

Jesus Ruiz
Mayor
Rene Rodriguez
At Large
Sergio Cox
District 1



Gloria M. Rodriguez
District 2 / Mayor-Pro Tem
Victor Perez
District 3
Anthony Gandara
District 4
Willie Norfleet, Jr.
City Manager

**NOTICE OF REGULAR COUNCIL MEETING
OF THE CITY COUNCIL
OF THE
CITY OF SOCORRO**

.....
THE FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATION FOR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY CLERK'S OFFICE AT (915) 858-2915 FOR FURTHER INFORMATION.
.....

.....
NOTICE IS HEREBY GIVEN THAT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SOCORRO, TEXAS WILL BE HELD ON THURSDAY THE 5th DAY OF MARCH, 2015 AT 6:00 P.M. AT THE CITY HALL CHAMBERS, 860 N. RIO VISTA RD., SOCORRO, TEXAS AT WHICH TIME THE FOLLOWING WILL BE DISCUSSED:
.....

1. Call to order
2. Pledge of Allegiance and a Moment of Silence
3. Establishment of Quorum
4. Public Comment (The maximum time for public comment will be 30 minutes and three minutes will be allotted for each speaker. Government Code 551.042 allows for responses by city council to be a statement of specific factual information given in response to the inquiry; or a recitation of existing policy in response to the inquiry; or a decision to add the public comment to a future agenda.)

NOTICE TO THE PUBLIC

ALL MATTERS LISTED UNDER THE CONSENT AGENDA, INCLUDING THOSE ON THE ADDENDUM TO THE AGENDA, WILL BE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION ON THESE ITEMS UNLESS CITY COUNCIL MEMBERS REMOVE SPECIFIC ITEMS FROM THE CONSENT AGENDA TO THE REGULAR AGENDA FOR DISCUSSION PRIOR TO THE TIME THE CITY COUNCIL MEMBERS VOTE ON THE MOTION TO ADOPT THE CONSENT AGENDA.

ITEMS REMOVED FROM THE CONSENT AGENDA TO THE REGULAR AGENDA WILL BE CONSIDERED BY THE CITY COUNCIL AFTER ACTING ON THE CONSENT AGENDA.

ANY MATTERS LISTED ON THE CONSENT AGENDA AND THE REGULAR AGENDA MAY BE DISCUSSED IN EXECUTIVE SESSION AT THE OPTION OF THE CITY OF SOCORRO CITY COUNCIL FOLLOWING VERBAL ANNOUNCEMENT, IF AN APPROPRIATE EXCEPTION TO THE OPEN MEETING REQUIREMENT OF THE TEXAS OPEN MEETINGS ACT IS APPLICABLE.

CONSENT AGENDA

5. *Excuse* absent Council Members. ***Sandra Hernandez***
6. *Approval* of Regular Council Meeting Minutes of February 19, 2015 and Special Council Meeting Minutes of February 19, 2015. ***Sandra Hernandez***
7. *Approval* of Omar Guevara, IT Technician, to attend CISCO Interconnecting CISCO Networking Devices Accelerated Training and Comp TIA Security + Certification March 9, 2015 through March 13, 2015 and March 23, 2015 through March 27, 2015 at New Horizons Computer Learning Centers in El Paso, Texas. ***Omar Guevara***

REGULAR AGENDA

PUBLIC COMMENTS ARE NOT TAKEN DURING THE INTRODUCTION OF ORDINANCES. PUBLIC COMMENTS WILL BE ALLOWED AT THE DATE OF THE SCHEDULED PUBLIC HEARING – ORDINANCE 320.

ORDINANCES – Introduction, First Reading and Calling for a Public Hearing

8. *Introduction, First Reading and Calling for a Public Hearing* of an Ordinance amending the City of Socorro Master Plan and changing the zoning of Tract 4-K-6, Block 3, Socorro Grant, from R-1 (Single Family Residential) to M-1 (Light Industrial). The Planning and Zoning Commission recommends denial. ***Sam Leony***
9. *Introduction, First Reading and Calling for a Public Hearing* of an Ordinance amending the City of Socorro Master Plan and changing the zoning of Tract 9-C, Block 16, Socorro Grant at 124 S. Nevarez Road from R-1 (Single Family Residential) to M-1 (Light Industrial). The Planning and Zoning Commission recommends denial. ***Sam Leony***

ORDINANCES – Public Hearing, Second Reading and Adoption

10. *Public Hearing, Second Reading and Adoption* of Ordinance 361, An Ordinance of the City of Socorro, Texas, adopting a new ordinance regarding substandard buildings; establishing standards for all buildings and structures; providing for the declaration of substandard buildings and structures as a public nuisance; providing for notice to property owners, occupants, mortgagees, and lienholders of substandard buildings and structures; providing for a public hearing on the substandard building or structure; providing for the abatement of nuisances; providing for the recovery of costs; providing a penalty clause;

providing for judicial review; repealing all conflicting ordinances; providing a severability clause; and providing for publication. *James A. Martinez*

11. ***Public Hearing, Second Reading and Adoption*** of Ordinance 362, An Ordinance of the City of Socorro, regulating credit access businesses. *James A. Martinez*

FINANCE DEPARTMENT

12. ***Discussion and action*** on accepting the fixed assets agreed upon procedures report from White, Samaniego, & Campbell, LLP. *Karina Hagelsieb*

13. ***Discussion and action*** on approving Resolution 483, a Resolution of the City Council of the City of Socorro, Texas authorizing the designation for bank signatories. *Karina Hagelsieb*

PUBLIC WORKS DEPARTMENT

14. ***Discussion and action*** regarding the Park Commission. *Douglas Lobdell, Jr.*

PLANNING AND ZONING DEPARTMENT

15. ***Discussion and action*** on the proposed 2015 Annexation Project. *Sam Leony*
16. ***Discussion and action*** on proposed incentives to properties within the historical corridor of the City of Socorro to encourage restoration and improvements. The Historical Landmark Commission and the Planning and Zoning Commission recommend approval. *Sam Leony*

17. ***Discussion and action*** on proposed amendment to Ordinance 321, Section 3, to allow the Planning and Zoning Commission to adopt Rules and Regulations for the government of their own proceedings, and to carry out the purposes for which the commission is created. The Planning and Zoning Commission recommends approval. *Sam Leony*

18. ***Discussion and action*** on the approval of the conditional use permit for a dialysis center at Tract 4-D-2-H and 4-D-2-W, Block 3, Socorro Grant at 10697 North Loop Drive. The Planning and Zoning Commission recommends approval. *Sam Leony*

MAYOR AND CITY COUNCIL

19. ***Discussion and action*** on requesting a quarterly report from each City Commission. *Mayor Jesus Ruiz*
20. ***Discussion and action*** on building a library within the City of Socorro. *Mayor Jesus Ruiz*

21. Discussion and action on purchasing a section of the property located at 10949 Burt Rd. for the purpose of storm water flood control.

Sergio Cox

22. Discussion and action on status report on obtaining the MS-4 permit required to legally be able to allow storm flood water to drain into the canal owned by the El Paso County Water Improvement District. The purchase of the permit had already been approved by Socorro City Council at a previous meeting.

Sergio Cox

EXECUTIVE SESSION

The City Council of the City of Socorro may retire into EXECUTIVE SESSION pursuant to Section 3.08 of the City of Socorro Charter and the Texas Government Code, Sections 551, Subchapter D to discuss any of the following: (The items listed below are matters of the sort routinely discuss in Executive Session, but the City Council of the City of Socorro may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATIONS WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFT

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion on the following:

23. 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.

24. 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.

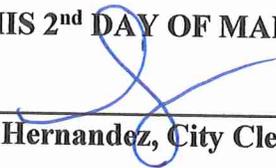
Willie Norfleet, Jr.

25. Discussion and action regarding pending litigation and receive status report regarding pending litigation.

Willie Norfleet, Jr.

26. Adjourn

DATED THIS 2nd DAY OF MARCH 2015.

By: 
Sandra Hernandez, City Clerk

I, the undersigned authority, hereby certify that the above notice of the meeting of the City Council of Socorro, Texas is a correct copy of the notice and that I posted this notice at least Seventy-two (72)

hours preceding the scheduled meeting at the City Administration Building, 124 S. Horizon Blvd., in Socorro, Texas.

DATED THIS 2nd DAY OF MARCH 2015.

By: _____

Sandra Hernandez, City Clerk

Agenda posted: 3-2-15 @ 10 AM

Removed: _____ Time: _____ By: _____

Jesus Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodríguez
District 2 /Mayor ProTem

Victor Perez
District 3

Anthony Gandara
District 4

Willie Norfleet, Jr.
City Manager

**SPECIAL COUNCIL MEETING MINUTES
FEBRUARY 19, 2015 at 5:00 P.M.**

MEMBERS PRESENT:

Mayor Jesus Ruiz
Rene Rodriguez

MEMBERS ABSENT:

Sergio Cox
Gloria M. Rodriguez
Victor Perez
Anthony Gandara

STAFF PRESENT:

Willie Norfleet, Jr., City Manager
Sandra Hernandez, City Clerk
Bruce Koehler, City Attorney
Sam Leony, Planning and Zoning Director
Doug Lobdell, Public Works Director
Miguel Rosas, Public Works Supervisor
Karina Hagelsieb, CFO
Victor Reta, Recreation Supervisor
Omar Guevara, IT Technician *(Arrived to the meeting at 5:16 p.m.)*
Adriana Rodarte, HR Director
Carlos Maldonado, Chief of Police
Isela Gonzalez, Court Coordinator
Angel Almanza, Communication Supervisor
Sgt. Mario Flores
Sgt. Mario Rodriguez
Lt. Eddie Smith
Sgt. Bernardo Salinas
Judge Elia Garcia

1. CALL TO ORDER

The meeting was called to order at 5:00 p.m. by Mayor Jesus Ruiz.

2. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE.

The Pledge of allegiance was led by Douglas Lobdell, Public Works Director

3. ESTABLISHMENT OF QUORUM.

No Quorum was established.

4. PUBLIC COMMENT

No speakers for Public Comment

REGULAR AGENDA

5. DISCUSSION REGARDING SEXUAL HARASSMENT AND HOSTILE WORK ENVIRONMENT TRAINING FOR CITY COUNCIL REPRESENTATIVES AND CITY STAFF. JAMES A. MARTINEZ

Presentation made by Bruce Koehler.

6. 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.

7. 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.

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

WILLIE NORFLEET, JR.

9. ADJOURN

The meeting adjourned at 5:50 p.m.

Jesus Ruiz, Mayor

Olivia Navarro
Assistant City Clerk

Date minutes approved

Jesus Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodríguez
District 2 /Mayor ProTem

Victor Perez
District 3

Vacant
District 4

Willie Norfleet, Jr.
City Manager

**REGULAR COUNCIL MEETING MINUTES
FEBRUARY 19, 2015 at 6:00 P.M.**

MEMBERS PRESENT:

Mayor Jesus Ruiz
Rene Rodriguez
Sergio Cox
Gloria M. Rodriguez
Victor Perez
Anthony Gandara

STAFF PRESENT:

Willie Norfleet, Jr., City Manager
Sandra Hernandez, City Clerk
David Mirazo, City Attorney
Sam Leony, Planning and Zoning Director
Doug Lobdell, Public Works Director
Miguel Rosas, Public Works Supervisor
Karina Hagelsieb, CFO
Victor Reta, Recreation Supervisor
Omar Guevara, IT Technician
Adriana Rodarte, HR Director
Carlos Maldonado, Chief of Police
Anibal Olague, Grant Writer

1. CALL TO ORDER

The meeting was called to order at 6:03 p.m. by Mayor Jesus Ruiz.

2. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE.

The Pledge of allegiance was led by Carlos Maldonado, Chief of Police

3. ESTABLISHMENT OF QUORUM.

Quorum was established with all members present.

4. PUBLIC COMMENT

Sergio Jaime and Ralph Duran spoke on during Public comment.

PRESENTATIONS

3. **PRESENTATION BY WILLIE NORFLEET, JR., CITY MANAGER, REGARDING MONTHLY REPORT. MAYOR JESUS RUIZ**

Mr. Norfleet gave a brief presentation.

CONSENT AGENDA

4. **EXCUSE ABSENT COUNCIL MEMBERS. SANDRA HERNANDEZ**
5. **APPROVAL OF REGULAR COUNCIL MEETING MINUTES OF FEBRUARY 5, 2015. SANDRA HERNANDEZ**
6. **APPROVAL OF TRAVEL FOR OFFICER JAMES URQUIDI TO ATTEND THE INCIDENT RESPONSE TO TERRORIST BOMBINGS (IRTB) AND RESPONSE TO SUICIDE BOMBING INCIDENTS COURSE (PRSBI) AT THE ENERGETIC RESEARCH AND TESTING CENTER (EMRTC) IN SOCORRO, NEW MEXICO. THIS TRAINING WILL MOSTLY BE REIMBURSED BY NEW MEXICO TECH. THE TRAINING WILL TAKE PLACE FEBRUARY 24-27, 2015 FOR (IRTB) AND MARCH 2-6, 2015 FOR (PRSBI). CHIEF MALDONADO**

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

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez

Nays:

Absent:

A motion was made by Gloria M. Rodriguez seconded by Rene Rodriguez *to move up items fourteen (14) and forty-two (42) to be next on the agenda*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Cox, and Gloria M. Rodriguez

Nays:

Absent:

GRANTS DIVISION

14. **DISCUSSION AND ACTION ON AUTHORIZATION FR THE SUBMISSION OF AN APPLICATION FOR FUNDING UNDER THE TEXAS COMMUNIUTY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) 2015-2016 FUNDING CYCLE IN THE AMOUNT OF \$624,461 FOR**

**IMPROVEMENTS TO THE SPARKS ARROYO CULVERT ON 1-10 TO
REDUCE THE IMPACT OF FLOODING IN THE CITY OF SOCORRO.
ANIBAL OLAGUE**

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

Marisa Quintanilla, Director of Rio Grande Council of Governments, and Anibal Olague, Grants Writer, spoke on this item.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez
Nays:
Absent:

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, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez
Nays:
Abstain

THE CITY COUNCIL CONVENED INTO EXECUTIVE SESSION AT 6:26 P.M.

