

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 5, 2023 @ 6:00 P.M.

MEMBERS PRESENT:

Mayor Ivy Avalos
Ruben Reyes
Cesar Nevarez
Alejandro Garcia
Rudy Cruz, Jr.

MEMBERS ABSENT

Yvonne Colon-Villalobos

STAFF PRESENT:

Adriana Rodarte, City Manager
Olivia Navarro, City Clerk
Carlos Gallinar, P and Z Director
James Martinez, City Attorney (*joined virtually*)

Estevan Gonzales, IT Director
Diana Rodriguez, Multimedia Specialist
Chief David Burton
Charles Casiano, Finance Director
Carol Candelaria, HR Director

1. CALL TO ORDER

The meeting was called to order at: 6:00 pm.

2. Pledge of Allegiance and a Moment of Silence

Pledge of Allegiance was recited.

3. Establishment of Quorum

Quorum was established with five council members present.

PUBLIC COMMENT

4. PUBLIC COMENT

Margie Perez, Miguel Angel Apodaca and Nora Rodriguez spoke during Public Comment.

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to *move up items fourteen (14), fifteen (15), sixteen (16), seventeen (17), twenty-six (26) and twenty-seven (27).* Motion passed.

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

Nays:

Absent: Yvonne Colon-Villalobos

14. PUBLIC HEARING OF AN ORDINANCE TO AMEND CHAPTER 46 ZONING, ARTICLE IV. DISTRICT REGULATIONS, DIVISION 3 R-1 SINGLE FAMILY RESIDENTIAL DISTRICT, SECTION 46-237. CONDITIONAL USES (REQUIRES PERMIT). BY ADDING SUBSECTION 5. COMMERCIAL VEHICLES. CARLOS GALLINAR

Public Hearing opened at 6:11 pm

Miriam Cruz, Daniel Gomez, Leticia Valdez spoke during Public Hearing

A motion was made by Rudy Cruz, Jr., seconded by Alejandro Garcia to *allow Mr. Daniel Gomez to read statement from Marisol Moreno.*

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

Nays:

Absent: Yvonne Colon-Villalobos

Daniel Gomez read for Marisol Moreno who was signed up but was not present.

Public Hearing closed at 6:23 pm

15. SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND CHAPTER 46 ZONING, ARTICLE IV. DISTRICT REGULATIONS, DIVISION 3 R-1 SINGLE FAMILY RESIDENTIAL DISTRICT, SECTION 46-237. CONDITIONAL USES (REQUIRES PERMIT). BY ADDING SUBSECTION 5. COMMERCIAL VEHICLES. CARLOS GALLINAR

A motion was made by Rudy Cruz, Jr., seconded by Cesar Nevarez to *approve item fifteen (15).* Motion passed.

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

Nays:

Absent: Yvonne Colon-Villalobos

- 16. PUBLIC HEARING OF AN ORDINANCE TO ALLOW THE REZONING OF BLOCK 1, LOT 1, HORN SUBDIVISION, BLOCK 1, LOT 2, HORN SUBDIVISION, BLOCK 1, LOT 3, HORN SUBDIVISION, AND BLOCK 1, LOT 4, HORN SUBDIVISION LOCATED AT 10678, 10680, 10682 10684 HORN CIRCLE, SOCORRO, TEXAS, FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL) TO ALLOW MULTI-FAMILY RESIDENTIAL, AND TO APPROVE THE DETAIL SITE PLAN.**
CARLOS GALLINAR

Public Hearing opened at 6:34 pm
Claudia Garcia and Joe Bob Martinez spoke during Public Hearing
Public Hearing closed at 6:41 pm

- 17. SECOND READING AND ADOPTION OF AN ORDINANCE TO ALLOW THE REZONING OF BLOCK 1, LOT 1, HORN SUBDIVISION, BLOCK 1, LOT 2, HORN SUBDIVISION, BLOCK 1, LOT 3, HORN SUBDIVISION, AND BLOCK 1, LOT 4, HORN SUBDIVISION LOCATED AT 10678, 10680, 10682 10684 HORN CIRCLE, SOCORRO, TEXAS, FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL) TO ALLOW MULTI-FAMILY RESIDENTIAL, AND TO APPROVE THE DETAIL SITE PLAN.**
CARLOS GALLINAR

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to *deny item number seventeen (17)*. Motion passed.

