

Elia Garcia
Mayor

Rene Rodriguez
At Large/Mayor Pro Tem

Maria Reyes
District 1



Ralph Duran
District 2

Victor Perez
District 3

Yvonne Colon-Villalobos
District 4

Adriana Rodarte
City Manager

**REGULAR COUNCIL MEETING MINUTES
NOVEMBER 2, 2017 @ 6:00 P.M.**

MEMBERS PRESENT:

Mayor Elia Garcia
Rene Rodriguez
Maria Reyes
Ralph Duran
Victor Perez
Yvonne Colon-Villalobos

STAFF PRESENT:

Adriana Rodarte, City Manager
Olivia Navarro, City Clerk
David Mirazo, City Attorney

Li Rosario, Investigator
Estevan Gonzalez, IT
Miguel Rosas, Parks and PW Director
Victor Reta, Recreation Center Director
Rosio Marin, HR Director
Adriana Rodriguez, Executive Director
Job Terrazas, Building Official
Adam Ochoa, Planning and Zoning Director

1. CALL TO ORDER

The meeting was called to order at: 6:07 p.m.

2. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

Pledge of Allegiance was led by Estevan Gonzalez

3. ESTABLISHMENT OF QUORUM

A quorum was established with all members present.

PUBLIC COMMENT

4. PUBLIC COMMENT

Miriam Cruz and Daniel Hernandez spoke during Public Comment.

A motion was made by Ralph Duran seconded by Victor Perez to move up *items twenty-two (22), twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), eighteen (18) and nineteen (19)*, Motion passed.

Ayes: Rene Rodriguez, Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Abstain:

MAYOR AND COUNCIL

22. DISCUSSION AND ACTION TO APPOINT JORGE ESTRADA TO THE CIVIL SERVICE COMMISSION PLACE 6. *MAYOR ELIA GARCIA*

A motion was made by Rene Rodriguez seconded by Ralph Duran to *approve item number twenty-two (22)*. Motion passed.

Ayes: Rene Rodriguez, Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Abstain:

23. DISCUSSION AND ACTION TO APPOINT RUBEN GARCIA TO THE CIVIL SERVICE COMMISSION PLACE 7. *MAYOR ELIA GARCIA*

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

Ayes: Rene Rodriguez, Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Abstain:

24. DISCUSSION AND ACTION TO APPOINT RUBEN GARCIA TO THE ETHICS COMMISSION PLACE 6. *MAYOR ELIA GARCIA*

A motion was made by Ralph Duran seconded by Victor Perez to *approve item number twenty-four (24)*. Motion passed.

Ayes: Rene Rodriguez, Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Abstain:

25. DISCUSSION AND ACTION TO APPOINT HOWARD CAPSHAW TO THE ETHICS REVIEW COMMISSION PLACE 7. MAYOR ELIA GARCIA

A motion was made by Ralph Duran seconded by Victor Perez to *approve item number twenty-five (25)*. Motion passed.

Ayes: Rene Rodriguez, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Abstain: Maria Reyes

26. SWEARING IN OF NEWLY APPOINTED COMMISSIONERS.

During this time Mayor Garcia swore in Ruben Garcia, Alex Miranda and Howard Capshaw.

18. DISCUSSION AND ACTION TO APPROVE THE FIRST AMENDMENT TO CONTRACT FOR PROFESSIONAL SERVICES WITH DELGADO ACOSTA, SPENCER, LINEBARGER AND PEREZ, LLP. (DASLP), FOR DELINQUENT ACCOUNT COLLECTION SERVICES AND TO AUTHORIZE THE ACTING CITY MANAGER OF HER DESIGNEE TO EXECUTE THE SERVICES AGREEMENT AND OTHER DOCUMENTS NECESSARY TO ENGAGE THE COMPANY AS OF OCTOBER 12, 2017.

ADRIANA RODARTE

Jose Padilla from Delgado, Acosta, Spencer, Linebarger and Perez, LLP spoke on this item.

A motion was made by Victor Perez seconded by Rene Rodriguez to *approve item number eighteen (28)*. Motion passed.

Ayes: Rene Rodriguez, Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Abstain:

19. DISCUSSION AND ACTION OF APPROVAL OF INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF EL PASO DEPARTMENT OF PUBLIC HEALTH AND DEPARTMENT OF ENVIRONMENTAL SERVICES AND THE CITY OF SOCORRO, TEXAS FOR THE PERIOD OF SEPTEMBER 1, 2017 THROUGH AUGUST 31, 2018, IN THE AMOUNT OF 275,894. ADRIANA RODARTE

A motion was made by Victor Perez seconded by Ralph Duran to *approve item number nineteen (19)*. Motion passed.

