Ivy Avalos Mayor

Ruben Reyes At Large

Cesar Nevarez.
District 1



Alejandro Garcia
District 2 /Mayor Pro Tem

Rudy Cruz, Jr.
District 3

Yvonne Colon-Villalobos
District 4

REGULAR COUNCIL MEETING MINUTES JANUARY 19, 2023 @ 6:00 P.M.

MEMBERS PRESENT:

Mayor Ivy Avalos Ruben Reyes Cesar Nevarez Alejandro Garcia Rudy Cruz Jr. Yvonne Colon-Villalobos

STAFF PRESENT:

Adriana Rodarte, City Manager Olivia Navarro, City Clerk Jim Martinez, City Attorney Carlos Gallinar, P&Z Director

Estevan Gonzales, IT Director Diana Rodriguez, Multimedia Specialist Chief David Burton Officer C. Gonzalez Charles Casiano, Finance Director

1. CALL TO ORDER

The meeting was called to order at: 6:04 pm.

2. Pledge of Allegiance led by Ernesto Serna Elementary School Students and a Moment of Silence

Pledge of Allegiance led by Alexa Hermosillo, Sherlyn De La Rosa and Natalie Rubio from Ernesto Serna and Ana Carreon from IDEA School.

3. Establishment of Quorum

Quorum was established with all council members present.

PUBLIC COMMENT

4. PUBLIC COMENT

Margarita Chavez and Rodolfo Reyes spoke during Public Comment.

PRESENTATION

5. RECOGNITION OF MARGARITA PEREZ FOR HER OUTSTANDING WORK FOR THE COMMUNITY.

RUBEN REYES

Margarita Perez and Maria Ornelas were recognized by Mayor Avalos and City Council and Commissioner Iliana Holguin.

6. PRESENTATION BY CITY MANAGER, REGARDING DECEMBER 2022 MONTHLY REPORT.

ADRIANA RODARTE

Presentation made by Adriana Rodarte.

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to move up items seventeen (17), twenty-three (23), twenty-four (24) and twenty-five (25). Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Alejandro Garcia, Rudy Cruz, Jr., and Yvonne Colon-Villalobos

Nays: Absent:

17. DISCUSSION AND ACTION TO APPROVE RESOLUTION 729 APPROVING A VARIANCE TO ALLOW AN ACCESSORY STRUCTURE GREATER THAN FIFTY PERCENT FOR THE PROPERTY LOCATED AT 461 SANTA GERTRUDES AND BEING BLOCK 1 LOT 18 SOCORRO MISSION #1 SUBDIVISION, SOCORRO, TEXAS.

CARLOS GALLINAR

A motion was made by Ruben Reyes seconded by Rudy Cruz, Jr., to approve item seventeen (17). Motion passed.

Rodolfo Reyes spoke on this item. See exhibit "A"

Ayes: Ruben Reyes, Cesar Nevarez, Alejandro Garcia, Rudy Cruz, Jr., and Yvonne Colon-Villalobos

Nays: Absent:

23. DISCUSSION AND ACTION TO APPROVE THE APPOINTMENT OF YOLANDA RODRIGUEZ TO THE CIVIL SERVICE COMMISSION PLACE 6.

MAYOR IVY AVALOS

A motion was made by Ruben Reyes seconded by Cesar Nevarez to approve item twenty-three (23). Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Alejandro Garcia, Rudy Cruz, Jr., and Yvonne Colon-Villalobos

Nays: Absent:

24. SWEARING IN OF NEWLY APPOINTED COMMISSIONER.

During this time Mayor Avalos swore in Ms. Rodriguez.

25. DISCUSSION AND ACTION TO APPROVE THE INSTALLATION OF STREETLIGHTS ON MIDDLE DRAIN. YVONNE COLON-VILLALOBOS

A motion was made by Cesar Nevarez seconded by Alejandro Garcia to approve item number twenty-five (25).

Ruben Reyes stepped out of the meeting at 6:44 pm.

