT AND SECURITY OF THE CERTIFICATES OF OBLIGATION; APPROVING AN OFFICIAL STATEMENT AND AWARDED SALE OF SAID CERTIFICATES OF OBLIGATION; PROVIDING AN EFFECTIVE DATE; AND ENACTING OTHER PROVISIONS RELATING THERETO.**

WILLIE NORFLEET, JR.

A motion was made by Rene Rodriguez seconded by Gloria M. Rodriguez to *table items fifteen (15) and sixteen (16) for the meeting of April 3, 2014.* Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

- 17. INTRODUCTION, FIRST READING AND CALLING FOR A PUBLIC HEARING OF ORDINANCE 320, AMENDMENT NO. 3, AN ORDINANCE OF THE CITY OF SOCORRO, ESTABLISHING PROCEDURES AND RULES FOR CITY COUNCIL MEETINGS AND AGENDAS AS PROVIDED BY SECTION 3.08 OF THE SOCORRO CITY CHARTER, AND ESTABLISHING PROCEDURES AND RULES FOR CONDUCT OF THE SOCORRO CITY COUNCIL AND ALL OF THE CITY OF SOCORRO BOARDS AND COMMISSIONS AND REPEALING ORDINANCE NO. 304 AMENDMENT NO. 1 AND ORDINANCE 280 AMENDMENT NO. 1.**

SERGIO COX

A motion was made by Sergio Cox seconded by Victor Perez to *approve item number seventeen (17)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

18. INTRODUCTION, FIRST READING AND CALLING FOR A PUBLIC HEARING OF ORDINANCE 257, AMENDMENT NO.1, AN ORDINANCE ESTABLISHING AND ADOPTING PUBLIC AND WORKPLACE SMOKING RESTRICTIONS IN THE CITY OF SOCORRO, TEXAS.

MAYOR JESUS RUIZ/SANDRA HERNANDEZ

A motion was made by Victor Perez seconded by Gloria M. Rodriguez to *approve item number eighteen (18) with the correction to Section 1.2 Definitions item K to change the word solely to primarily*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

FINANCE DEPARTMENT

19. DISCUSSION AND ACTION ON APPROVING INCREASING THE LIMIT PLACED ON THE WEAVER & TIDWEL FORENSIC AUDIT AMOUNT FROM \$90,000 TO \$127,000.

KARINA HAGELSIEB

A motion was made by Gloria M. Rodriguez seconded by Rene Rodriguez to *approve item number nineteen (19)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

HUMAN RESOURCES DEPARTMENT

20. DISCUSSION AND ACTION ON THE RECOMMENDATION MADE BY CIVIL SERVICE COMMISSION ON APPROVAL TO AMEND POLICY 301 VACATION BENEFITS.

ADRIANA RODARTE

A motion was made by Rene Rodriguez seconded by Gloria M. Rodriguez to *approve item number twenty (20)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

21. DISCUSSION AND ACTION ON THE RECOMMENDATION MADE BY CIVIL SERVICE COMMISSION ON APPROVAL TO AMEND POLICY 302 HOLIDAYS. ADRIANA RODARTE

A motion was made by Rene Rodriguez seconded by Victor Perez to *approve item number twenty-one (21)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

PLANNING AND ZONING DEPARTMENT

22. DISCUSSION AND ACTION ON THE PROPOSED AMENDING PLAT OF VILLAS DEL VALLE SUBDIVISION UNIT 2. THE PLANNING AND ZONING COMMISSION RECOMMENDS APPROVAL. SAM LEONY

A motion was made by Gloria M. Rodriguez seconded by Rene Rodriguez to *approve item number twenty-two with the recommendations made the Historical Landmark Commission, see Exhibit "A"*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

23. DISCUSSION AND ACTION ON CERTIFICATE OF APPROPRIATENESS FOR A TEMPORARY MOBILE FOOD STRUCTURE AT 605 FRAY VARGAS ROAD AND 11749 SOCORRO ROAD. THE HISTORICAL LANDMARK COMMISSION RECOMMENDS APPROVAL WITH CONDITIONS. SAM LEONY

A motion was made by Gloria M. Rodriguez seconded by Rene Rodriguez to *approve item number twenty-three (23)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

24. DISCUSSION AND ACTION ON CERTIFICATE OF APPROPRIATENESS FOR INTERIOR REMODELING PROJECT OF THE RIO VISTA COMPLEX LOCATED AT 860 N. RIO VISTA. THE HISTORICAL LANDMARK COMMISSION RECOMMENDS APPROVAL. SAM LEONY

A motion was made by Rene Rodriguez seconded by Gloria M. Rodriguez to *approve item number twenty-four (24)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

CITY MANAGER

25. DISCUSSION AND ACTION ON PAYING RALPH DURAN FOR MATERIALS TAKEN BY THE CITY OF SOCORRO.

WILLIE NORFLEET, JR.

A motion was made by Sergio Cox seconded by Victor Perez to *move item number twenty-five (25) to Executive Session*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

26. DISCUSSION AND ACTION TO APPROVE INTER-LOCAL AGREEMENT BETWEEN THE CITY OF SOCORRO AND CITY OF EL PASO'S DEPARTMENT OF PUBLIC HEALTH AND DEPARTMENT OF ENVIRONMENTAL SERVICES.