EXECUTIVE SESSION

THE CITY COUNCIL RECONVENED BACK IN OPEN SESSION AT 6:43 P.M.

- 42. DISCUSSION AND ACTION REGARDING DISSEMINATION OF INFORMATION TO A CITY COUNCILMEMBER WHEN HE OR SHE REQUESTS SUCH INFORMATION IN HIS OR HER OFFICIAL CAPACITY. THE PUBLIC INFORMATION ACT (ACT) IS NOT IMPLICATED WHEN A REQUEST IS MADE IN A MAYOR OR COUNCILMEMBER'S OFFICIAL CAPACITY, AS THE RELEASE OF THE DOCUMENTS IS NOT VIEWED AS A RELEASE TO THE GENERAL PUBLIC. SERGIO COX**

A motion was made by Victor Perez seconded by Rene Rodriguez to *approve item number forty-two (42)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez
Nays:
Abstain

- 9. INTRODUCTION, FIRST READING AND CALLING FOR A PUBLIC HEARING OF ORDINANCE 361, AN ORDINANCE OF THE CITY OF SOCORRO, TEXAS, ADOPTING A NEW ORDINANCE REGARDING SUBSTANDARD BUILDINGS; ESTABLISHING STANDARDS FOR ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE DECLARATION OF SUBSTANDARD BUILDINGS AND STRUCTURES AS A PUBLIC NUISANCE; PROVIDING FOR NOTICE TO PROPERTY OWNERS, OCCUPANTS, MORTGAGEES, AND LIENHOLDERS OF SUBSTANDARD BUILDINGS AND STRUCTURES; PROVIDING FOR A PUBLIC HEARING ON THE SUBSTANDARD BUILDING OR STRUCTURE; PROVIDING FOR THE ABATEMENT OF NUISANCES; PROVIDING FOR THE RECOVERY OF COSTS; PROVIDING A PENALTY CLAUSE; PROVIDING FOR JUDICIAL REVIEW; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION.**
JAMES A. MARTINEZ

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

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez

Nays:

Abstain

- 10. INTRODUCTION, FIRST READING AND CALLING FOR A PUBLIC HEARING OF ORDINANCE 362, AN ORDINANCE OF THE CITY OF SOCORRO, REGULATING CREDIT ACCESS BUSINESSES.**
JAMES A. MARTINEZ

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

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez

Nays:

Abstain

ORDINANCES – PUBLIC HEARING, SECOND READING AND ADOPTION

- 11. PUBLIC HEARING, SECOND READING AND ADOPTION OF ORDINANCE 346, AMENDMENT NO. 1, AN ORDINANCE OF THE CITY OF SOCORRO, TEXAS, ADOPTING AN AMENDED BUDGET TO INCREASE FY-2015 ADOPTED BUDGET.**
KARINA HAGELSIEB

*Public Hearing opened at 6:45 p.m.
No Speakers*

Public Hearing closed at 6:46 p.m.

A motion was made by Gloria M. Rodriguez seconded by Rene Rodriguez to *approve item number eleven (11)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez

Nays:

Abstain

12. PUBLIC HEARING, SECOND READING AND ADOPTION OF ORDINANCE 360, AN ORDINANCE AMENDING THE CITY OF SOCORRO'S MASTER PLAN AND CHANGING THE ZONING OF TRACT 6-A, LEIGH CLARK SURVEY 293 ABST. 6257 AT 1124 HORIZON BOULEVARD FROM UNCLASSIFIED TO M-1 (LIGHT INDUSTRIAL). PLANNING AND ZONING COMMISSION RECOMMENDS APPROVAL. *SAM LEONY*

**Public Hearing opened at 6:48 p.m.
Henry Van spoke during Public Hearing
Public Hearing closed at 6:50 p.m.**

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

Ayes: Victor Perez, Rene Rodriguez, and Sergio Cox

Nays: Anthony Gandara

Abstain: Gloria M. Rodriguez

13. DISCUSSION AND ACTION ON ACCEPTING THE FIXED ASSETS AGREED UPON PROCEDURES REPORT FROM WHITE, SAMANIEGO, & CAMPBELL, LLP. *KARINA HAGELSIEB*

A motion was made by Rene Rodriguez seconded by Victor Perez to *postpone for the Regular Meeting of March 5, 2015*. Motion passed.

Karina Hagelsieb spoke on this item.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez

Nays:

Abstain

15. DISCUSSION AND ACTION TO AUTHORIZE THE CITY OF SOCORRO TO ENTER INTO A CONTRACT AGREEMENT WITH ECIVIS TO ACCESS WEB-BASED GRANT SEARCH DATABASE FOR THE PURPOSE OF IMPROVING THE CITY'S EFFECTIVENESS IN ACCESSING VIABLE

GRANT FUNDING OPPORTUNITIES AT A COST OF \$2,750.00

ANIBAL OLAGUE

A motion was made by Rene Rodriguez seconded by Victor Perez to *approve item number fifteen (15)*. Motion passed.

Anibal Olague spoke on this item.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez

Nays:

Abstain

16. DISCUSSION AND ACTION ON APPROVING AMNESTY WEEK FROM MARCH 23, 2015 THROUGH MARCH 27, 2015 AND WAIVING THE FAILURE TO APPEAR FEE (FTA).

JUDGE GARCIA

A motion was made by Victor Perez seconded by Rene Rodriguez to *approve item number sixteen (16)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez

Nays:

Abstain

17. DISCUSSION AND ACTION REGARDING THE PARK COMMISSION.

DOUGLAS LOBDELL, JR.

A motion was made by Rene Rodriguez seconded by Victor Perez to *postpone for the Regular Meeting of March 5, 2015*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez

Nays:

Abstain

A motion was made by Victor Perez seconded by Rene Rodriguez to *move up items number thirty-three (33) and thirty-eight (38) to be next on the agenda*.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez

Nays:

Abstain

- 33. DISCUSSION AND ACTION TO CREATE AN ORDINANCE IMPOSING AN 18 MONTH MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING AND APPROVAL OF ANY APPLICATION FOR A CITY OF SOCORRO JUNK YARD PERMIT OR LICENSE, SCRAP METAL YARD PERMIT OR LICENSE; TIRE SHOP PERMIT OR LICENSE AND IMPORT/EXPORT OF VEHICLES PERMIT OR LICENSE RELATED TO THE OPERATION OF A BUSINESS THAT PROCESSES SUCH; DIRECTING THE INVESTIGATION OF SUCH BUSINESSES; AND DECLARING THE CITY COUNCIL TO CONSIDER THE ADOPTION OF APPROPRIATE CITY REGULATIONS WITH RESPECT TO SUCH BUSINESSES IF PERMITTED BY LAW.** **RENE RODRIGUEZ**

A motion was made by Rene Rodriguez seconded by Victor Perez to *approve item number thirty-three (33)*.

David Mirazo spoke on this item.

Rene Rodriguez *withdrew his motion*.

A motion was made by Anthony Gandara seconded by Sergio Cox to *deny item number thirty-three (33)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez

Nays:

Abstain

- 38. DISCUSSION AND ACTION TO APPROVE THE PAVING OF PASSMORE ROAD; TO INCLUDE PRIORITIZING FUNDING, WAIVING THE CITY OF SOCORRO'S PURCHASING POLICY, AND GIVING PASSMORE ROAD PRIORITY STATUS ON OVERLAY LISTS.** **ANTHONY GANDARA**

A motion was made by Rene Rodriguez seconded by Sergio Cox to *include Passmore to the paving list*. Motion passed.

Miguel Rosas, Public Works Supervisor, spoke on this item.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez

Nays:

Abstain

18. DISCUSSION AND ACTION ON THE PRELIMINARY PLAT APPROVAL FOR VALLEY RIDGE UNIT 2 SUBDIVISION REPLAT "A". 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 eighteen (18)*. Motion passed.

Sam Leony spoke on this item

Rene Rodriguez rescinded his motion.

A motion was made by Sergio Cox seconded by Rene Rodriguez to *deny item number eighteen (18)*. Motion passed.

Jaime Gallo representing the owner spoke on this item.

Sergio Cox withdrew his motion.

A motion was made by Victor Perez seconded by Anthony Gandara to *approve with the recommendation made by the Planning and Zoning Commission for item number eighteen (18)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez
Nays:
Abstain

19. DISCUSSION AND ACTION APPROVING THE CERTIFICATE OF APPROPRIATENESS FOR THE PROPOSED COSMETIC INTERIOR IMPROVEMENT TO THE RIO VISTA COMMUNITY CENTER FACILITIES LOCATED AT 901 N. RIO VISTA ROAD, SOCORRO, TEXAS 79927. THE HISTORICAL LANDMARK COMMISSION RECOMMENDS APPROVAL.

SAM LEONY

Mayor Ruiz stepped out of the meeting at 7:30 p.m.

Gloria M. Rodriguez sat in as Mayor Pro Tem.

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

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox
Nays:
Abstain

20. DISCUSSION AND ACTION APPROVING THE CERTIFICATE OF APPROPRIATENESS FOR A CHILD CARE HOME ON TRACT 8, BLOCK 23, SOCORRO GRANT, LOCATED AT 10400 SOCORRO ROAD. THE HISTORICAL LANDMARK COMMISSION RECOMMENDS APPROVAL.

SAM LEONY

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

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox

Nays:

Abstain

21. DISCUSSION AND ACTION APPROVING THE CERTIFICATE OF APPROPRIATENESS FOR THE PROPOSED RESTORATION AND REPAIR PROJECT TO THE PROPERTY LOCATED AT TRACTS 3-B, 4-C AND 4-D, BLOCK 21, SOCORRO GRANT, LOCATED AT 10180 SOCORRO ROAD. THE HISTORICAL LANDMARK COMMISSION RECOMMENDS APPROVAL.

SAM LEONY

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, Anthony Gandara, Sergio Cox

Nays:

Abstain

22. DISCUSSION AND ACTION APPROVING THE CERTIFICATE OF APPROPRIATENESS FOR A HOME ADDITION AND COLOR SELECTION AT BLOCK 14, SOCORRO GRANT, TRACT 33-B-6, LOCATED AT 645 ANAHI CT. THE HISTORICAL LANDMARK COMMISSION RECOMMENDS APPROVAL.

SAM LEONY

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

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox

Nays:

Abstain

23. DISCUSSION AND ACTION APPROVING THE CERTIFICATE OF APPROPRIATENESS FOR THE PROPOSED RESTORATION AND REPAIR PROJECT TO THE PROPERTY LOCATED AT TRACTS 18-B-2, BLOCK 17, SOCORRO GRANT, A.K.A. "EL MERCADITO" LOCATED ON 10179 SOCORRO, ROAD. THE HISTORICAL LANDMARK COMMISSION RECOMMENDS APPROVAL.

SAM LEONY

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

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox
Nays:
Abstain

24. DISCUSSION AND ACTION APPROVING THE CERTIFICATE OF APPROPRIATENESS FOR THE RESTORATION AND REPAIRS AT TRACT 18-A, BLOCK 17, SOCORRO GRANT LOCATED AT 10167 SOCORRO ROAD; ALSO KNOWN AS “THE BOOKERY”. THE HISTORICAL LANDMARK COMMISSION RECOMMENDS APPROVAL.
SAM LEONY

A motion was made by Victor Perez seconded by Rene Rodriguez to *approve item number twenty-four (24)*. Motion approved.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox
Nays:
Abstain

25. DISCUSSION AND ACTION TO ESTABLISH A PROCEDURE TO DEVELOP PROPOSALS FOR AMENDMENTS TO THE CITY CHARTER AND TO CALL FOR A CHARTER AMENDMENT ELECTION.
RENE RODRIGUEZ

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

Mayor Ruiz returned to the meeting at 7:36 p.m.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez
Nays:
Abstain

26. DISCUSSION ON BUILDING A LIBRARY WITHIN THE CITY OF SOCORRO.
MAYOR JESUS RUIZ

Victor Reta spoke on this item.

No action on this item.

27. DISCUSSION ON ADDING LAPTOPS TO COUNCIL CHAMBERS.
MAYOR JESUS RUIZ

No action on this item.