Ruben Reyes stepped back into the meeting at 6:53 pm.

An amended motion was made by Rudy Cruz, Jr., seconded by Yvonne Colon-Villalobos to approve and share the cost amongst Districts 1, 3 and 4. Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Alejandro Garcia, Rudy Cruz, Jr., and Yvonne Colon-Villalobos

Nays: Absent:

CONSENT AGENDA

7. EXCUSE ABSENT COUNCIL MEMBERS.

OLIVIA NAVARRO

- 8. DISCUSSION AND ACTION TO APPROVE THE REGULAR COUNCIL MINUTES OF JANUARY 5, 2023.

 OLIVIA NAVARRO
- 9. DISCUSSION AND ACTION ON APPROVING NOVEMBER 2022 ACCOUNTS PAYABLE REPORT. CHARLES CASIANO
- 10. DISCUSSION AND ACTION ON APPROVING NOVEMBER 2022 CASH RECEIPTS REPORT.

 CHARLES CASIANO

- 11. DISCUSSION AND ACTION ON APPROVING NOVEMBER 2022 UNAUDITED FINANCIAL REPORT. CHARLES CASIANO
- 12. INTRODUCTION, FIRST READING AND CALLING FOR A PUBLIC HEARING OF AN ORDINANCE TO AMEND CHAPTER 16, FIRE PREVENTION AND PROTECTION, ARTICLE V. FIRE CODE AND LOCAL REGULATIONS, SECTION 16-47. FIREWORKS.

 ALEJANDRO GARCIA

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to approve the Consent Agenda. Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Alejandro Garcia, Rudy Cruz, Jr., and Yvonne Colon-Villalobos

Nays: Absent:

REGULAR AGENDA ORDINANCES/PUBLIC HEARINGS

13. PUBLIC HEARING OF AN ORDINANCE TO ALLOW THE REZONING OF BLOCK 1, LOT 2, GALLARDO SUBDIVISION, LOCATED AT 851 WALCOTT DRIVE, SOCORRO, TEXAS FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL) TO ALLOW FOR A DUPLEX AND TO APPROVE THE DETAIL SITE PLAN.

CARLOS GALLINAR

Public Hearing opened at 6:57 pm

No Speakers for Public Hearing

Public Hearing closed at 6:57 pm

14. SECOND READING AND ADOPTION OF AN ORDINANCE TO ALLOW THE REZONING OF BLOCK 1, LOT 2, GALLARDO SUBDIVISION, LOCATED AT 851 WALCOTT DRIVE, SOCORRO, TEXAS FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL) TO ALLOW FOR A DUPLEX AND TO APPROVE THE DETAIL SITE PLAN.

CARLOS GALLINAR

A motion was made by Alejandro Garcia seconded by Yvonne Colon-Villalobos to approve item fourteen (14). Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Alejandro Garcia, Rudy Cruz, Jr., and Yvonne Colon-Villalobos

Nays: Absent:

PLANNING AND ZONING DEPARTMENT

15. DISCUSSION AND ACTION TO APPROVE RESOLUTION 727 FOR THE SUPPORT OF THE NEVAREZ PALMS II LOW INCOME HOUSING TAX CREDIT PROJECT LOCATED AT 220, 233 AND 237 N. NEVAREZ ROAD.

CARLOS GALLINAR

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to approve item fifteen (15). Motion passed.

Bobby Bowling from Tropicana Homes spoke on this item.

Ayes: Ruben Reyes, Cesar Nevarez, Alejandro Garcia, Rudy Cruz, Jr., and Yvonne Colon-Villalobos

Nays: Absent:

16. DISCUSSION AND ACTION TO APPROVE RESOLUTION 728, A REPLAT FOR TRI B INDUSTRIAL REPLAT A BEING LOTS 1 AND 2, BLOCK 1, TRI-B INDUSTRIAL PARK, CITY OF SOCORRO, TEXAS AND LOCATED ON STEERE TANK ROAD.