WILLIE NORFLEET, JR.

A motion was made by Rene Rodriguez seconded by Gloria M. Rodriguez to *table item number twenty-six (26) for the meeting of April 3, 2014*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

27. DISCUSSION AND ACTION ON TEXAS DEPARTMENT OF TRANSPORTATION REQUEST FOR PAYMENT FOR RIGHT OF WAY ACQUISITION ON HORIZON BOULEVARD. WILLIE NORFLEET, JR.

A motion was made by Rene Rodriguez seconded by Gloria M. Rodriguez to *table item number twenty-seven (27) for the meeting of April 3, 2014.* Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

MAYOR AND COUNCIL

28. DISCUSSION AND ACTION TO AUTHORIZE EL PASO COLLABORATIVE TO USE THE RIO VISTA COMMUNITY CENTER ONCE A WEEK (HALF A DAY) TO MEET WITH SMALL BUSINESS OWNERS FOR MARKETING SMALL BUSINESS LOANS. (PRESENTATION BY DELIA MARTINEZ)

GLORIA M. RODRIGUEZ

A motion was made by Gloria M. Rodriguez seconded by Victor Perez to *delete item number twenty-eight (28).* Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

A motion was made by Gloria M. Rodriguez seconded by Rene Rodriguez to *move into Executive Session at this time.* Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

THE CITY COUNCIL CONVENED INTO EXECUTIVE SESSION AT 6:53 PM

EXECUTIVE SESSION

THE CITY COUNCIL RECONVENED BACK IN OPEN SESSION AT 8:01 PM

25. DISCUSSION AND ACTION ON PAYING RALPH DURAN FOR MATERIALS TAKEN BY THE CITY OF SOCORRO.

WILLIE NORFLEET, JR.

Ralph Duran spoke on this item.

A motion was made by Sergio Cox to *grant the higher amount to be paid to Mr. Duran as proposed in Executive Session.* No second, motion dies.

A motion was made by Victor Perez seconded by Gloria M. Rodriguez to *direct city staff to research the information of record keeping as discussed in Executive Session and have a definitive response by March 20, 2014 with final decision made by city council.* Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

29. 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.

WILLIE NORFLEET, JR.

30. 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.

WILLIE NORFLEET, JR.

31. DISCUSSION AND ACTION REGARDING PENDING LITIGATION AND RECEIVE STATUS REPORT REGARDING PENDING LITIGATION.

WILLIE NORFLEET, JR.

A motion was made by Gloria M. Rodriguez seconded by Rene Rodriguez to *delete items twenty-nine (29), thirty (30), and thirty-one (31).* Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

32. ISAAC TARIN V. CITY OF SOCORRO, TEXAS; CAUSE NO. 2012-DCV-04837; 448TH JUDICIAL DISTRICT COURT OF EL PASO COUNTY, TEXAS.

JAMES A. MARTINEZ

A motion was made by Gloria M. Rodriguez seconded by Rene Rodriguez to *delete item number thirty-two (32).* Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:

33. ADJOURN

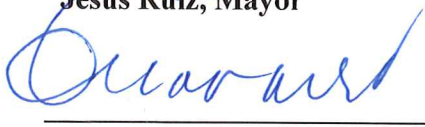
A motion was made by Gloria M. Rodriguez seconded by Rene Rodriguez to *adjourn* at 8:06 p.m. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Joseph E. Bowling, Sergio Cox, and Gloria M. Rodriguez.

Nays:

Abstain:



Jesus Ruiz, Mayor

Minutes prepared by
Olivia Navarro
Assistant City Clerk

Date minutes approved

#22
Meeting of 3-6-14

Exhibit "A"

Item 22

Jesus A. Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodriguez
District 2

Victor Perez
District 3 / Mayor Pro Tem

Joseph E. Bowling
District 4

Willie Norfleet Jr.
City Manager

DATE: March 6, 2014.

TO: Mayor and Council Members

FROM: Sam Leony, Planning and Zoning Director

CC: Willie Norfleet, City Manager

SUBJECT:

Certificate of Appropriateness for the proposed mobile food structure to be initially placed on 605 Fray Vargas (commercial shopping center), and ultimately at 11749 Socorro Rd. (currently residential zoned).

LOCATION:

The initial location for the proposed mobile unit will be on a commercial lot located at 605 Fray Vargas, but ultimately would be located at 11749 Socorro Rd., right in front of the initial location.

REMARKS:

The owner of the commercial shopping center where the temporary restaurant will be located, has given his authorization to place the mobile unit in his property.



RECOMMENDATION:

The Historical Landmark Commission recommends APPROVAL contingent to the following:

1. If the owner wants to use her residential property to ultimately place the mobile unit, she needs to rezone her property (11749 Socorro Rd.) from R-1 (SFR) to C-1 (Light Commercial).
2. Any modifications to the residential property to accommodate the mobile unit shall be presented for approval before HLC and City Council.
3. The mobile unit shall be painted with approved historical colors.