28. DISCUSSION AND ACTION ON DONATION BY SHS SENIOR CLASS.
MAYOR JESUS RUIZ

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

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez
Nays:
Abstain

29. DISCUSSION AND ACTION ON SELECTING A PICTURE DAY FOR THE CITY OF SOCORRO COUNCIL AND STAFF. MAYOR JESUS RUIZ

A motion was made by Victor Perez seconded by Rene Rodriguez to *approve item number twenty-nine (29)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez
Nays:
Abstain

30. DISCUSSION AND ACTION ON AMENDING THE CONTRACT WITH THE PUBLIC RELATIONS COORDINATOR. MAYOR JESUS RUIZ

A motion was made by Victor Perez seconded by Rene Rodriguez to *delete item number thirty (30)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez
Nays:
Abstain

31. DISCUSSION AND ACTION TO REMOVE CITY COUNCIL REPRESENTATIVES FROM ALL BANK SIGNATORIES AND HAVE CITY MANAGER APPOINT ADMINISTRATIVE STAFF FOR BANK SIGNATORIES. RENE RODRIGUEZ

A motion was made by Anthony Gandara seconded by Sergio Cox to *delete item number thirty-one (31)*. Motion approved.

Anthony Gandara withdrew his motion.

Sergio Cox withdrew his motion.

A motion was made by Sergio Cox seconded by Anthony Gandara to *approve item number thirty-one*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez

Nays:
Abstain

32. DISCUSSION AND ACTION TO ESTABLISH A PROCEDURE TO DEVELOP PROPOSALS FOR AMENDMENTS TO THE CITY CHARTER AND TO CALL FOR A CHARTER AMENDMENT ELECTION.

RENE RODRIGUEZ

A motion was made by Rene Rodriguez seconded by Sergio Cox to *approve item number thirty-two (32)*. Motion passed.

A motion was made by Rene Rodriguez seconded by Sergio Cox to *approve and each council member to appoint one (1) member and Mayor Ruiz to appoint two (2) and for them to appoint a chair person and that the chair person would be the one to contact the city attorney in case need be for legal advice*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez
Nays:
Abstain

34. DISCUSSION AND ACTION REGARDING STATUS OF FUTURE ANNEXATION PLANS.

RENE RODRIGUEZ

A motion was made by Rene Rodriguez to *approve item number thirty-four (34)*.

Sam Leony spoke on this item.

A motion was made by Rene Rodriguez seconded by Sergio Cox to *delete item number thirty-four (34)*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez
Nays:
Abstain

35. DISCUSSION AND ACTION ON DIRECTING THE PLANNING AND ZONING DEPARTMENT TO BEGIN PROCEEDINGS TO REZONE THE PROPERTY AT 266 HORIZON BOULEVARD FROM M-2 TO PROPER COMMERCIAL STATUS AND TO AMEND THE COMPREHENSIVE MASTER PLAN TO REFLECT THE ZONING.

SERGIO COX

A motion was made by Sergio Cox seconded by Anthony Gandara to *approve and direct the Planning and Zoning Department to begin proceeding to rezone the property at 266 Horizon Blvd*. Motion passed.

Sam Leony spoke on this item.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez
Nays:
Abstain

36. DISCUSSION AND ACTION REGARDING DISSEMINATION OF INFORMATION TO A CITY COUNCILMEMBER WHEN HE OR SHE REQUESTS SUCH INFORMATION IN HIS OR HER OFFICIAL CAPACITY. THE PUBLIC INFORMATION ACT (ACT) IS NOT IMPLICATED WHEN A REQUEST IS MADE IN A MAYOR OR COUNCILMEMBER'S OFFICIAL CAPACITY, AS THE RELEASE OF THE DOCUMENTS IS NOT VIEWED AS A RELEASE TO THE GENERAL PUBLIC. SERGIO COX

David Mirazo and Willie Norfleet spoke on this item.

A motion was made by Rene Rodriguez seconded by Victor Perez to *delete item number thirty-six*. Motion passed.

Ralph Duran spoke on this item.

A motion was made by Sergio Cox seconded by Rene Rodriguez to *suspend the rule and allow Mr. Duran to speak*. Motion passed.

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez
Nays:
Abstain

Mr. Duran continued speaking on this item.

37. DISCUSSION AND UPDATE ON THE PROCESS FOR A SKATE PARK FOR DISTRICT 2. GLORIA M. RODRIGUEZ

No action on this item.

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

Ayes: Victor Perez, Rene Rodriguez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez
Nays:
Abstain

**THE CITY COUNCIL CONVENED INTO EXECUTIVE SESSION AT
9:23 P.M.**

EXECUTIVE SESSION

**THE CITY COUNCIL RECONVENED BACK IN OPEN SESSION AT 9:38
P.M.**

- 43. DISCUSSION REGARDING A PROPOSED CH. 380 AGREEMENT AND
TAX AND FINANCIAL INCENTIVES FOR A POTENTIAL EMPLOYER
[551.071 AND 551.087].** *JAMES A. MARTINEZ*

A motion was made by Sergio Cox seconded by Victor Perez to *follow Mr. Norfleet's recommendation*. Motion passed.

Ayes: Victor Perez, Anthony Gandara, Sergio Cox, and Gloria M.
Rodriguez
Nays:
Abstain: Rene Rodriguez

- 39. 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.

- 40. 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.

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

WILLIE NORFLEET, JR.

A motion was made by Victor Perez seconded by Sergio Cox to *delete items thirty-nine thru forty-one*. Motion passed.

Ayes: Victor Perez, Anthony Gandara, Sergio Cox, and Gloria M.
Rodriguez
Nays:
Abstain: Rene Rodriguez

44. ADJOURN

A motion was made by Gloria M. Rodriguez seconded by Sergio Cox to *adjourn at 9:40 p.m.* Motion passed.

Ayes: Victor Perez, Anthony Gandara, Sergio Cox, and Gloria M. Rodriguez

Nays:

Abstain: Rene Rodriguez

Jesus Ruiz, Mayor

Olivia Navarro
Assistant City Clerk

Date minutes approved

Jesus Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodriguez
District 2

Victor Pérez
District 3/Mayor Pro Tem

Anthony Gándara
District 4

Willie Norfleet, Jr.
City Manager

DATE: March 5, 2015

TO: Mayor and City Council

FROM: Omar Guevara, IT

SUBJECT: CISCO Training and Certification for Information Technology Tech

SUMMARY

Approval for the training and certifications for the IT Tech, provided locally by New Horizons Computer Learning Centers (1625 Hawkins, El Paso, TX.)

BACKGROUND

Attend a week long training in person Monday to Friday, 7:00 am to 4:00pm for each. The CCNA (March 9th, to March 13th, 2015) and COMPTIA Security+ (March 23rd to March 27th, 2015).

STATEMENT OF THE ISSUE

The IT Tech is requesting to attend the Cisco training in a local Learning Center to provide a better service and maintenance of the IT infrastructure for the City.

FINANCIAL IMPACT

Cisco is giving the IT Tech a \$ 3000.00 credit for the (CCNA) course, which costs 3,750 plus tax. The City will pay only \$766.50. For the (COMPTIA Security +) the total cost will be \$1,431.00 plus tax.

ALTERNATIVE

None, New Horizons is a local Computer Learning Center that offers the Texas DIR pricing schedule that state, city and county purchasing departments usually go by.

STAFF RECOMMENDATION

IT recommends to attend the training for the improvement of the IT infrastructure for the City.

Required Authorization

X

X



Order Acknowledgement

PURCHASED BY		PURCHASED FROM	
CLIENT:	City of Socorro	New Horizons Computer Learning Center of El Paso and Albuquerque	
ADDRESS 1:	124 Horizon	1625 Hawkins Dr	
ADDRESS 2:		Suite 100	
CITY, STATE & ZIP:	Socorro TX	El Paso TX 79925	
CONTACT:	Omar Guevara	Kristie Navarette	
PHONE:	915-238-7942	915-772-2365 x1706	
EMAIL:	oguevara@ci.socorro.tx.us	kristie.navarette@nhelpaso.com	
Please return the completed agreement via email to: kristie.navarette@nhelpaso.com Remit payments to: 300 E Highland Mall Blvd Suite 410 Austin, TX 78752			

SERVICES PURCHASED					
QTY	ITEM	LOCATION	STUDENT	DATE	COST
1	Cisco® Interconnecting Cisco® Networking Devices Accelerated v2.0 (CCNAX)	El Paso	Omar Guevara	3/9/2015	\$3,750.00
				Less Cisco Learning Credits (30 credits):	-\$3,000.00
				SUBTOTAL:	\$750.00

Sales Tax on courseware only:	\$16.50
TOTAL:	\$766.50
This Pricing Expires On:	

COMMENTS
30 Cisco Learning Credits being applied separately for Sales Order # 30413990

NEW HORIZONS COMPUTER LEARNING CENTERS & CLIENT AGREEMENT

The client understands this form is an agreement between New Horizons and Company. By signing this agreement, Company authorizes New Horizons to invoice for the above items and agrees to payment upon receipt. This agreement confirms that signer has read and agreed to comply with the "Enrollment Policies" information located at <http://www.nhcomputerlearning.com/oa>, and is authorized to sign for Company. Terms: All discounts are void if portions of the above training are cancelled. New Horizons guarantees only those services set forth in this agreement. Verbal agreements will not be honored without written confirmation on the date of purchase from a New Horizons representative. Company agrees not to employ any New Horizons employee for a period of one (1) year after the completion of the training ordered under this Agreement. In the event client breaches this provision, client agrees to pay New Horizons, as liquidated damages, an amount equal to 40% of the annual salary of the person hired.

Email responses agreeing to the order details and payment terms will be considered a signed document. I acknowledge that I agree to the New Horizons Terms and Condition:

SIGNATURE	PRINTED NAME	TITLE	DATE SIGNED
<i>Omar A. Guevara</i>	Omar Guevara	IT TECH	11/12/14

Invoices are sent at the time the agreement is signed and are due upon receipt.

Credit Card Payment (For your protection and to comply with the Payment Card Industry Data Security Standard Council, you will receive an email with a link to pay via credit card. This payment should be processed the same day.)

Due Upon Receipt Invoice (Include a copy of your company purchase order)

CLICK BELOW FOR MORE INFORMATION ABOUT THE SERVICES WE OFFER

[Microsoft Technical](#) [Cisco](#) [CompTIA](#) [EC Council](#) [ITIL](#) [Citrix](#) [Adobe](#) [Business Skills](#) [Cloud](#) [Microsoft Office](#) [Six Sigma](#) [VMware](#)
[Custom Training](#) [E-Learning](#) [Room Rentals](#)
[Microsoft Software Assurance Training Vouchers](#) [Cisco Learning Credits](#)
www.nhcomputerlearning.com



Order Acknowledgement

PURCHASED BY		PURCHASED FROM
CLIENT:	City of Socorro	New Horizons Computer Learning Center of El Paso and Albuquerque
ADDRESS 1:	124 Horizon	1625 Hawkins Dr
ADDRESS 2:		Suite 100
CITY, STATE & ZIP:	Socorro TX	El Paso TX 79925
CONTACT:	Omar Guevara	Kristie Navarette
PHONE:	915-238-7942	915-772-2365 x1706
EMAIL:	oguevara@ci.socorro.tx.us	kristie.navarette@nhelpaso.com
Please return the completed agreement via email to: kristie.navarette@nhelpaso.com Remit payments to: 300 E Highland Mall Blvd Suite 410 Austin, TX 78752		

SERVICES PURCHASED					
QTY	ITEM	LOCATION	STUDENT	DATE	COST
1	CompTIA Security+ Certification	El Paso	Omar Guevara	TBD	\$2,750.00
				Less Texas DIR pricing:	-\$1,319.00
				SUBTOTAL:	\$1,431.00

Sales Tax if applicable:	\$0.00
TOTAL:	\$1,431.00
This Pricing Expires On:	

COMMENTS
New Horizons DIR Vendor Contract # DIR-SDD-1943

NEW HORIZONS COMPUTER LEARNING CENTERS & CLIENT AGREEMENT

The client understands this form is an agreement between New Horizons and Company. By signing this agreement, Company authorizes New Horizons to invoice for the above items and agrees to payment upon receipt. This agreement confirms that signer has read and agreed to comply with the "Enrollment Policies" information located at <http://www.nhcomputerlearning.com/oa>, and is authorized to sign for Company. Terms: All discounts are void if portions of the above training are cancelled. New Horizons guarantees only those services set forth in this agreement. Verbal agreements will not be honored without written confirmation on the date of purchase from a New Horizons representative. Company agrees not to employ any New Horizons employee for a period of one (1) year after the completion of the training ordered under this Agreement. In the event client breaches this provision, client agrees to pay New Horizons, as liquidated damages, an amount equal to 40% of the annual salary of the person hired.

Email responses agreeing to the order details and payment terms will be considered a signed document. I acknowledge that I agree to the New Horizons Terms and Condition:

SIGNATURE	PRINTED NAME	TITLE	DATE SIGNED
<i>Omar A. Guevara</i>	Omar Guevara	IT TECH	2/26/14

Invoices are sent at the time the agreement is signed and are due upon receipt.

Credit Card Payment (For your protection and to comply with the Payment Card Industry Data Security Standard Council, you will receive an email with a link to pay via credit card. This payment should be processed the same day.)

