

Vacant
Mayor

Guillermo Madrid, Jr.
At Large

Maria Reyes
District 1



Gloria M. Rodríguez
District 2 / Mayor Pro-Tem

Mary B. García
District 3

Jesús Gandara Jr.
District 4

Willie Norfleet, Jr.
City Manager

**CITY OF SOCORRO
REGULAR COUNCIL MEETING MINUTES
FEBRUARY 7, 2013**

MEMBERS PRESENT:

Guillermo Madrid, Jr.
Gloria M. Rodríguez
Mary Garcia
Jesús Gandara Jr.
Maria Reyes

STAFF PRESENT:

Willie Norfleet, Jr., City Manager
Jerry Wallace, City Attorney
Sandra Hernandez, City Clerk
Sam Leony, Planning & Zoning Director

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

Pledge of allegiance was led by Ms. Pearl Thompson.

3. ESTABLISHMENT OF QUORUM

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

4. PUBLIC COMMENT

A motion was made by Jesus Gandara, Jr., seconded by Mary B. Garcia *to move item 4, Public Comment, to the end of the agenda.* Motion carried with Guillermo Madrid, Jr., Mary B. Garcia and Jesus Gandara Jr. voting aye and Maria Reyes voting nay. Motion passed 3-1.

PRESENTATION

5. **PRESENTATION BY MS. GARCIA FROM THE UNITED STATES POSTAL SERVICE.** **GUILLERMO MADRID, JR.**

Ms. Garcia was not able to attend the meeting.

6. **PRESENTATION BY HUMAN RESOURCES DEPARTMENT.** **WILLIE NORFLEET, JR.**

Joe Rocha and Misty Montoya gave a brief synopsis of the goals and mission of the department.

CONSENT AGENDA

7. **APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF JANUARY 17, 2013 AND SPECIAL CITY COUNCIL MEETING MINUTES OF JANUARY 15, 2013.** **WILLIE NORFLEET, JR.**
8. **APPROVAL OF AUTHORIZING THE CITY COUNCIL AND CITY MANAGER AND/OR CITY MANAGER DESIGNEES TO ATTEND THE 2013 TEXAS LEGISLATIVE SESSION TO PROVIDE TESTIMONY, ATTEND COMMITTEE HEARINGS ON LEGISLATION, AND PROMOTE THE CITY OF SOCORRO IN AUSTIN, TX TO INCLUDE ALL RELATABLE EXPENDITURES.** **JESUS GANDARA, JR.**
9. **APPROVAL OF AUTHORIZING THE CITY COUNCIL, CITY MANAGER, AND FIRE CHIEF TO ATTEND THE SOUTHWEST FIRE RESCUE CONFERENCE SPONSORED BY THE TEXAS FIRE CHIEFS ASSOCIATION AND THE TEXAS ASSOCIATION OF FIRE EDUCATORS ON FEBRUARY 9-14, 2013 IN CORPUS CHRISTI, TEXAS.** **JESUS GANDARA, JR.**
10. **APPROVAL OF AUTHORIZING THE CITY MANAGER AND THE HUMAN RESOURCES DEPARTMENT EMPLOYEES TO ATTEND THE TEXAS LEGISLATIVE HR ROUND UP SEMINAR IN AUSTIN, TX ON APRIL 4, 2013.** **WILLIE NORFLEET, JR.**
11. **APPROVAL OF APPOINTING ROBERT RANGEL TO PLANNING AND ZONING COMMISSION.** **GLORIA M. RODRIGUEZ.**
12. **APPROVAL OF NAMING THE PROPERTY LEGALLY DESCRIBED AT BLOCK 9, TRACT 16, SOCORRO, GRANT, EL PASO COUNTY AS THE CESAR ESTRADA CHAVEZ ADMINISTRATION BUILDING.** **GUILLERMO MADRID, JR.**
13. **APPROVAL TO DIRECT THE CITY MANAGER TO ISSUE A REQUEST FOR QUALIFICATION (RFQ) FOR THE DESIGN OF THE CESAR ESTRADA CHAVEZ ADMINISTRATION BUILDING.** **GUILLERMO MADRID, JR.**