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

- 26. DISCUSSION AND ACTION TO APPROVE THE APPOINTMENT OF CASSANDRA MURO TO THE CIVIL SERVICE COMMISSION PLACE 5.**
RUBEN REYES

A motion was made by Alejandro Garcia seconded by Ruben Reyes to *approve item number twenty-six (26)*. Motion passed.

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

- 27. SWEARING IN OF NEWLY APPOINTED COMMISSIONER.**

Cassandra Muro virtually joined the meeting and was sworn in by Mayor Avalos.

PRESENTATION

5. ***PRESENTATION BY CITY MANAGER, REGARDING NOVEMBER 2022 MONTHLY REPORT.*** ***ADRIANA RODARTE***

Presentation made by Adriana Rodarte.

CONSENT AGENDA

6. ***EXCUSE ABSENT COUNCIL MEMBERS.*** ***OLIVIA NAVARRO***
7. ***APPROVAL OF REGULAR COUNCIL MINUTES OF DECEMBER 1, 2022.*** ***OLIVIA NAVARRO***
8. ***DISCUSSION AND ACTION ON APPROVING OCTOBER 2022 UNAUDITED FINANCIAL REPORT.*** ***CHARLES CASIANO***
9. ***DISCUSSION AND ACTION ON APPROVING OCTOBER 2022 CASH RECEIPTS REPORT.*** ***CHARLES CASIANO***
10. ***DISCUSSION AND ACTION ON APPROVING OCTOBER 2022 ACCOUNTS PAYABLE REPORT.*** ***CHARLES CASIANO***
11. ***INTRODUCTION, FIRST READING, AND CALLING FOR A 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***

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, and Rudy Cruz, Jr.

Nays:

Absent: Yvonne Colon-Villalobos

REGULAR AGENDA

ORDINANCES/PUBLIC HEARINGS

12. ***PUBLIC HEARING OF AN ORDINANCE TO ALLOW THE REZONING OF TRACT 4-C-16, BLOCK 3, SOCORRO GRANT LOCATED AT 793 HORIZON BLVD, SOCORRO, TEXAS FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL) TO ALLOW FOR A BAKERY AND RETAIL CENTER.*** ***CARLOS GALLINAR***

Public Hearing opened at 7:07 pm

No speakers for Public Hearing

Public Hearing closed at 7:07 pm

13. SECOND READING AND ADOPTION OF AN ORDINANCE TO ALLOW THE REZONING OF TRACT 4-C-16, BLOCK 3, SOCORRO GRANT LOCATED AT 793 HORIZON BLVD, SOCORRO, TEXAS FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL) TO ALLOW FOR A BAKERY AND RETAIL CENTER. CARLOS GALLINAR

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to *approve and require additional landscaping along all streets*. Motion passed.

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

Nays:

Absent: Yvonne Colon-Villalobos

HUMAN RESOURCE DEPARTMENT

18. DISCUSSION AND ACTION ON APPROVING THE AMENDED JOB DESCRIPTION FROM CITY AUDITOR TO FINANCIAL COMPLIANCE ANALYST. CAROL CANDELARIA

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to *approve item number eighteen (18)*. Motion passed.

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

Nays:

Absent: Yvonne Colon-Villalobos

PLANNING AND ZONING DEPARTMENT

19. DISCUSSION AND ACTION TO APPROVE RESOLUTION 726 APPROVING THE PRELIMINARY PLAT FOR A PORTION OF TRACT 13-A, BLOCK 5, SOCORRO GRANT, SOCORRO, TEXAS LOCATED ON NORTH LOOP RD. CARLOS GALLINAR

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, and Rudy Cruz, Jr.