Due Upon Receipt Invoice (Include a copy of your company purchase order)

CLICK BELOW FOR MORE INFORMATION ABOUT THE SERVICES WE OFFER

[Microsoft Technical](#) [Cisco](#) [CompTIA](#) [EC Council](#) [ITIL](#) [Citrix](#) [Adobe](#) [Business Skills](#) [Cloud](#) [Microsoft Office](#) [Six Sigma](#) [VMware](#)
[Custom Training](#) [E-Learning](#) [Room Rentals](#)
[Microsoft Software Assurance Training Vouchers](#) [Cisco Learning Credits](#)
www.nhcomputerlearning.com

Gloria M. Rodriguez
District 2 / Mayor Pro-Tem

Victor Perez
District 3

Anthony Gandara
District 4

Willie Norfleet Jr.
City Manager

Jesus A. Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



DATE: March 5, 2015
TO: MAYOR AND CITY COUNCIL
FROM: Sam Leony, Planning and Zoning Director
CC: Willie Norfleet Jr., City Manager

SUBJECT:

Introduction, first reading, and calling for a Public Hearing of Ordinance ____, an ordinance to amend the City of Socorro Master Plan and changing the zoning of Tract 4-K-6, Block 3, Socorro Grant, from R-1 (Single Family Residential) to M-1 (Light Industrial).

SUMMARY:

The property matter of this request is located at 10833 Thunder Rd., northerly situated at 300 feet from the intersection of Thunder Rd. and Horizon Blvd. This property has an estimated area of 1.683 acres, and it is owned by Mr. Carlos S. Cisneros, 1670 Doug Olson Dr., El Paso, TX 79936.

BACKGROUND:

In November 2013, a rezoning application was filed to rezone this property from R-1 (SFR) to C-2 (General Commercial) plus a Conditional Use Permit for mechanic shop. The case was denied.

According to our Future Land Use map, the projected land use for this property is: Residential.

According to the Flood Insurance Rate Maps, the referenced property lies within an area that is a combination of **Zone X** (determined to be outside of the 500-year flood plain), and **AO** (area subject to be flooded by an average of 1 foot depth) (Community Panel # 480212 0237-B / FEMA, September 4, 1991).

The current use of the property is: vacant lot.

The proposed use of the property: Trailer Parking and Service.

Adjacent Land Uses:

- North: R-1 (Single Family Residential)
- South: C-2 (General Commercial) / R-1 (Single Family Residential)
- East: Empty land Unclassified
- West: SU-1 (Special Use – municipal property)

STATEMENT OF THE ISSUE:

According to the information provided by the applicant, he is interested in providing parking and service to the trailer industry, especially due to his proximity to Petro Truck Stop and other businesses related to trailers in the area, but the only classification to do this type of business is getting the M-1 classification.

ALTERNATIVE:

It is important to consider that the front side of the property is subject to be flooded with a one foot depth, special provisions need to be implemented to minimize the possible impact of the storm water, like raising up the ground level, blocking or deviating the water from the street, etc.

STAFF RECOMMENDATION:

The Planning and Zoning Commission recommends DENIAL.

FINANCIAL IMPACT:

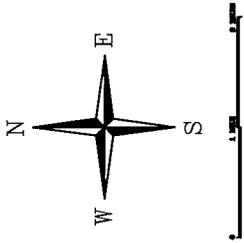
Not Applicable.

AUTHORIZATION:

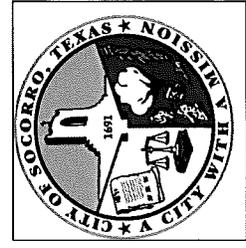
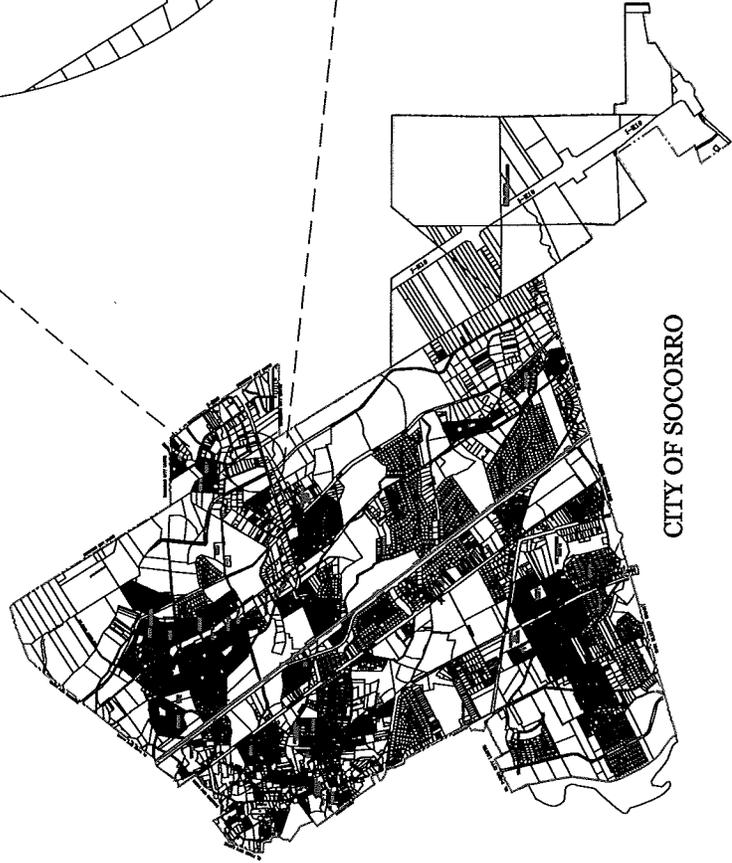
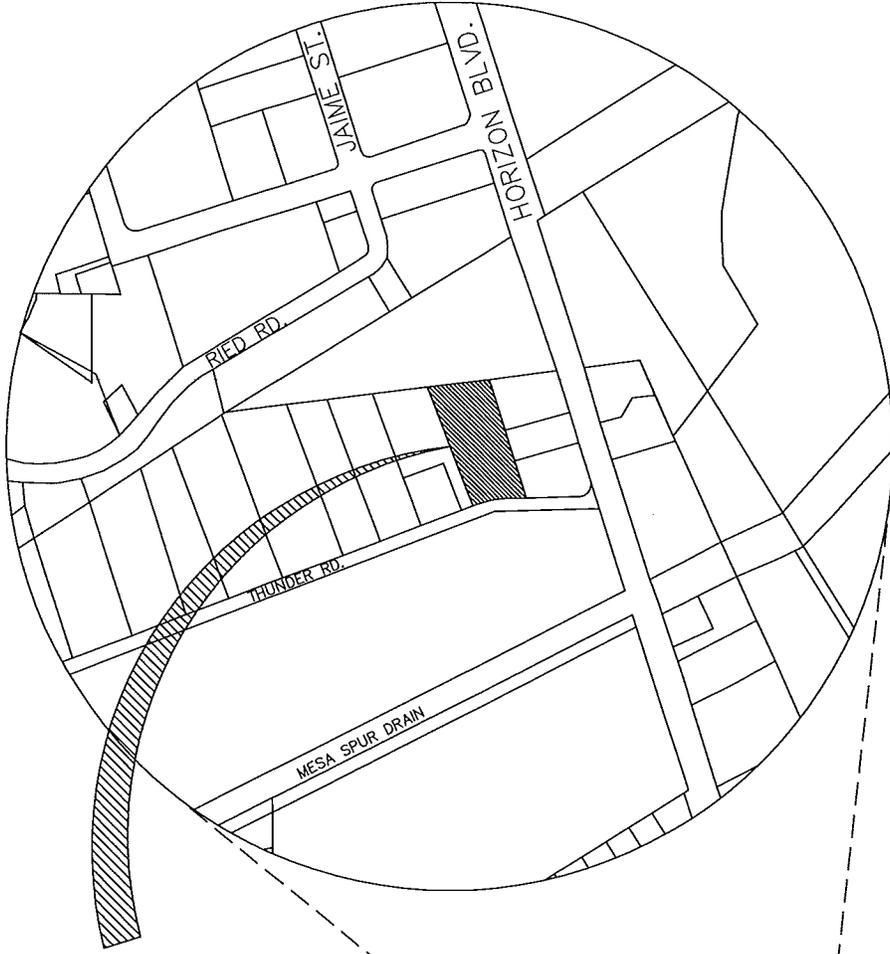
1. City Manager: _____ Date: _____

2. Attorney: _____ Date: _____

3. CFO: _____ Date: _____



PROJECT SITE:
TR. 4K6, BLOCK 3
SOCORRO GRANT
10833 THUNDER



Planning and Zoning Department
860 N. Rio Vista Socorro, Texas 79907 Tel. (505) 872-4831 Fax. (505) 872-4673

LOCATION MAP
Scale: N.T.S.



**PLANNING AND ZONING DEPARTMENT
Request for Rezoning**

1. Name: CARLOS S. CISNEROS
Address: 1670 DOUG OLSON Phone: (915) 274-4600
Representative: _____
Address: _____ Phone: _____
Email Address: _____

2. Property Location: thunder
Legal Description: 3 Socorro TR 4-K-6 3 SOCORRO TR 4-K-6
If legal description is not available, a metes and bounds description will be required.

<u>1.683 ac.</u>	<u>R-1</u>	
Area (Sq. ft. or Acreage)	Current Zoning	Current Land Use
<u>M-1</u>		<u>TRUCK PARKING & SERV</u>
Proposed Zoning		Proposed Land Use

3. All owners of record must sign document.
Carlos S. Cisneros Carlos S. Cisneros
Marisol Cisneros

Each item on this form must be completed and all exhibits must be submitted before this request can be scheduled for a public hearing.

- Rezoning Fees: Less than one acre - \$650.00
- 1 to 10 acres - \$750.00
- 10.1 to 30 acres- \$950.00
- 30.1 to 50 acres- \$1,150.00
- 50.1 to 75 acres- \$1,400.00
- 75.1 or more - \$1,650.00

ALL FEES ARE NONREFUNDABLE



REC'D DEC 08 2014

69

REQUEST TO AMEND ZONING MAP

1. Material to be submitted with the application:
 - A. If the property to be rezoned is occupied by an existing structure(s), one copy of a detailed site development plat at a scale of not less than 40 feet to the inch showing the following is required:
 1. Lot lines with dimensions
 2. Location of structure(s) within lot
 3. Size and use of structure(s) including number of dwellings units in multi-family structure(s).
 4. Required setbacks
 5. Utility rights-of-way and easements
 6. Storm water drainage
 7. On-site parking areas, loading and unloading berths (if applicable)
 - i. Number and size of parking spaces
 - ii. Lighting of parking areas
 8. Curb cuts and driveways
 9. Pedestrian ways
 10. Open spaces, where applicable
 11. Size and design of exterior signs
 12. Architectural design of building(s)
 - B. If property is vacant or raw land, one copy of a generalized plot plan showing the following is required:
 1. Dimensions of the areas and legal description thereof
 2. Location of streets and ingress and egress to the property
 3. General features or concept of the development
 - C. **PHOTOGRAPHS OF THE CURRENT STATE OF THE PROPERTY MAY BE REQUIRED DURING THE REZONING PROCESS.**
 - D. Submit the necessary legal documents and provide proof of ownership, including a copy of the Warranty Deed or Certificate of Title.
 - E. A copy of deed restrictions, existing or proposed, or a statement from the Title Company certifying that deed restrictions do not exist.
 - F. A copy of the City Tax Certificate for each parcel described in the rezoning application. Delinquent taxes must be paid in full before application is considered.
 - G. After application is accepted, any outstanding fees become due and are non-refundable.
2. Applications will be accepted on a first come first served basis and the Planning and Zoning Commission reserves the right to limit the amount of zoning cases heard each month.
3. Dismissal for want of Prosecution- If an applicant fails to appear or be represented at the time their case is being heard, the Commission can, at their discretion, postpone or hear the case with or without the applicants being represented. The applicant's case shall be automatically dismissed for want of prosecution. Failure to receive the notice by certified mail will not excuse failure to appear.
4. Fill out the accompanying form.

Initials: 

Date: Dec-08-14

Jesus A. Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodriguez
District 2 / Mayor Pro Tem

Victor Perez
District 3

Anthony Gandara
District 4

Willie Norfleet Jr.
City Manager

ORDINANCE _____

AN ORDINANCE AMENDING THE CITY OF SOCORRO MASTER PLAN AND CHANGING THE ZONING OF TRACT 4-K-6, BLOCK 3, SOCORRO GRANT LOCATED AT 10833 THUNDER RD., FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO M-1 (LIGHT INDUSTRIAL).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SOCORRO, TEXAS:

That pursuant to Chapter 50 of the Codification of Ordinances of the City of Socorro, Texas, Ordinance No. 76 Amendment 1A of the City of Socorro, as amended, the zoning of Tract 4-K-6, Block 3, Socorro Grant, located at 10833 Thunder Rd., is changed from R-1 (Single Family Residential) to M-1 (Light Industrial).

READ, APPROVED AND ADOPTED this _____ day of _____ 2015.