Ayes: Rene Rodriguez, Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Abstain:

CONSENT AGENDA

5. **EXCUSE ABSENT COUNCIL MEMBERS.** **OLIVIA NAVARRO**
6. **APPROVAL OF REGULAR COUNCIL MEETING MINUTES OF OCTOBER 19, 2017.** **OLIVIA NAVARRO**
7. **APPROVAL OF THE CASH RECEIPTS TRANSACTION REPORT FOR SEPTEMBER 2017.** **CHARLES CASIANO**
8. **APPROVAL OF THE ACCOUNTS PAYABLE TRANSACTION REPORT FOR SEPTEMBER 2017.** **CHARLES CASIANO**

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

Ayes: Rene Rodriguez, Maria Reyes, Ralph Duran, and Victor Perez

Nays: Yvonne Colon-Villalobos

Abstain:

PUBLIC HEARINGS / ORDINANCES

9. **INTRODUCTION, FIRST READING AND CALLING FOR A PUBLIC HEARING OF AN ORDINANCE TO ESTABLISH SAFETY ZONE ON ALAMEDA AVE. TO PROHIBIT PARKING ON THE PUBLIC RIGHT-OF-WAY INCLUDING BUT NOT LIMITED TO THE SHOULDERS, SIDEWALKS PAVEMENT OR OTHER PUBLIC DRIVEWAYS.** **ADAM OCHOA**

A motion was made by Rene Rodriguez seconded by Ralph Duran to *approve item number nine (9)*. Motion passed.

Ayes: Rene Rodriguez, Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Abstain:

10. **INTRODUCTION, FIRST READING AND CALLING FOR A PUBLIC HEARING OF AN ORDINANCE FOR THE APPROVAL TO AMEND MUNICODE SECTION 6-48 AND ADOPT BUILDING AND TECHNICAL CODES SUBJECT TO THE PROVISIONS AMENDED OR EXCEPTED INCLUDING BUT NOT LIMITED TO THE APPENDICES.** **ADAM OCHOA**

A motion was made by Victor Perez seconded by Rene Rodriguez to *approve item number ten (10)*. Motion passed.

Ayes: Rene Rodriguez, Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Abstain:

11. INTRODUCTION, FIRST READING AND CALLING FOR A PUBLIC HEARING OF AN ORDINANCE FOR THE PROPOSED REZONING OF A PORTION OF TRACTS 1A, 2A, 1B, 2C, BLOCK 10, SOCORRO GRANT, 11000 BLOCK OF NORTH LOOP FROM C-2 (GENERAL COMMERCIAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL) FOR A FUTURE DEVELOPMENT. ADAM OCHOA

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

Ayes: Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays: Rene Rodriguez

Abstain:

12. INTRODUCTION, FIRST READING AND CALLING FOR A PUBLIC HEARING OF ORDINANCE 397 AMENDMENT 3 TO DECREASE FISCAL YEAR 2016-2017 BUDGET IN THE AMOUNT OF \$144,031.60. ADRIANA RODARTE

A motion was made by Maria Reyes seconded by Rene Rodriguez to *approve item number twelve (12) with a correction to the draft ordinance to decrease*. Motion passed.

Ayes: Rene Rodriguez, Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Abstain:

REGULAR AGENDA

FINANCE DEPARTMENT

13. DISCUSSION AND ACTION ON APPROVING THE UNAUDITED FINANCIAL REPORT FOR SEPTEMBER 2017. CHARLES CASIANO

A motion was made by Maria Reyes seconds by Rene Rodriguez to *approve item number thirteen (13)*. Motion passed.

Ayes: Rene Rodriguez, Maria Reyes, Ralph Duran, and Victor Perez
Nays: Yvonne Colon-Villalobos
Abstain:

RECREATIONAL CENTERS DEPARTMENT

14. DISCUSSION AND ACTION TO TERMINATE AWARD TO KASCO STRUCTURE LLC, FOR CITY OF SOCORRO ROOFING PROJECT.

VICTOR RETA

A motion was made by Maria Reyes seconded by Rene Rodriguez to *approve item number fourteen (14)*. Motion passed.

An amended motion was made by Maria Reyes seconded by Yvonne Colon-Villalobos to *move this item into Executive Session*.

Rene Rodriguez rescinded his motion.

An amended motion was made by Maria Reyes seconded by Ralph Duran to *move this item into Executive Session*. Motion passed.

Ayes: Maria Reyes, Ralph Duran and Yvonne Colon Villalobos

Nays: Rene Rodriguez and Victor Perez

Abstain:

15. DISCUSSION AND ACTION TO AWARD THE RFQ 17-005: ROOF REPAIRS TO SKYRIDGE CONSTRUCTION LLC AND DESIGNATE CITY MANAGER OR HER DESIGNEE TO EXECUTE THE CONTRACT.

VICTOR RETA

A motion was made by Ralph Duran seconded by Maria Reyes to *approve and award to Skyridge Construction LLC and designate city manager of her designee to execute the contract contingent on non-acceptance of Kasco Structure LLC*.