CARLOS GALLINAR

A motion was made by Alejandro Garcia seconded by Yvonne Colon-Villalobos to approve item sixteen (16). Motion passed.

Cesar Nevarez stepped out of the meeting at 7:17 pm.

Ayes: Ruben Reyes, Alejandro Garcia, Rudy Cruz, Jr., an Yvonne Colon-Villalobos

Nays:

Absent: Cesar Nevarez

Cesar Nevarez returned to the meeting at 7:17 pm.

18. DISCUSSION AND ACTION TO APPROVE RESOLUTION 730 APPROVING PRELIMINARY AND FINAL PLATS FOR SOMBRA DE PIRO SUBDIVISION BEING TRACT 22-A, BLOCK 17, SOCORRO GRANT (HISTORICAL DISTRICT), CITY OF SOCORRO, TEXAS AND LOCATED AT 10221 SOCORRO ROAD AND APPROVING A FRONT SETBACK VARIANCE.

CARLOS GALLINAR

A motion was made by Alejandro Garcia seconded by Yvonne Colon-Villalobos to approve item eighteen (18). Motion passed

Ayes: Ruben Reyes, Cesar Nevarez, Alejandro Garcia, Rudy Cruz, Jr., and Yvonne

Colon-Villalobos

Nays: Absent:

CITY MANAGER

19. DISCUSSION AND ACTION TO AWARD RFQ 22-15 FOR CLEANING AND DISINFECTION SERVICES TO LOCAL PEST MANAGERS AND ALSO AUTHORIZE CITY MANAGER OR HER DESIGNEE TO NEGOTIATE AGREEMENT.

ADRIANA RODARTE

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to approve item number nineteen (19). Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Alejandro Garcia, Rudy Cruz, Jr., and Yvonne Colon-Villalobos

Nays: Absent:

20. DISCUSSION AND ACTION TO APPROVE THE PURCHASE OF 1 CATERPILLAR MODEL 938M WHEEL LOADER FROM WAGNER CAT IN THE AMOUNT OF \$254,305.92.

ADRIANA RODARTE

A motion was made by Cesar Nevarez seconded by Alejandro Garcia to approve item number twenty (20). Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Alejandro Garcia, Rudy Cruz, Jr., and Yvonne Colon-Villalobos

Nays: Absent:

21. DISCUSSION AND ACTION TO APPROVE THE PURCHASE OF 1 MODEL 420 BACKHOE LOADER FROM WAGNER CAT IN THE AMOUNT OF \$153,214.88.

ADRIANA RODARTE

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to approve item twenty-one (21). Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Alejandro Garcia, Rudy Cruz, Jr., and Yvonne Colon-Villalobos

Nays: Absent:

22. DISCUSSION AND ACTION TO APPROVE THE PURCHASE OF EQUIPMENT FOR COUGAR PARK IN THE AMOUNT OF \$30,459.05. ADRIANA RODARTE

A motion was made by Cesar Nevarez seconded by Alejandro Garcia to approve item number twenty-two (22). Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Alejandro Garcia, Rudy Cruz, Jr., and Yvonne Colon-Villalobos

Nays: Absent:

- 26. 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
- 27. 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

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

ADRIANA RODARTE

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to delete items twenty-six (26), twenty-seven (27) and twenty-eight (28). Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Alejandro Garcia, Rudy Cruz, Jr., and Yvonne Colon-Villalobos

Nays: Absent:

29. ADJOURN

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to *adjourn at* 7:29 pm. Motion passed.

Ayes: Ruben Reyes, Cesar Nevarez, Alejandro Garcia, Rudy Cruz, Jr., and Yvonne Colon-Villalobos

Nays: Absent:

Ivy Ayalos, Mayor

Olivia Navarro, City Clerk

Date minutes were approved

EXHIBIT A ITEM 17

City of Socorro City Council Meeting

Jan 19, 2023

Honorable Mayor and City Council

Thank you for providing me with the opportunity to address a variance request that was previously denied by the Planning Review Committee. I want to emphasize that I have been extremely patient and transparent with the City of Socorro planning department and my intent is to pay for all permits and do what is right. I must say I am a bit disappointed at the response time to taken (approximately over 2 months) to get to this point to review my proposed project.