CITY OF SOCORRO, TEXAS

Jesus Ruiz, Mayor

ATTEST:

Sandra Hernandez, City Clerk

APPROVED AS TO FORM:

James A. Martinez
Socorro City Attorney

APPROVED AS TO CONTENT:

Willie Norfleet, Jr., City Manager

Introduction and First Reading: March 5, 2015

Second Reading and Adoption:

Jesus A. Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodriguez
District 2 / Mayor Pro-Tem

Victor Perez
District 3

Anthony Gandara
District 4

Willie Norfleet Jr.
City Manager

DATE: March 5, 2015
TO: MAYOR AND CITY COUNCIL
FROM: Sam Leony, Planning and Zoning Director
CC: Willie Norfleet Jr., City Manager

SUBJECT:

Introduction, first reading, and calling for a public hearing for the proposed amendment to the City of Socorro Master Plan, and rezoning of Tract 9-C, Block 16, Socorro Grant, from R-1 (Single Family Residential) to M-1 (Light Industrial).

SUMMARY:

The property matter of this request is located at 124 S. Nevarez Rd., southwesterly located at 450 feet from the intersection of Nevarez Rd. and Alameda Ave. This property has an estimated area of 0.498 acre, and it is owned by Mr. Raul Chaparro Cobos, 124 S. Nevarez Rd., Socorro, TX 79927.

BACKGROUND:

According to our Future Land Use map, the projected land use for this property is: Residential.

According to the Flood Insurance Rate Maps, the referenced property lies within an area determined to be outside of the 500-year flood plain, more particularly described as **Zone X**; this classification is the safest area with the less possibility of being flooded (Community Panel # 480212 0236-B / FEMA, September 4, 1991).

The current use of the property is: One residential dwelling with a detached garage structure.

The proposed use of the property: Storage of motorcycles to be exported to Mexico.

Adjacent Land Uses: North: R-1 (SFR), South: R-1 (SFR), East: R-1 (SFR), West: R-1 (SFR).

STATEMENT OF THE ISSUE:

The proposed zoning change on this property will be considered as a "spot zoning" to the residential district in which the property is located.

ALTERNATIVE:

Not applicable.

STAFF RECOMMENDATION:

Due to the spot zoning and the adverse impact to the residential district, the Planning and Zoning Commission recommends DENIAL.

FINANCIAL IMPACT:

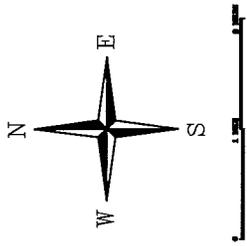
Not Applicable.

AUTHORIZATION:

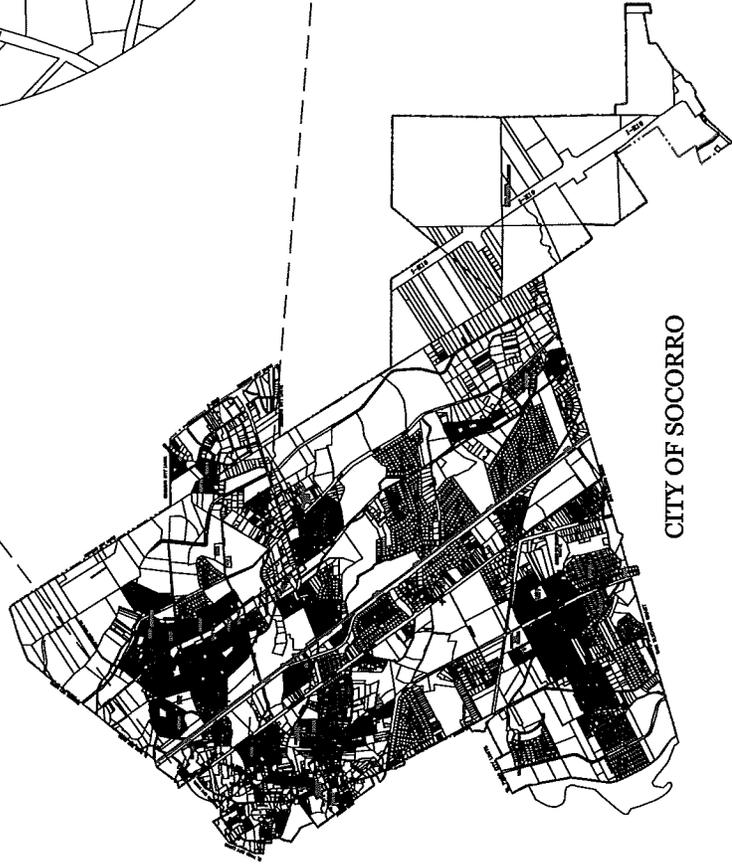
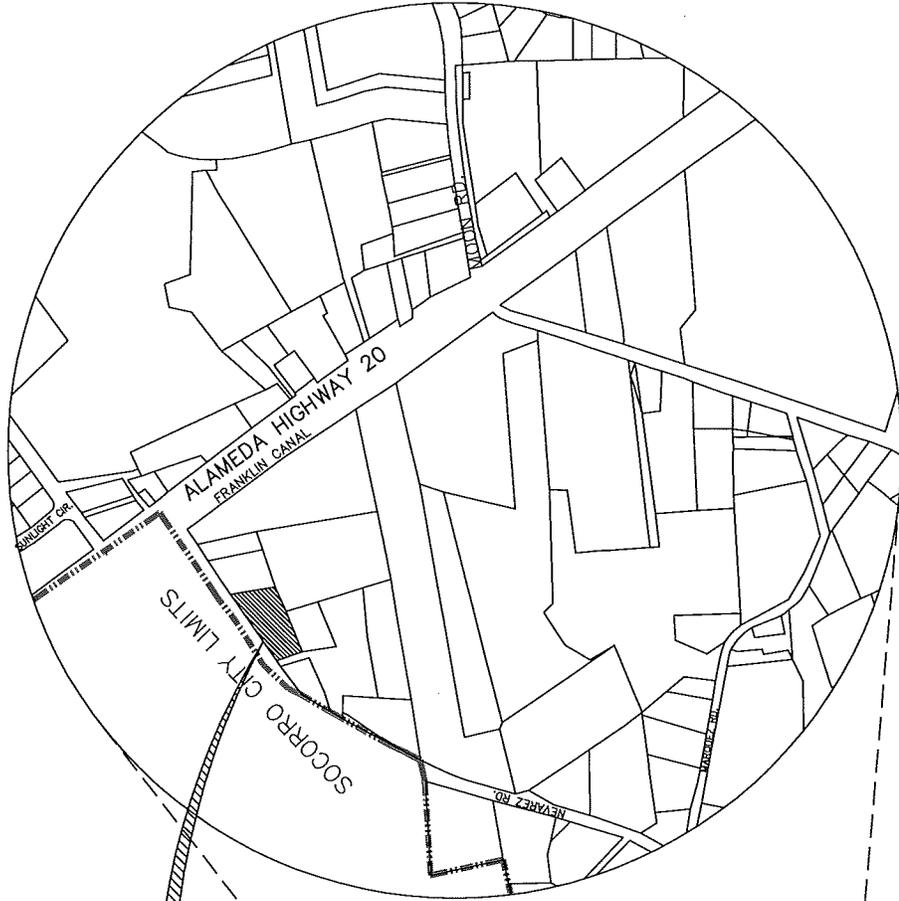
1. City Manager: _____ Date: _____

2. Attorney: _____ Date: _____

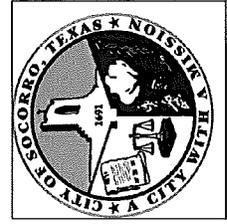
3. CFO: _____ Date: _____



PROJECT SITE:
124 S. NEVAREZ
TR. 9-C, BLK. 16
SOCORRO GRANT



CITY OF SOCORRO



LOCATION MAP

Scale: N.T.S.



REC'D JAN 12 2015

LD

**PLANNING AND ZONING DEPARTMENT
Request for Rezoning**

1. Name: Raul Chaparro Cobos

Address: 124 S. NEVAREZ Phone: (915) 251 0490

Representative: Martha Rosa Chaparro

Address: 124 S. NEVAREZ Phone: (915) 251 0073

Email Address: _____

2. Property Location: 124 S. NEVAREZ

Legal Description: 16 SOCORRO TR 9-C (0.498 ACRE)

If legal description is not available, a metes and bounds description will be required.

<u>0.498 acre</u>	<u>R1</u>	<u>Residencial</u>
Area (Sq. ft. or Acreage)	Current Zoning	Current Land Use

<u>M1</u>	<u>Almacenamiento de motos</u>
Proposed Zoning	Proposed Land Use

3. All owners of record must sign document.

[Signature] _____

Each item on this form must be completed and all exhibits must be submitted before this request can be scheduled for a public hearing.

- Rezoning Fees: Less than one acre - \$650.00
- 1 to 10 acres - \$750.00
- 10.1 to 30 acres- \$950.00
- 30.1 to 50 acres- \$1,150.00
- 50.1 to 75 acres- \$1,400.00
- 75.1 or more - \$1,650.00

ALL FEES ARE NONREFUNDABLE

City of Socorro
Planning and Zoning Department
860 N. Rio Vista
Socorro, TX. 79927

REC'D FEB 17 2015

LAD

To whom it may Concern;

Recently, I received a letter from the Planning and Zoning Commission reference to a scheduled public hearing to be held on February 17, 2015. The proposed amendment states that a request for rezoning of Tract 9-C, Block 16, Socorro Grant better known as 124 S. Nevarez Rd., (Single Family Residential) is requesting rezoning to a M-1 Light Industrial.

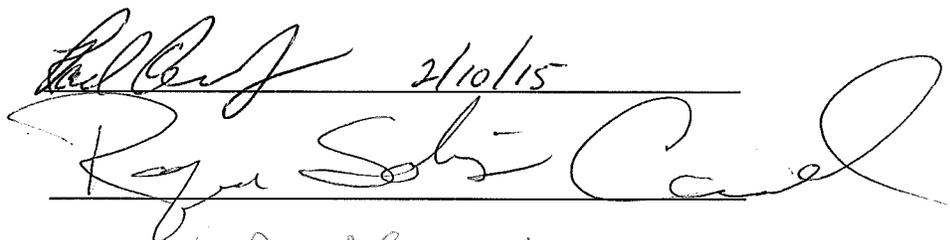
As an interest party and neighbor to this property, I have noticed a lot of traffic coming in and out of this residence in the last three weeks. Vehicles with Mexico registrations have been storing vehicles and motorcycles in the property, giving it the look of a salvage/junk yard.

I have contacted the following listed neighbors to the property and we stand united that we **OPPOSE** the proposed amendment to change 124 S. Nevarez from a Single Family Residential to an M-1 Light Industrial. The road is too narrow and with the City of El Paso buses coming in and out of the Street, I have seen a problem with congestion.

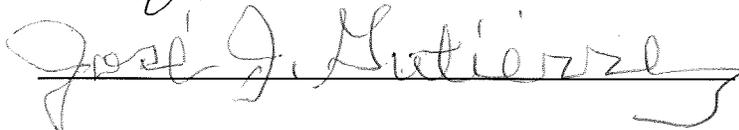
If you have any questions, I can be reached at 915-858-3723.

Below are signatures of the following residence that **OPPOSE** the proposed amendment.

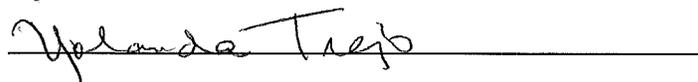
Raul and Raquel Candelaria
154 S. Nevarez
Socorro TX. 79927

 2/10/15
Raul and Raquel Candelaria

Jose Gutierrez
170 S. Nevarez
Socorro TX. 79927



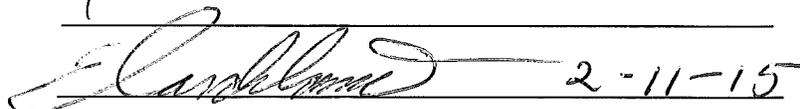
Yolanda Trejo
162 S. Nevarez
Socorro TX. 79927



Joe and Alicia Martinez
168 S. Nevarez
Socorro TX. 79927



Eddie Candelaria
116 S. Nevarez
Socorro TX. 79927

 2-11-15

REC'D FEB 17 2015

UD

Yolanda Trijo 1625 Newark

Albert Cardenas 820 Manuel Ortega

Jesus A. Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodriguez
District 2 / Mayor Pro Tem

Victor Perez
District 3

Anthony Gandara
District 4

Willie Norfleet Jr.
City Manager

ORDINANCE _____

AN ORDINANCE AMENDING THE CITY OF SOCORRO MASTER PLAN AND CHANGING THE ZONING OF TRACT 9-C, BLOCK 16, SOCORRO GRANT, AT 124 S. NEVAREZ RD., FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO M-1 (LIGHT INDUSTRIAL).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SOCORRO, TEXAS:

That pursuant to Chapter 50 of the Codification of Ordinances of the City of Socorro, Texas, Ordinance No. 76 Amendment 1A of the City of Socorro, as amended, the zoning of Tract 9-C, Block 16, Socorro Grant, located at 124 S. Nevarez Rd., is changed from R-1 (Single Family Residential) to M-1 (Light Industrial).

READ, APPROVED AND ADOPTED this _____ day of _____ 2015.