- 14. APPROVAL OF APPOINTING AT LARGE REPRESENTATIVE AS LIAISON FOR THE CESAR ESTRADA CHAVEZ ADMINISTRATION BUILDING PROJECT.**
GUILLERMO MADRID, JR.
- 15. APPROVAL OF PLANNING AND ZONING COMMISSION'S RECOMMENDATION ON PROPOSED REZONING OF LOT 24, BLOCK 2, ALJO ESTATES SUBDIVISION FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL).**
WILLIE NORFLEET, JR.
- 16. APPROVAL OF PLANNING AND ZONING COMMISSION'S RECOMMENDATION ON PROPOSED REZONING OF TRACT 17-B, BLOCK 16, SOCORRO GRANT, FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-1 (LIGHT COMMERCIAL).**
WILLIE NORFLEET, JR.
- 17. APPROVAL OF PLANNING AND ZONING COMMISSION'S RECOMMENDATION ON PROPOSED REZONING OF LOT 3, BLOCK 1, ALGODON SUBDIVISION FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL).**
WILLIE NORFLEET, JR.
- 18. EXCUSE ABSENT COUNCIL MEMBERS.** **WILLIE NORFLEET, JR.**

A motion was made by Jesus Gandara, Jr., seconded by Mary B. Garcia to *approve consent agenda with the exception of items 7 and 15*. Motion carried with Guillermo Madrid, Jr., Mary B. Garcia and Jesus Gandara Jr. voting aye and Maria Reyes voting nay. Motion passed 3-1.

A motion was made by Jesus Gandara, Jr., seconded by Mary B. Garcia to *approve item 7 and to include that on the minutes of January 15, 2013 and January 17, 2013 we include the names of the people who spoke and designate which ones were from San Elizario area*. Motion carried with Guillermo Madrid, Jr., Mary B. Garcia and Jesus Gandara Jr. voting aye and Maria Reyes voting nay. Motion passed 3-1.

A motion was made by Jesus Gandara, Jr., seconded by Mary B. Garcia to *approve item 15 for the R-2 with condition to limit to two dwelling units and will not be able to construct additional structures*. Motion carried unanimously. Motion passed 4-0.

REGULAR AGENDA

- 19. SWEARING IN OF NEWLY ELECTED OFFICIALS.** **WILLIE NORFLEET, JR.**
Mr. Robert Rangel was not able to attend the meeting.
- 20. INTRODUCTION, FIRST READING AND CALLING FOR A PUBLIC HEARING ON ORDINANCE 306, AMENDMENT NO. 1, AN ORDINANCE OF THE CITY OF SOCORRO, TEXAS ADOPTING AN AMENDED GENERAL FUND BUDGET.**
WILLIE NORFLEET, JR.

A motion was made by Jesus Gandara, Jr., seconded by Mary B. Garcia to *approve with the inclusion of a \$5,000 pay increase for the PIO position*. Motion carried with Guillermo Madrid, Jr., Mary B. Garcia and Jesus Gandara Jr. voting aye and Maria Reyes voting nay. Motion passed 3-1.

- 21. SECOND READING AND ADOPTION ON AN ORDINANCE GRANTING TO TEXAS GAS SERVICE COMPANY THE RIGHT, PRIVILEGE AND FRANCHISE TO USE STREETS, ALLEYS, THOROUGHFARES AND OTHER PUBLIC WAYS TO OPERATE AND MAINTAIN A NATURAL GAS DISTRIBUTION SYSTEM IN THE CITY OF SOCORRO, EL PASO COUNTY, TEXAS; PROVIDING REGULATIONS FOR THE CONDUCT OF THE SYSTEM BY THE GRANTEE, AND REPEALING THE PRESENT FRANCHISE ORDINANCE.**

WILLIE NORFLEET, JR.

A motion was made by Mary B. Garcia, seconded by Maria Reyes *to approve item 21.* Motion carried unanimously. Motion passed 4-0.