On Tuesday Jan 17th 5:30 p.m. I met with PRC to discuss my proposed project to request a permit to install an accessory structure (24 feet length X 55 feet width equaling 1320 total square footage) at 461 Santa Gertrudes. I have some concerns regarding the City of Socoro PRC procedures.

Concerns

- The documentation provided to PRC was insufficient to be able to make a fair and accurate decisions (at no fault of the PRC committee)
- The committee nor the applicant were provided copies of the Ordinance Sec-46-239 Accessory Structures until I requested it after PRC meeting
- The square footage provided to the planning committee by Mr. Gallinar was based on his
 assumption that the square footage of the principal structure should be calculated by the living
 space of the principal property to compare to the proposed Accessory Structure to be installed
- Chapter 46 Ordinance 239 sub section (b) stipulates that (an accessory structure shall not
 exceed 50 percent of the square footage of the principal structure) there is no mention that the
 living space should be used to calculate square footage of the principal structure. Please note
 that even the City Attorney mentioned there was no mention of living space in the ordinance at
 the PRC meeting. Attachment A, a copy of the ordinance provided
- To adhere to the ordinance as written, the square footage of the principal structure property should have been based on actual size of the principal structure (48 feet length X 70 feet width equals a total of 3360 total sq footage). Attachment B, a copy of an aerial view of principle structure provided.

In conclusion, if the square footage of the principal structure is 3360 sq feet and 50 percent of 1680 sq feet then the proposed accessory structure which is 1320 sq feet is 360 sq feet less than 50 percent of the principal structure 3360 sq feet. Finally, if square footage is based on the total square footage of the principal structure this request for approval of a variance should not have been reviewed and a permit should have been issued after payment.

Thank you for your consideration of these findings.

Rodolfo Reyes

461 Santa Gertrudes

ATTACHMENT A

Sec. 46-329. Accessory structures.

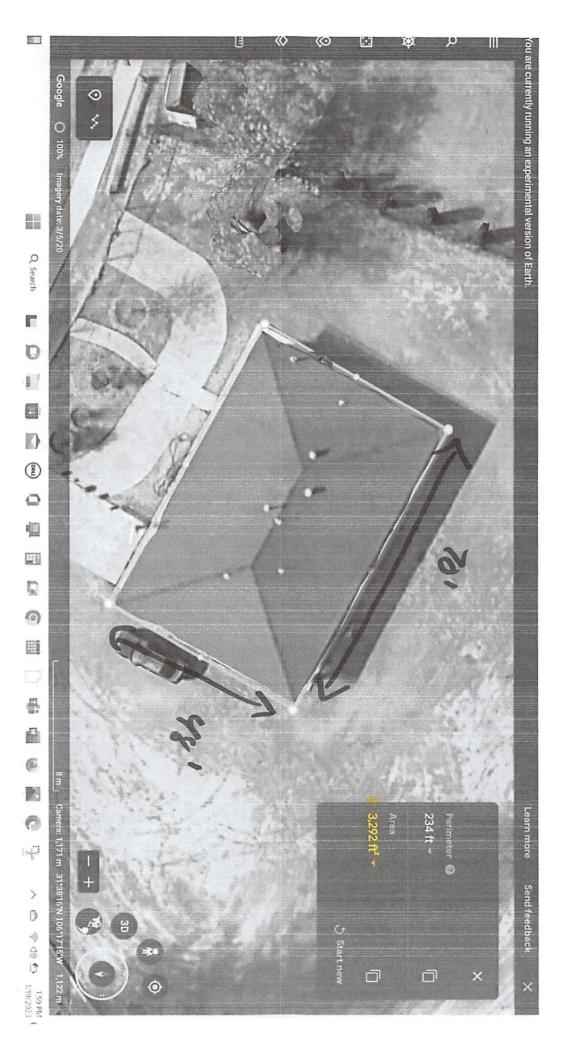
- (a) No accessory structure, excluding fences or walls, shall be closer to any property line than the required yard setback; however, an accessory structure may be as close as five feet to any property line.
- (b) An accessory structure shall not exceed 50 percent of the square footage of the principal building.