CITY OF SOCORRO, TEXAS

Jesus Ruiz, Mayor

ATTEST:

Sandra Hernandez, City Clerk

APPROVED AS TO FORM:

James A. Martinez
Socorro City Attorney

APPROVED AS TO CONTENT:

Willie Norfleet, Jr., City Manager

Introduction and First Reading: March 5, 2015

Second Reading and Adoption:

Gloria M. Rodríguez
District 2

Victor Perez
District 3 / Mayor-Pro Tem

Anthony Gandara
District 4

Willie Norfleet, Jr.
City Manager



Jesus Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1

ORDINANCE 361

AN ORDINANCE OF THE CITY OF SOCORRO, TEXAS, ADOPTING A NEW ORDINANCE REGARDING SUBSTANDARD BUILDINGS; ESTABLISHING STANDARDS FOR ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE DECLARATION OF SUBSTANDARD BUILDINGS AND STRUCTURES AS A PUBLIC NUISANCE; PROVIDING FOR NOTICE TO PROPERTY OWNERS, OCCUPANTS, MORTGAGEES, AND LIENHOLDERS OF SUBSTANDARD BUILDINGS AND STRUCTURES; PROVIDING FOR A PUBLIC HEARING ON THE SUBSTANDARD BUILDING OR STRUCTURE; PROVIDING FOR THE ABATEMENT OF NUISANCES; PROVIDING FOR THE RECOVERY OF COSTS; PROVIDING A PENALTY CLAUSE; PROVIDING FOR JUDICIAL REVIEW; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION.

WHEREAS, Chapter 214 of the Texas Local Government Code authorizes the City Council of Socorro, Texas ("City Council"), by ordinance to require the vacation, relocation of occupants, and the repair, removal, or demolition of a building that is dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; and

WHEREAS, Chapter 214 of the Texas Local Government Code also requires that the ordinance establish minimum standards for the continued use and occupancy of all buildings regardless of the date of their construction; provide for giving proper notice to the owner of a building; and provide for a public hearing to determine whether a building complies with the standards set out in the ordinance; and

WHEREAS, this Ordinance does establish minimum standards for the continued use and occupancy of all buildings regardless of the date of their construction; provides for giving proper notice to the owner of a building; and provides for a public hearing to determine whether a building complies with the standards set out in this Ordinance; and

WHEREAS, the City Council has determined that the following Ordinance is necessary to protect the public health, safety, and welfare of its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOCORRO, TEXAS, THAT:

SECTION 1.

The recitals set forth above are hereby found to be true and correct and are incorporated into the body of this Ordinance for all purposes as if fully set forth herein.

SECTION 2.

A new ordinance relative to Substandard Buildings is hereby adopted which shall read as follows:

SUBSTANDARD BUILDINGS

I. Adoption of chapter 214, Subchapter A, Texas Local Government Code.

The City of Socorro, Texas hereby adopts Chapter 214, Subchapter A, of the Texas Local Government Code, as amended, and the following minimum standards for the continued use and occupancy of all buildings regardless of the date of their construction, the following provisions for giving proper notice to the owner of a building, and the following provisions for a public hearing to determine compliance of real property, buildings, structures, premises and vacant lots. In the event that any provision of this Ordinance conflicts with said Chapter 214, Subchapter A, of the Texas Local Government Code, or in the event that any provision of said Chapter 214, Subchapter A has been omitted from this Ordinance, Chapter 214, Subchapter A controls and the City shall be entitled to pursue its remedies in conformity with said State law, as may be amended from time to time.

II. Definitions.

Terms, words, phrases and their derivatives used, but not specifically defined in this Ordinance, shall have the meanings defined in Webster's New Collegiate Dictionary. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine. For purposes of this Ordinance, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

(1) *Agricultural Structure* means any building or structure which is used solely for farming or ranching uses. This term includes, but is not limited to, barns, wind breaks, or silos. An agricultural structure may not be an accessory structure.

(2) *Building* means a structure with walls and a roof, or a structure that was originally constructed with walls and a roof, e.g. a house or factory, but does not include any agricultural structure. Typically includes, but is not limited to, residential or commercial structures and includes any accessory structures on the same property. The term building includes the term structure.

(3) *Enforcement Officer* means the chief of police, Building Official, code Enforcement Officer, or health officer, or their designated representatives, charged with any enforcement and administration of this Ordinance.

(4) *Inspection* means the examination of property by the Enforcement Officer or his authorized representative for the purpose of evaluating its condition as provided for in this Ordinance.

(3) *Manifestly Unsafe* means a building that is a public nuisance, as that term is defined in this section, or unsafe for human occupation, whether temporary or permanent, and a hazard to the public health, safety and welfare.

(4) *Owner* means any person, agent, firm, corporation, association or other entity having a legal or equitable interest in a property as shown on the most recent tax roll.

(5) *Person* means any person, agent, firm, corporation, association or other legal entity, or tenant as that term is defined in this section.

(6) *Public nuisance* means any building or any portion thereof that is:

(a) dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare;

(b) regardless of its structural condition, unoccupied by its owners, lessees, or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or

(c) boarded up, fenced or otherwise secured in any manner if:

(i) the building constitutes a danger to the public even though secured from entry;
or

(ii) the means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by Section III(1)(b).

(7) *Tenant* means any person, agent, firm, corporation, or association who occupies a property or premises and who is not the owner.

III. Declaration of Public Nuisance.

Any acts, conditions and things meeting the definition of public nuisance under Section II (6) of this Ordinance existing within the City of Socorro, Texas or within 5000 feet of the City's limit are, each and all of them, hereby declared to be and constitute public nuisances. The Enforcement Officer is hereby authorized to conduct an inspection of any property to determine whether a public nuisance exists as provided by this Ordinance.

IV. Specific Public Nuisances.

The following specific acts, conditions and things are, each and all of them, hereby declared to be and constitute public nuisances, provided that the acts, conditions or things otherwise meet the definition of public nuisance under Section II (6) of this Ordinance:

- (1) Any physical condition or use of any premises regarded as a public nuisance at common law or as defined elsewhere in the City's Code of Ordinances;
- (2) Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures;
- (3) Any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecure as to endanger life, limb or property;
- (4) Any premises from which the plumbing, heating and/or facilities required by the City's Ordinances have been removed, or from which utilities have been disconnected, destroyed, removed, or rendered ineffective, or the required precautions against unauthorized use or entry have not been provided;
- (5) Any structure or building that is in a state of dilapidation, deterioration or decay, faulty construction, overcrowded, open, vacant or abandoned, damaged by fire to the extent as not to provide shelter, in danger of collapse or failure and dangerous to anyone on or near the premises;
- (6) Any physical condition, use or occupancy of any premises or its appurtenances that is dangerous to the physical health or safety of an occupant or other person;
- (7) Any structure or building for which the state of disrepair is such that it could reasonably cause injury, damage, or harm to a considerable portion of the community in the use and enjoyment of property, materially interfering with the proper use or comfort and enjoyment of surrounding property, taking into consideration the nature and use of the properties in the area and the character of the community in which they are situated, which condition would be substantially offensive and annoying to persons of ordinary sensibilities living in the community; and
- (8) Any real property, building, structure, or any portion thereof, or any premises, including a vacant lot, in or on which there exists a condition not in compliance with the Minimum Standards established in Section V of this Ordinance.
- (9) Any building that has one or more of the conditions or defects hereinafter described, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants is endangered:

(a) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not arranged so as to provide safe and adequate means of exit in case of fire or panic.

(b) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

(c) Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.

(d) Whenever any portion of a building has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such a catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.

(e) Whenever any portion of a building, or member or appurtenance thereof, is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

(f) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof, is not of sufficient strength or stability, or is not so anchored, attached or astened in place so as to be capable of resisting a wind pressure of one-half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.

(g) Whenever any portion of a building has cracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to wind or earthquakes than is required in the case of similar new construction.

(h) Whenever the building, or any portion thereof, is manifestly unsafe because of:

(i) dilapidation, deterioration or decay;

(ii) faulty construction;

(iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building;

(iv) the deterioration, decay or inadequacy of its foundation; or

(v) any other cause, or is likely to partially or completely collapse.

(i) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

(j) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

(k) Whenever the building, exclusive of the foundation, shows thirty-three percent (33%) or more damage or deterioration of its supporting member or members, or fifty percent (50%) or more damage or deterioration of its nonsupporting members, enclosing or outside walls or coverings.

(l) Whenever the building has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to:

(i) become an attractive nuisance to children;

(ii) become a harbor for vagrants, criminals or immoral persons; or

(iii) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.

(m) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of this jurisdiction, as specified in the International Building Code or International Property Maintenance Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

(n) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member or portion less than fifty percent (50%), or in any supporting part, member or portion less than sixty-six percent (66%) of the:

(i) strength;

(ii) fire-resisting qualities or characteristics; or

(iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

(o) Whenever a building, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the Enforcement Officer to be unsanitary, unfit for human habitation or in such a condition that it is likely to cause sickness or disease.

(p) Whenever any building, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.

(q) Whenever any portion of a building remains on a site after the demolition or destruction of the building or whenever any building is abandoned for a period in excess of six (6) months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

(r) Whenever water heating facilities are not properly installed or maintained in a safe and good working condition and/or such water heating facilities are not capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than one hundred twenty degrees Fahrenheit (120°). Such water heating facilities shall be capable of meeting the requirements of this subsection when the dwelling or dwelling unit heating facilities required under the provisions of this subsection are not in operation.

(s) Whenever any minimum standards provided by the International Building Code, the International Property Maintenance Code, the International Residential Code, the International Fire Code, the International Mechanical Code, the International Plumbing Code, the International Fuel Gas Code or National Electrical Code, as amended, and as adopted by the City Council, are not met for any building.

(10) Any agricultural structure that fails to meet the minimum standards required for such agricultural structure adopted pursuant to the Occupational Safety and Health Standards for Agriculture, 29 C.F.R. § 1928, as amended.

V. Minimum Standards.

The minimum standards for the continued use and occupancy of all buildings, regardless of the date of construction thereof, shall be the following: (i) those established by the International Property Maintenance Code, which standards are hereby adopted, as well as those standards established by the International Building Code, as promulgated by the International Conference of Building Officials, as heretofore previously adopted or hereafter adopted or amended by the City of Socorro, Texas; (ii) those standards established by this Ordinance; and, (iii) those standards established by any other ordinances of the City of Socorro, Texas.

VI. Notice to Property Owners and Others of Public Hearing.

(1) If the Building Official determines that a public nuisance exists and such public nuisance requires the vacation, securing, repair, or removal of a building, structure, or condition, or the relocation of the occupants of the property, the Building Official shall:

(a) give notice of the nuisance to the owner of the property as well as any known tenant or occupant, by personal service or by certified mail (with a duplicate copy addressed to such owner, tenant or occupant as shown in the most recent tax roll or utility records of the City and deposited in the U. S. Mail, postage paid);

(b) provide detail in such notice of the standard(s) violated under this Ordinance and the necessary action to abate the nuisance (a copy of the Building Official's report is sufficient for this purpose);

(c) advise such owner, tenant or occupant of the date and time of the public hearing at which a determination will be made by the Planning and Zoning Commission as to whether the public nuisance exists and whether the real property, building, structure, premises or any portion thereof complies with the standards of this Ordinance;

(d) include a statement in such notice that the owner, lienholder or mortgagee will be required to submit proof of the scope of any work that may be required to comply with this Ordinance and the time it will take to reasonably perform the work; and

(e) provide a copy of such notice of public nuisance, details thereof, the required action necessary to abate the nuisance, and the date and time of the public hearing to any mortgagee or lienholder of record after a diligent effort to discover such mortgagee or lienholder.

(2) If the City mails a notice in accordance with this Ordinance to a property owner, lienholder, or mortgagee and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.

(3) The City satisfies the requirements of this Ordinance to make a diligent effort, to use its best efforts, or to make a reasonable effort to determine the identity and address of an owner, a lienholder, or a mortgagee if the City searches the following records:

(a) El Paso County real property records;

(b) El Paso Central Appraisal District records;

(c) Records of the Secretary of State;

(d) Assumed name records of El Paso County;

(e) Tax records of the City of Socorro, Texas; and

(f) Utility records of any utility doing business in the City of Socorro, Texas.

(4) Nothing in this Ordinance shall be interpreted to limit the powers of the City of Socorro, Texas to declare other acts, conditions or things to be public nuisances or the powers of the City or the Building Official to abate nuisances as provided by the City's nuisance ordinance or as provided by other ordinances of the City of Socorro, Texas.

VII. Date of Public Hearing.

The date of the public hearing before the Planning and Zoning Commission shall not be fewer than thirty (30) days from the date of personal service or deposit of same in the U.S. Mail, whichever is earliest.

VIII. Filing of Notice of Public Hearing in Public Records.

The City Clerk shall file a notice of public hearing in the El Paso County real property records at least ten (10) days before the date of the public hearing. The notice of public hearing shall contain:

(1) the name and address of the owner of the affected real property, if that information can be determined from a reasonable search of the instruments on file with the County Clerk;

(2) a legal description of the property; and

(3) a description of the hearing.

IX. Effect of Filing of Notice in Public Records.

The filing of the notice of public hearing under section VIII of this Ordinance shall be binding upon subsequent grantees, lienholders, or other transferees of any interest in the property who acquire such interest after the filing of the notice, and constitutes notice of the hearing on any subsequent recipient of any interest in the property who acquires such interest after the filing of the notice.

X. Conduct of Public Hearing.

The Planning and Zoning Commission shall conduct the public hearing to determine compliance with the standards set out in this Ordinance. At the public hearing, the owner, lienholder or mortgagee shall have the burden of proof to demonstrate the scope of any work that may be required to comply with this Ordinance and the time it will take to reasonably perform the work.