- 22. DISCUSSION AND ACTION TO DELEGATE THE CITY MANAGER, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE 252.01, THE AUTHORITY TO SELECT THE METHOD OF PROCUREMENT FOR GOODS, SERVICES, CONSTRUCTION AND PUBLIC WORKS WHICH IS APPROPRIATE FOR CITY OF SOCORRO PROJECTS.**

WILLIE NORFLEET, JR.

A motion was made by Mary B. Garcia, seconded by Guillermo Madrid, Jr. *to approve item 22.* Motion carried unanimously. Motion passed 4-0.

- 23. DISCUSSION AND ACTION ON THE APPROVAL OF JOB DESCRIPTION FOR BATTALION CHIEF.**

WILLIE NORFLEET, JR.

A motion was made by Jesus Gandara, Jr. seconded by Mary B. Garcia *to approve item 23.* Motion carried unanimously. Motion passed 4-0.

- 24. DISCUSSION AND ACTION ON BATTALION CHIEF WAGE AND BENEFITS.**

WILLIE NORFLEET, JR.

A motion was made by Jesus Gandara, Jr. seconded by Mary B. Garcia *to approve item 24 at the recommended annual wage.* Motion carried with Guillermo Madrid, Jr., Mary B. Garcia and Jesus Gandara, Jr. voting aye and Maria Reyes abstained. Motion passed 3-0.

- 25. INTRODUCTION, FIRST READING AND CALLING FOR A PUBLIC HEARING ON AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF SOCORRO, EL PASO COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN.**

WILLIE NORFLEET, JR.

A motion was made by Jesus Gandara, Jr., seconded by Mary B. Garcia *to move item 25 after executive session before public comment.* Motion carried with Guillermo Madrid, Jr., Mary B. Garcia and Jesus Gandara Jr. voting aye and Maria Reyes voting nay. Motion passed 3-1.

A motion was made by Jesus Gandara, Jr., seconded by Mary B. Garcia to *move into Executive Session at 6:56 p.m.* Motion carried unanimously. Motion passed 4-0.

THE CITY COUNCIL CONVENED INTO EXECUTIVE SESSION AT 6:56 P.M.

EXECUTIVE SESSION

THE CITY COUNCIL RECONVENED BACK IN SESSION AT 9:00 P.M.

Open Session:

- 28. 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.***

A motion was made by Guillermo Madrid, Jr., seconded by Mary B. Garcia to *authorize to purchase real property as discussed in executive session.* Motion carried with Guillermo Madrid, Jr., Mary B. Garcia and Jesus Gandara Jr. voting aye and Maria Reyes voting nay. Motion passed 3-1.

A motion was made by Mary B. Garcia, seconded by Jesus Gandara, Jr. to *approve the request from Mr. Pete Gallegos for office space in the City of Socorro facilities for a satellite office and to authorize city manager to designate the space.* Motion carried unanimously. Motion passed 4-0.

- 29. 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.***

- 30. DISCUSSION AND ACTION REGARDING PENDING LITIGATION AND RECEIVE STATUS REPORT REGARDING PENDING LITIGATION.**

WILLIE NORFLEET, JR.

- 31. AUTHORIZE CITY ATTORNEY TO TAKE ACTION ON BEHALF OF CITY COUNCIL RELATED TO PENDING LITIGATION.**

WILLIE NORFLEET, JR.

A motion was made by Jesus Gandara, Jr., seconded by Mary B. Garcia to *delete items 29, 30 and 31.* Motion carried unanimously. Motion passed 4-0.

ADDENDUM TO OPEN SESSION:

- 32. DISCUSSION AND ACTION TO AUTHORIZE THE CITY MANAGER IN HIS DISCRETION TO ADD ITEMS TO THE AGENDA AT ANY TIME PRIOR TO THE POSTING OF THE NOTICE OF THE MEETING IF IT IS DETERMINED BY THE CITY MANAGER THAT THE MATTER IS TIME SENSITIVE AND SHOULD BE ACTED UPON BY THE CITY COUNCIL WITHOUT DELAY.**

WILLIE NORFLEET, JR.

A motion was made by Mary B. Garcia, seconded by Guillermo Madrid Jr. to *approve item 32.* Motion carried with Guillermo Madrid, Jr., Mary B. Garcia and Jesus Gandara Jr. voting aye and Maria Reyes voting nay. Motion passed 3-1.