Nays:

Absent: Yvonne Colon-Villalobos

CITY MANAGER

**20. DISCUSSION AND ACTION ON APPROVING ENGAGING WITH SBNG
CERTIFIED PUBLIC ACCOUNTANTS FOR AUDITING FISCAL YEAR
2021 – 2022. *ADRIANA RODARTE***

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

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

Nays:

Absent: Yvonne Colon-Villalobos

**21. DISCUSSION AND ACTION TO APPROVE THE PURCHASE OF LONE
STAR DRILL RIGS LS300 H+ HYDRAULIC BASIC RIG PACKAGE FROM
LITTLE BEAVER INC. IN THE AMOUNT OF \$27,999.00. *ADRIANA RODARTE***

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

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

Nays:

Absent: Yvonne Colon-Villalobos

**22. DISCUSSION AND ACTION TO APPROVE OPENING A NEW WELLS
FARGO ACCOUNT FOR THE POLICE PROPERTY AND EVIDENCE
DEPARTMENT TO DEPOSIT MONEYS COLLECTED AS PROPERTY AND
EVIDENCE. *ADRIANA RODARTE***

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

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

Nays:

Absent: Yvonne Colon-Villalobos

**23. DISCUSSION AND ACTION TO APPROVE DISTRICT 3
REPRESENTATIVES RUDY CRUZ JR. TO TRAVEL FOR THE EL PASO
DAYS IN AUSTIN 2023 FEBRUARY 14, 2023, THROUGH FEBRUARY 16,
2023. *ADRIANA RODARTE***

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

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

Nays:

Absent: Yvonne Colon-Villalobos

24. DISCUSSION AND ACTION TO APPROVE THE LEASE WITH NEW IN BLUE, INC., OF 25 PDA HANDHELD MOBILE DEVICE, 25 BROTHER PRINTER WITH WALL AND AUTO CHARGER, APPLICATION SOFTWARE WITH PRINTER PAPER IN THE AMOUNT OF \$46,857.00.

ADRIANA RODARTE

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to *approve item number twenty-four (24)*. Motion passed.

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

Nays:

Absent: Yvonne Colon-Villalobos

Ruben Reyes stepped out of the meeting at 7:23 pm

25. DISCUSSION AND ACTION TO APPROVE CEA GROUP WORK AUTHORIZATION NO. 2 AND AUTHORIZE CITY MANAGER OR HER DESIGNEE TO EXECUTE WORK AUTHORIZATIONS.

ADRIANA RODARTE

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

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

Nays:

Absent: Ruben Reyes and Yvonne Colon-Villalobos

Ruben Reyes returned to the meeting at 7:26 pm

MAYOR AND COUNCIL

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

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to *postpone for the next Regular Council Meeting of January 19, 2022*. Motion passed.

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

Nays:

Absent: Yvonne Colon-Villalobos

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. ADRIANA RODARTE

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. ADRIANA RODARTE

31. 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-nine (29), thirty (30) and thirty-one (31)*. Motion passed.

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

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to *move into Executive Session at this time*. Motion passed.

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

THE CITY COUNCIL CONVENED INTO EXECUTIVE SESSION AT 7:27 PM

EXECUTIVE SESSION

THE CITY COUNCIL RECONVENED IN OPEN SESSION AT 7:39 PM

32. DISCUSSION AND ACTION TO AUTHORIZE CITY MANAGER TO ENGAGE A THIRD PARTY TO CONDUCT AN INVESTIGATION INTO CONDUCT OF ELECTED OFFICIALS AS REQUESTED BY CITY COUNCIL [551.071]. ADRIANA RODARTE

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to *approve the proposed investigation*. Motion passed.

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

Nays:

Absent: Yvonne Colon-Villalobos

33. DISCUSSION AND ACTION REGARDING APPEAL OF TEXAS GAS SERVICE COMPANY, A DIVISION OF ONE GAS, INC., FROM THE RATE DECISIONS OF THE CITIES OF EL PASO, ANTHONY, CLINT, SAN ELIZARIO, SOCORRO, ET. AL, CASE NO. 00011506 BEFORE THE RAILROAD COMMISSION OF TEXAS [551.071]. JAMES A. MARTINEZ

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to *approve the city attorney's recommendation*. Motion passed.

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

Nays:

Absent: Yvonne Colon-Villalobos

34. ADJOURN

A motion was made by Alejandro Garcia seconded by Cesar Nevarez to *adjourn at 7:41 pm*. Motion passed.

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

Nays:

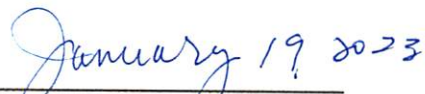
Absent: Yvonne Colon-Villalobos



Ivy Avalos, Mayor



Olivia Navarro, City Clerk



Date minutes were approved