(Ord. No. 76, § 8, 5-1-1989; Ord. of 12-21-1992, § II; Ord. of 7-6-1993, §§ I, II; Ord. of 10-8-1996, § II; Ord. of 11-7-2002, § 8; Ord. of 5-2-2007; Ord. of 11-17-2008; Ord. of 1-13-2011, § II; Ord. of 6-30-2011, § 3; Ord. No. 499, § 2, 12-3-2020)

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PRIOCETICE BUILDING

ATTACHMENT C



ACCESSO RY STRUCTURE



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Dealer Signature:

American Steel Carports, Inc. 457 North Broadway Street Joshua, TX 76058 — Corporate Headquarters

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Ends	Close 2 Ends Close 1 End	Vertic	al		\$ 2,680.00	Equipment	: \$			
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Final price	are C.O.D. payment of balance in full due at time of in and increase the installation time. Any additional tas es, I agree my land is leveled or will be leveled at the	ks or requests will e time of installat	I require a ser ion. ASC is no	arate quotation and t responsible for co	d approval by Amer anditions of the insta	ican Carports, Inc. allation location or any damad	ge resulting from the in	nstallation (such		
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Please in	however, the warranty will be voided. The minimum form the installers of any underground cables, ga	is lines or any	other utility b	nes. ASC will no	t be responsible f	or any damages to unmark	ed and/or un-locate	d utilities. Buyer		
shall locate and mark any underground utilities and obtain every permit or other authorization required for lawful erection of the unit on that certain site (the "Site") designated by the Buyer upon the property specified on the face hereof. If Buyer fails to obtain any such required permit or authorization; such failure voids any and all warranties otherwise applicable to the Unit.										
4. Some state and local ordinances may require a foundation prior to installation. It is highly recommended that all ground, gravel or blacktop installation be securely fastened with the correct amount of mobile home anchors. The customer is responsible for patching and repairing blacktop after anchors are installed. Re-bar anchors are designed for temporary use only. ASC will not										
be responsible for any damage to and/or by the structure if the customer chooses to use only the re-bar anchors provided with the carport and failure to utilize the proper anchoring method will void your warranty. In some cases, it is not possible to install all of the mobile home anchors due to rocky or other ground conditions. In such cases, American Steel Carports, Inc. will reimburse										
the customer for the mobile home anchors that are not used but the customer will still be responsible for the full price of the building. ASC is not responsible for stopping or repairing leaks under base-rail (area around the 4 walls when unit is fully enclosed or 2 walls when unit is partially enclosed.										
5. If any additions are made after the building is completed, there will be a \$175 return fee plus the cost of the addition. See back for additional conditions. - If you are a tax-exempt purchaser, a copy of your tax exemption certificate MUST be attached to this original form. If the tax-exempt form is not provided, taxes will be charged.										
I give ASC permission to enter my property for the repossession of above unit if payment is not made within 2 weeks. American Steel Carports, Inc. has my permission to										
 ALL CUSTOM ORDERS REQUIRE A NON-REFUNDABLE 25% INSTALLMENT PAID UPFRONT TO ASC PRIOR TO THE COMMENCEMENT OF ANY WORK, DESIGN, OR FABRICATION. This is a legal contract. By signing this, customer acknowledges and agrees with all of the above terms and the terms contained on the reverse side of this document as well as the terms and conditions listed on ASC website. This contract is NOT final until review/approval by American Steel Carports, Inc. Customer Service Will Contact You One To Two Days Before Delivery & Setup. 										
Any revisions or modifications MAY result in an additional charge. FOR OFFICE USE ONLY										