XI. Orders and Notice After Public Hearing.

(1) If, after a public hearing, the Planning and Zoning Commission finds that a public nuisance exists as defined by this Ordinance, the Planning and Zoning Commission shall require the owner, lienholder, or mortgagee of the real property, building, structure or premises to within thirty (30) days:

(a) secure the offending building or agricultural structure from unauthorized entry; or

(b) abate the nuisance or repair, remove or demolish the building unless the owner, mortgagee or lienholder establishes at the hearing that the work cannot reasonably be performed within the thirty (30) days allowed. The Planning and Zoning Commission shall establish specific time schedules for the commencement and performance of the work and shall require the owner, lienholder or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed.

(2) If, after the public hearing, a building, structure or premises is found to be in violation of the Minimum Standards set forth in this Ordinance, the Planning and Zoning Commission may order that the building, structure, or premises be vacated, secured, repaired, removed, or demolished by the owner within a reasonable time as provided by this section. The Planning and Zoning Commission also may order that the occupants be relocated within a reasonable time, at the cost of the owner. The Planning and Zoning Commission reserves the right to determine what is a reasonable amount of time to perform the ordered work or what is a reasonable amount of time to relocate occupants. In the event the owner fails to comply with the order within the time provided for action by the owner, the Planning and Zoning Commission may order any of the mortgagees or lienholders of the building, structure, or premises to be vacated, secured, repaired, removed, or demolished to comply with the order within a reasonable time as provided by this section. The Planning and Zoning Commission also may order that the occupants be relocated within a reasonable time, at the cost of any of the mortgagees or lienholders. Under this section, the City is not required to furnish any notice to a mortgagee or lienholder other than a copy of the order in the event the owner fails to timely take the ordered action.

(3) If the owner, lienholder or mortgagee establishes at the public hearing that the work cannot be reasonably completed within ninety (90) days because of the scope and complexity of the work, and if the owner, lienholder or mortgagee has submitted at the hearing a detailed plan and time schedule, and the Planning and Zoning Commission allows the owner, lienholder, or mortgagee more than ninety (90) days to complete any part of the work required to abate the nuisance or repair, remove or demolish the building or agricultural structure, the Planning and Zoning Commission shall require the owner, lienholder or mortgagee to regularly submit progress reports to the Planning and Zoning Commission through the Building Official to demonstrate compliance with time schedules for commencement and performance of the work and may require appearance before the Building Official, the Planning and Zoning Commission, or their designees, to demonstrate compliance. If the owner, lienholder, or mortgagee owns property, including structures or improvements on property, within the City's boundaries that exceeds \$100,000 in total value, the Planning and Zoning Commission may require the owner, lienholder, or mortgagee to post a cash or surety bond in an amount adequate to cover the cost of

repairing, removing, or demolishing a building under this subsection. In lieu of a bond, the Planning and Zoning Commission may require the owner, lienholder, or mortgagee to provide a letter of credit from a financial institution or a guaranty from a third party approved by the Planning and Zoning Commission. The bond must be posted, or the letter of credit or third-party guaranty provided, not later than the 30th day after the date the City issues the order.

(4) Within ten (10) days after the date that the order is issued, the city secretary shall:

(a) file a copy of the order in the City Clerk's office; and

(b) publish in a newspaper of general circulation in the City a notice containing:

(i) the street address or legal description of the property;

(ii) the date of the hearing;

(iii) a brief statement indicating the results of the order; and

(iv) instructions stating where a complete copy of the order may be obtained.

(5) After the public hearing, the City Clerk shall promptly mail by certified mail with return receipt requested, deliver by the United States Postal Service using signature confirmation service, or personally deliver a copy of the order to the owner of the building and to any lienholder or mortgagee of the building. The City shall use its best efforts to determine the identity and address of any owner, lienholder, or mortgagee of the building, structure or premise.

(6) If the public nuisance is not abated, or the building, structure or premise is not vacated, secured, repaired, removed, or demolished, or the occupants are not relocated within the allotted time, the City may abate, vacate, secure, remove, or demolish the building or relocate the occupants at its own expense. This subsection does not limit the ability of the City to collect on a bond or other financial guaranty that may be required by Subsection (3) of this Section.

XII. Repair, Vacation or Demolition.

The following standards shall be followed by the Planning and Zoning Commission in ordering the repair, vacation or demolition of any building, structure, or premise, and any building, structure, or premise declared a nuisance under this Ordinance shall be made to comply with one or more of the following:

(1) The building, structure, or premise shall be repaired in accordance with the current Building Code or other current codes applicable to the type of substandard conditions requiring repair.

(2) Repairs shall be deemed feasible only if less than fifty percent (50%) of the building or agricultural structure must be repaired or replaced, and the repairs amount to less than fifty percent (50%) of the building or agricultural structure's value.

(3) If the building or agricultural structure is in such a condition as to make it dangerous to the health, safety and welfare of the occupants, it shall be ordered vacated and secured from unlawful entry.

(4) If the building or agricultural structure requires repairs over greater than fifty percent (50%) of its surface or amounting to greater than fifty percent (50%) of its value, it shall be demolished. Further, if a building or agricultural structure cannot be repaired so that it will be brought into compliance with this Ordinance, it shall be demolished. Additionally, if the building or agricultural structure as it stands presents an incurable fire hazard in violation of the terms of this Ordinance or any ordinance of the City or statute of the state, it shall be demolished. For the purpose of this Ordinance, the term "demolished" includes the cleaning and grading of the property and the removal of all debris and trash.

(5) If the building or agricultural structure is not vacated, secured, repaired, removed or demolished, or the occupants are not relocated within the allotted time, the City may vacate, secure, remove or demolish the building or agricultural structure or relocate the occupants at its own expense, and may thereafter assess expenses, and establish a lien against the property, as set forth in Section XVIII of this Ordinance.

(6) If, after the expiration of the time allotted under section XI of this Ordinance, the owner, lienholder or mortgagee fails to comply, the City may do or cause to be done the repairs necessary to bring the building into compliance with this Ordinance and only if the building is a residential building with ten (10) or fewer dwelling units. The repairs may not improve the building to the extent that the building exceeds the minimum standards, as defined by this Ordinance, and expenses may be assessed as provided in section XI of this Ordinance.

XIII. Designation of Enforcement Officer.

The Enforcement Officer, or his designated representative(s), are hereby directed and authorized to administer and enforce the provisions of this Ordinance. Nothing contained herein is meant to limit discretion of any Enforcement Officer in evaluating and directing compliance with this Ordinance.

XIV. Enforcement Authority and Liability.

The Enforcement Officer, or his designated representative(s), acting in good faith and without malice in the discharge of his duties, shall not thereby render himself personally liable for any damage that may accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of his duties. Any suit brought against the Enforcement Officer, or his designated representative(s), because of such act or omission performed in the enforcement of

any provision of this Ordinance, shall be defended by legal counsel provided by the City of Socorro, Texas until final termination of such proceedings.

XV. Twenty-Four Hour Abatement Under Certain Circumstances.

Nothing in this Ordinance shall prohibit the requirement for abatement within twenty-four (24) hours, or a period of time less than as prescribed herein for public hearings, notice thereof, or the recovery of costs and establishment of liens, when a nuisance has been declared an immediate threat to health and safety by any enforcement personnel.

XVI. Remedies.

To enforce any requirement of this Ordinance, any enforcement personnel may gain compliance by any or all of the following:

- (1) Taking such action as the Enforcement Officer deems appropriate within the authorization provided for in this Ordinance or any other ordinances of the City.
- (2) Causing appropriate action to be instituted in a court of competent jurisdiction.
- (3) Ordering the abatement of the nuisance and assessing the costs of abatement against the property if the owner of the property does not abate same after the required notice.
- (4) Any other remedies permitted or authorized at law or in equity.

XVII. Contracting for Abatement.

Whenever the property owner, agent, or tenant fails to abate the nuisance within the time allowed, the Enforcement Officer is hereby authorized to contract with a contractor to perform such work as may be required to abate the nuisance.

XVIII. Recovery of Costs.

(1) Whenever the City enters upon the premises and causes any work to be performed to abate a nuisance, or if the building or agricultural structure is not vacated, secured, repaired, removed, or demolished, or if the occupants are not relocated within the allotted time, the City may take such action at its own expense, and a charge will be made to the property owner, agent, or tenant to recover the costs associated with the abatement. The charge shall be the actual cost of abatement, plus applicable sales taxes.

(2) An administrative fee of \$200.00 shall be assessed for each such charge.

(3) If the actual charge and the administrative fee are not paid to the City within thirty (30) days after billing, the City shall file a lien against the property. Said lien shall be filed in the real property records of El Paso County, Texas. The charges shown on the lien shall bear interest at the rate of five (5) percent per annum from the due date until paid. The lien shall be collected

under the same terms and provisions of law as on City ad valorem taxes. The lien may be extinguished prior to foreclosure if the owner or other person having an interest in the legal title to the property reimburses the City for its expenses. If the City complies with the notice and hearing requirements of this Ordinance, the lien shall be a privileged lien subordinate only to tax liens as authorized by Texas Local Government Code section 214.001(o).

XIX. Penalty Clause.

(1) Any person violating or failing to comply with any provision, requirement or order issued pursuant to this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined as provided in the applicable City's ordinances. A separate offense shall be deemed committed upon each day during or on which a violation or failure to comply occurs or continues to occur.

(2) In addition to any other remedies or penalties contained in this section, the City may enforce the provisions of this Ordinance pursuant to the applicable provisions of Texas Local Government Code, Chapter 54, which chapter provides for the enforcement of municipal ordinances.

(3) Allegation and evidence of a culpable mental state is not required for the proof of an offense defined by this Ordinance.

XX. Judicial Review.

Any owner, lienholder, or mortgagee aggrieved by an order of the Planning and Zoning Commission issued under this Ordinance shall be entitled to review by a state district court pursuant to section 214.0012 of the Texas Local Government Code, as amended, and if the City of Socorro, Texas prevails, it shall be entitled to an award of attorney's fees, costs and expenses, and judgment therefor, pursuant to and as authorized by section 214.0012(h) of the Texas Local Government Code.

XXI. Municipal Court Proceedings Not Affected.

Action taken by the City pursuant to this Ordinance shall not affect the ability of the City to proceed under the jurisdiction of the City's municipal court.

SECTION 3.

Any provision of any prior ordinance of the City of Socorro, Texas, Texas, whether codified or uncodified, which is in conflict with any provision of this Ordinance is hereby repealed to the extent of the conflict; however, all other provisions of the ordinances of the City, whether codified or uncodified, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

SECTION 4.

It is the intent of the City Council that each word, paragraph, sentence, subdivision, clause, phrase or section of this Ordinance be deemed severable, and should such word, paragraph, sentence, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of this Ordinance left standing, or the validity of any other ordinances of the City of Socorro, Texas.

SECTION 5.

This Ordinance shall take effect and shall be in full force from and after its adoption and publication as provided by law.

SECTION 5.

The City Clerk is hereby ordered to cause this Ordinance to be incorporated into the Code of Ordinances of the City of Socorro, Texas.

READ, ADOPTED AND APPROVED this ___ day of _____, 2015.

CITY OF SOCORRO, TEXAS

Jesus Ruiz, Mayor

ATTEST:

Sandra Hernandez, City Clerk

APPROVED AS TO FORM:

James A. Martinez
Socorro City Attorney

Introduction and First Reading: February 19, 2015
Second Reading and Adoption: March 5, 2015

Jesus Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodríguez
District 2 / Mayor Pro-Tem

Victor Perez
District 3

Anthony Gandara
District 4

Willie Norfleet, Jr.
City Manager

ORDINANCE NO. 362

AN ORDINANCE OF THE CITY OF SOCORRO, REGULATING CREDIT ACCESS BUSINESSES

CHAPTER 1 - DEFINITIONS

1.1 Usage and Interpretation

- 1.1.1. Usage. The following definitions are intended to provide descriptions for words and terms used within this title. Absent any conflict, words and terms used in this title shall have the meanings ascribed thereto in this title.
- 1.1.2. Conflicts. When words and terms are defined herein, and are also defined in other ordinance(s) of the city, shall be read in harmony unless there exists an irreconcilable conflict, in which case the definition contained in this title shall control.
- 1.1.3. Present and Past Tenses. Words used in the present tense include the future; words in the singular number include the plural number, and words used in the plural number include the singular number.
- 1.1.4. Specific Word Usage. The word shall is mandatory and not directory. The word structure includes the word building.
- 1.1.5. Words Not Defined. For any definition not listed in this chapter of this title, the definition found within the latest edition of Webster's Dictionary shall be used.

1.2 Definitions

- 1.2.1. "Certificate of registration" means a certificate of registration issued by the director under this article to the owner or operator of a credit access business.
- 1.2.1. "Consumer" means an individual who is solicited to purchase or who purchases the services of a credit access business.
- 1.2.2. "Consumer's language of preference" is the language the consumer understands best.
- 1.2.3. "Credit access business" has the meaning given that term in Section 393.601 of the Texas Finance Code.