- 33. DISCUSSION AND ACTION TO CONDUCT AN OFFICIAL INVESTIGATION TO INQUIRE INTO ISSUES ASSOCIATED WITH SOCORRO'S ANNEXATION OF PROPERTY COMMONLY KNOWN AS THE LICON DAIRY; AND TO APPOINT AN OFFICIAL HEARING OFFICER/INVESTIGATOR ACTING AS AGENT OF THE CITY OF SOCORRO TO CONDUCT AN INVESTIGATION, INCLUDING EXAMINATION OF WITNESSES UNDER OATH AND COMPELLING PRODUCTION OF DOCUMENTS BY ISSUANCE OF SUBPOENA AS AUTHORIZED BY SECTION 3.11 OF THE SOCORRO CITY CHARTER REGARDING THE INTEREST OF PUBLIC OFFICIALS IN TRANSACTIONS INVOLVING THE LICON DAIRY PROPERTY AND WITH RESPECT TO THE FOLLOWING ISSUES:**

- A. POTENTIAL VIOLATIONS BY DEVELOPERS TO CONSPIRE WITH PUBLIC OFFICIALS TO SAVE HUNDREDS OF THOUSANDS OF DOLLARS BY THWARTING ANNEXATION PLANS BY THE CITY OF SOCORRO AND THEREBY AVOIDING SOCORRO DEVELOPMENT REGULATIONS REQUIRING PARKS AND MODERN BUILDING CODES.**
- B. POTENTIAL VIOLATIONS BY PUBLIC OFFICIALS WORKING WITH LICON DAIRY, DEVELOPERS, AND OTHER INTERESTED PARTIES FOR A REAL DOLLAR AMOUNT BENEFIT TO DEVELOPERS AND LAND OWNERS BY AVOIDING ANNEXATION BY SOCORRO.**
- C. POTENTIAL VIOLATIONS FOR TAMPERING WITH AND DISTRIBUTING AN EDITED RECORDING FOR PURPOSE OF FRAUD TO INCLUDE SLANDER, LIBEL, AND DEFAMATION AGAINST THE CITY OF SOCORRO AND ITS REPRESENTATIVES.**
- D. POTENTIAL REQUEST FOR FEDERAL LAW ENFORCEMENT ASSISTANCE BASED ON THE RESULTS OF THE INVESTIGATION.**

WILLIE NORFLEET, JR.

A motion was made by Jesus Gandara Jr. seconded by Mary B. Garcia to *authorize the investigation and authorize city manager to employ investigation with federal law enforcement experience to assist with this investigation and with the addition to expand the scope of investigation and to include all Licon Dairy properties and other lands within the*

parcel 2 area. Motion carried with Guillermo Madrid, Jr., Mary B. Garcia and Jesus Gandara Jr. voting aye and Maria Reyes voting nay. Motion passed 3-1.

25. INTRODUCTION, FIRST READING AND CALLING FOR A PUBLIC HEARING ON AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF SOCORRO, EL PASO COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN.

WILLIE NORFLEET, JR.

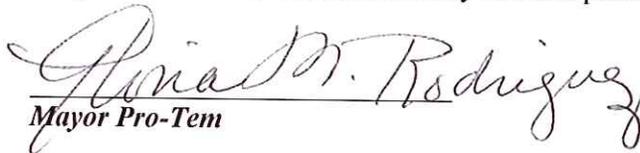
A motion was made by Jesus Gandara, Jr., seconded by Mary B. Garcia to *approve item 25.* Motion carried with Guillermo Madrid, Jr., Mary B. Garcia and Jesus Gandara Jr. voting aye and Maria Reyes voting nay. Motion passed 3-1.

4. PUBLIC COMMENT

Pearl Thompson, Paul Johnson, and Suky Ramos addressed city council.

34. ADJOURN

A motion was made by Mary B. Garcia seconded by Guillermo Madrid Jr. *to adjourn at 9:25 p.m.* Motion carried unanimously. Motion passed 4-0.



Mayor Pro-Tem



Sandra Hernandez, City Clerk

2.25.13

Date when minutes were approved