Ayes: Rene Rodriguez, Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Abstain:

PLANNING AND ZONING DEPARTMENT

16. DISCUSSION AND ACTION ON PRELIMINARY PLAT APPROVAL FOR EASTLAKE VALLEY SUBDIVISION, BEING A PORTION OF TRACT 8 AND 15, BLOCK 4, SOCORRO GRANT.

ADAM OCHOA

A motion was made by Maria Reyes seconded by Ralph Duran to *approve item number sixteen (16)*.

Enrique Escobar, Leticia Treviño and Claudia Garcia spoke on this item.

Rene Rodriguez left the meeting at 7:50 pm.

A motion was made by Maria Reyes seconded by Ralph Duran to *suspend the rule and allow a speaker to speak*. Motion passed.

Ayes: Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Absent: Rene Rodriguez

Jack Martin spoke.

A motion was made by Maria Reyes seconded by Ralph Duran to *suspend the rule and allow a speaker to speak*. Motion passed.

Ayes: Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Absent: Rene Rodriguez

Miriam Cruz spoke.

An amended motion was made by Ralph Duran to *approve preliminary plat for Eastlake Valley Subdivision, being a portion of tract 8 and 15, Block 4, Socorro Grant with the stipulations provided by the CEA Group see Exhibit "A".to include a park*

An amended motion was made by Ralph Duran seconded by Yvonne Colon-Villalobos to *approve with the recommendations made by Engineering Company, the park instead of the fee and with the recommendations made by the Planning and Zoning recommendations*. Motion passed.

Ayes: Maria Reyes, Ralph Duran

Nays: Victor Perez

Absent: Rene Rodriguez

Abstain: Yvonne Colon-Villalobos

17. DISCUSSION AND ACTION ON THE PROPOSED CONDITIONAL USE PERMIT FOR A REPAIR AND MAINTENANCE SHOP LOCATED AT 10064 ALAMEDA AVE., TRACTS 2B AND 3A, BLOCK 15 AND TRACT 1, BLOCK 16, SOCORRO GRANT. ADAM OCHOA

A motion was made by Maria Reyes seconded by Ralph Duran to *approve item number seventeen (17)*. Motion passed.

Ayes: Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Absent: Rene Rodriguez

CITY MANAGER

20. DISCUSSION AND ACTION ON CALLING A REGULAR CITY COUNCIL MEETING FOR DECEMBER PURSUANT TO SECTION 3.07 OF THE SOCORRO. *ADRIANA RODARTE*

A motion was made by Maria Reyes *to call for December 5, 2017 for the December Regular Meeting.*

No second. Motion dies.

A motion was made by Ralph Duran seconded by Victor Perez *to call for December 7, 2017 for the December Regular Meeting.*

Ayes: Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Absent: Rene Rodriguez

21. DISCUSSION AND ACTION ON RAILROAD CROSSING UPGRADES IN THE AMOUNT OF \$8,407.53. *ADRIANA RODARTE*

A motion was made by Yvonne Colon-Villalobos seconded by Ralph Duran *to approve item number twenty-one.* Motion passed.

Ayes: Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Absent: Rene Rodriguez

A motion was made by Ralph Duran seconded by Victor Perez *to move into Executive Session at this time.* Motion passed.

Ayes: Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Absent: Rene Rodriguez

THE CITY COUNCIL CONVENEED INTO EXECUTIVE SESSION AT 8:27 PM

EXECUTIVE SESSION

THE CITY COUNCIL RECONVENEED BACK IN OPEN SESSION AT 9:25 PM

14. DISCUSSION AND ACTION TO TERMINATE AWARD TO KASCO STRUCTURE LLC, FOR CITY OF SOCORRO ROOFING PROJECT.

VICTOR RETA

A motion was made by Victor Perez seconded by Ralph Duran to *approve the termination subject to Kasco Structure LLC, not executing and submitting the contract by November 3, 2017 to include the bond and that the pricing is feasible and grant city manager authority to decline if pricing is no feasible.* Motion passed.

Ayes: Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Absent: Rene Rodriguez

27. 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

28. 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

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

ADRIANA RODARTE

18. DISCUSSION AND ACTION REGARDING LEGAL OPTION TO ADDRESS FLOODING ON AND NEAR COKER ROAD, INCLUDING PROPERTY ACQUISITION [551.071 AND 551.072].

ADRIANA RODARTE

A motion was made by Victor Perez seconded by Yvonne Colon-Villalobos to *delete items six twenty-seven (27), twenty-eight (28) and twenty-nine (29) and thirty (30).* Motion passed.

Ayes: Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Absent: Rene Rodriguez

30. ADJOURN

A motion was made by Maria Reyes seconded by Yvonne Colon-Villalobos to *adjourn at 9:27 pm.* Motion passed.

Ayes: Maria Reyes, Ralph Duran, Victor Perez and Yvonne Colon-Villalobos

Nays:

Absent: Rene Rodriguez

Nov 16, 2017

Elia Garcia, Mayor

Olivia Navarro

Olivia Navarro, City Clerk



[Signature]

Date minutes were approved