- 1.2.4. "Deferred presentment transaction" has the meaning given that term in Section 393.601 of the Texas Finance Code.
- 1.2.5. "Director" means the director of the department designated by the city manager, or city manager's designee, to enforce and administer this chapter.
- 1.2.6. "Extension of consumer credit" has the meaning given that term in Section 393.001 of the Texas Finance Code.
- 1.2.7 "Freeway" means all U.S. interstate highways and other roadways designated as freeways in the master thoroughfare plan.
- 1.2.8. "Motor vehicle title loan" has the meaning given that term in Section 393.601 of the Texas Finance Code.
- 1.2.9. "Person" means any individual, corporation, organization, partnership, association, financial institution, or any other legal entity.
- 1.2.10. "Registrant" means a person issued a certificate of registration for a credit access business under this chapter and includes all owners and operators of the credit access business identified in the registration application filed under this chapter.
- 1.2.11. "State license" means a license to operate a credit access business issued by the Texas Consumer Credit Commissioner under Chapter 393, Subchapter G of the Texas Finance Code.

CHAPTER 2 – CREDIT ACCESS BUSINESS REGULATION

2.1 Purpose

- 2.1.1. The purpose of this article is to protect the welfare of the citizens of the City of Socorro by monitoring credit access businesses in an effort to reduce abusive and predatory lending practices. To this end, this article establishes a registration program for credit access businesses, imposes restrictions on extensions of consumer credit made by credit access businesses, imposes recordkeeping requirements on credit access businesses, and imposes restrictions on the locations of credit access businesses.

2.2 Violations; Penalty

- 2.2.1. A person who violates a provision of this chapter, or who fails to perform an act required of the person by this chapter, commits an offense. A person commits a separate offense for each and every violation relating to an extension of consumer credit, and for each day during which a violation is committed, permitted, or continued.
- 2.2.2. An offense under this chapter is punishable by a fine of not more than five hundred dollars.

2.2.3 A culpable mental state is not required for the commission of an offense under this article and need not be proved.

2.2.4 The penalties provided for in subsection (b) are in addition to any other remedies that the city may have under city ordinances and state law.

2.3 Defenses

2.3.1. It is a defense to prosecution under this article that at the time of the alleged offense the person was not required to be licensed by the state as a credit access business under Chapter 393, Subchapter G of the Texas Finance Code.

2.4 Registration

2.4.1. Registration Application: To obtain a certificate of registration for a credit access business, a person must submit an application on a form provided for that purpose to the director. The application must contain the following:

- A. The name, street address, mailing address, facsimile number, and telephone number of the applicant.
- B. The business or trade name, street address, mailing address, facsimile number, and telephone number of the credit access business.
- C. The names, street addresses, mailing addresses, and telephone numbers of all owners of the credit access business, and the nature and extent of each person's interest in the credit access business.
- D. A copy of a current, valid state license held by the credit access business pursuant to Chapter 393, Subchapter G of the Texas Finance Code.
- E. A copy of a current, valid certificate of occupancy showing that the credit access business is in compliance with the City of Socorro Code.
- F. A nonrefundable application fee for the amount established.

2.4.2. An applicant or registrant shall notify the director within forty-five days after any material change in the information contained in the application for a certificate of registration, including, but not limited to, any change of address and any change in the status of the state license held by the applicant or registrant.

2.4.3 Issuance and display of certificate of registration; presentment upon request.

- A. The director shall issue to the applicant a certificate of registration upon receiving a completed application under Section 2.4.1.
- B. A certificate of registration issued under this section must be conspicuously displayed to the public in the credit access business. The certificate of registration must be presented upon request to the director or any peace officer for examination.

- 2.4.4 Expiration and renewal of certificate of registration.
- A. A certificate of registration expires on the earliest of:
1. One year after the date of issuance; or
 2. The date of revocation, suspension, surrender, expiration without renewal, or other termination of the registrant's state license.
- B. A certificate of registration may be renewed by making application in accordance with Section 2.4.1. A registrant shall apply for renewal at least thirty days before the expiration of the registration.
- 2.4.5 Non-transferability. A certificate of registration for a credit access business is not transferable.
- 2.4.6 A person commits an offense if the person acts, operates, or conducts businesses as a credit access business without a valid certificate of registration. A certificate of registration is required for each physically separate credit access business.
- 2.5 **Maintenance of records.**
- 2.5.1. A credit access business shall maintain a complete set of records of all extensions of consumer credit arranged or obtained by the credit access business, which must include the following information:
1. The name and address of the consumer.
 2. The principal amount of cash actually advanced.
 3. The length of the extension of consumer credit, including the number of installments and renewals.
 4. The fees charged by the credit access business to arrange or obtain an extension of consumer credit; and
 5. The documentation used to establish a consumer's income under Section 2.6
- 2.5.2. A credit access business shall maintain a copy of each written agreement between the credit access business and a consumer evidencing an extension of a consumer credit (including, but not limited to, any refinancing or renewal granted to the consumer).
- 2.5.3. A credit access business shall maintain copies of all quarterly reports filed with the Texas Consumer Credit Commissioner under Section 393.627 of the Texas Finance Code.
- 2.5.4. The records required to be maintained by a credit access business under this section must be retained for at least three years and made available for inspection

by the city upon request during the usual and customary business hours of the credit access business.

2.6 Restriction on extension of consumer credit.

- 2.6.1. The cash advanced under an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining in the form of a deferred presentment transaction may not exceed twenty percent of the consumer's gross monthly income.
- 2.6.2. The cash advanced under an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining in the form of a motor vehicle title loan may not exceed the lesser of:
1. Three percent of the consumer's gross annual income; or
 2. Seventy percent of the retail value of the motor vehicle.
- 2.6.3. A credit access business shall use a paycheck or other documentation establishing income to determine a consumer's income.
- 2.6.4. An extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining and that provides for repayment in installments may not be payable in more than four installments. Proceeds from each installment must be used to repay at least twenty-five percent of the principal amount of the extension of consumer credit. An extension of consumer credit that provides for repayment in installments may not be refinanced or renewed.
- 2.6.5. An extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining and that provides for a single lump sum repayment may not be refinanced or renewed more than three times. Proceeds from each refinancing or renewal must be used to repay at least twenty-five percent of the principal amount of the original extension of consumer credit.
- 2.6.6. For purposes of this section, an extension of consumer credit that is made to a consumer within seven days after a previous extension of consumer credit has been paid by the consumer will constitute a refinancing or renewal.

2.7 Requirement of consumer understanding of agreement.

- 2.7.1. Every agreement between the credit access business and a consumer evidencing an extension of consumer credit (including, but not limited to, any refinancing or renewal granted to the consumer), must be written in the consumer's language of preference. Every credit access business location must maintain on its premises, to be available for use by consumers, agreements in the English and Spanish languages.

2.7.2. For every consumer who cannot read, every agreement between the credit access business and a consumer evidencing an extension of consumer credit (including, but not limited to, any refinancing or renewal granted to the consumer) must be read to the consumer in its entirety in the consumer's language of preference, prior to the consumer's signature.

2.7.3. For every consumer who cannot read, every disclosure and notice required by law must be read to the consumers in its entirety in the consumer's language of preference, prior to the consumer's signature.

2.8 Referral to consumer credit counseling.

2.8.1 A credit access business shall provide a form, to be prescribed by the Director, to each consumer seeking assistance in obtaining an extension of consumer credit which references non-profit agencies that provide financial education and training programs and agencies with cash assistance programs. The form will also contain information regarding extensions of consumer credit, and must include the information required by Section 2.5 A.1.—5. specific to the loan agreement with the consumer. If the Director has prescribed a form in the consumer's language of preference, the form must be provided to the consumer's language of preference.

2.9 Location of Credit Access Businesses.

2.9.1 A. No credit access businesses may be located within 1,000 feet, measured from property line to property line, of any other credit access business.

2.9.2 No credit access businesses may be located within 300 feet, measured from property line to property line, of a lot within an area zoned for residential dwelling units.

2.9.3 No credit access business may be located within 500 feet of an existing freeway or new freeway, measured from the property line of the credit access business to the nearest freeway or new freeway travel lane.

2.9.4 A credit access business may only operate within a freestanding building.

2.9.5 Credit access businesses are prohibited as accessory uses and may not operate in the same freestanding building as any other use.

2.9.6 In zoning districts where credit access businesses are permitted, a conditional use permit shall be required, and an application must be made with the planning and zoning commission for the conditional use permit.

2.9.7 Failure to comply with the provisions of this Chapter or those contained within this Title shall subject the property to forfeiture of the conditional use permit.

2.9.8 Any credit access business not in conformance with the provisions of this Chapter at the time of the effective date of this ordinance shall be deemed to be nonconforming and subject to any penalties contained within this Chapter or any Chapter of the City of Socorro Code of Ordinances.

READ, ADOPTED AND APPROVED this 5th day of March, 2015.

CITY OF SOCORRO, TEXAS

Jesus Ruiz, Mayor

ATTEST:

Sandra Hernandez, City Clerk

APPROVED AS TO FORM:

James A. Martinez
Socorro City Attorney

Introduction and First Reading: February 19, 2015
Second Reading and Adoption: March 5, 2015

Gloria M. Rodríguez
District 2

Victor Perez
District 3

J.E. "Chito" Bowling
District 4

Willie Norfleet, Jr.
City Manager

Jesus Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1 / Mayor Pro Tem



DATE: FEBRUARY 19, 2015

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: KARINA HAGELSIEB

SUBJECT: DISCUSSION AND ACTION ON ACCEPTING THE FIXED ASSETS AGREED UPON PROCEDURES REPORT FROM WHITE, SAMANIEGO, & CAMPBELL, LLP.

SUMMARY

This action accepts the Agreed Upon Procedures Report for Fixed Assets from White, Samaniego, & Campbell, LLP.

STATEMENT OF THE ISSUE

The City of Socorro has had, in prior years, ongoing findings related to the accountability of Fixed Assets. In order to address the findings from prior years, the external audit firm was engaged to identify and/or correct internal processes in order to eliminate findings related to fixed assets going forward.

FINANCIAL IMPACT

	Staff	Senior	Supervisor	Partner	Total
Planning	0	0	15		15
Testwork	40	30	0	0	70
Report	0	10	15	0	25
Supervision	0	0		10	10
Total	40	40	30	10	120
Rate	\$ 80	\$ 90	\$ 110	\$ 150	
Total Cost	\$ 3,200	\$ 3,600	\$ 3,300	\$ 1,500	\$ 11,600

ALTERNATIVE

No alternative available.

STAFF RECOMMENDATION

The staff is recommending approving this item.

Jesus Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodríguez
Mayor Pro Tem/District 2

Victor Perez
District 3

Anthony Gandara
District 4

Willie Norfleet, Jr.
City Manager

DATE: MARCH 5, 2015

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: KARINA HAGELSIEB

SUBJECT: DISCUSSION AND ACTION ON APPROVING RESOLUTION 483 FOR BANK SIGNATORIES.

SUMMARY

This action approves removing the previously assigned signatories, Mayor and Council, and authorizing Administrative Personnel to be signatories effective March 5, 2015.

STATEMENT OF THE ISSUE

Administration is requesting to approve the following signatories for all bank accounts:

Willie Norfleet, Jr.
Doug Lobdell, Jr.
Sam Leony
Karina Hagelsieb

FINANCIAL IMPACT

None

ALTERNATIVE

STAFF RECOMMENDATION

The Staff is recommending the approval of this item.

Jesus Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodríguez
Mayor ProTem/District 2

Victor Perez
District 3

Anthony Gandara
District 4

Willie Norfleet, Jr.
City Manager

RESOLUTION 483

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOCORRO, TEXAS
AUTHORIZING THE DESIGNATION OF SIGNATORIES FOR THE FOLLOWING
ACCOUNTS:**

BANK	NAME	Account No.
WELLS FARGO	DEBT SERVICE	3729498919
WELLS FARGO	M&O	2679174637
WELL SFARGO	PAYROLL	2679174645
WELLS FARGO	DEBT SERVICE	2679174652
WELLS FARGO	SPECIAL REVENUES	2679174660
WELLS FARGO	LOCAL LAW ENFORCEMENT	2679174678
WELLS FARGO	CAPITAL PROJECTS	2679174686
LOGIC	INVESTMENT POOL	2445582001
FNB	TIME DEPOSIT	280003579
NEY YORK MELLON BANK	PLEDGED SECURITIES	WU1371

WHEREAS, the City of Socorro, Texas was created by a Special Act of the Texas Legislature on April 26, 1871, as Texas Municipality; and

WHEREAS, it is necessary and in the best interest of the City to designate signatories for the aforementioned bank accounts.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Socorro:

1. That the City Council directs and designates Willie Norfleet, Jr., Karina Hagelsieb, Douglas Lobdell, Jr., and Sam Leony as signatories for the aforementioned bank accounts.
2. That it further be stated that the aforementioned bank accounts require two signatories.
3. That prior designations of bank signatories are revoked.

Resolution 483
March 5, 2015

Passed and approved this 5th day of March 2015.

Jesus Ruiz, Mayor

ATTEST:

Sandra Hernandez, City Clerk

APPROVED AS TO FORM:

James A. Martinez

Jesus Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodríguez
District 2

Victor Perez
District 3 – Mayor Pro Tem

Tony Gandara
District 4

Willie Norfleet, Jr.
City Manager

DATE: 10 February 2015

TO: Mayor and Council, City of Socorro, Texas

FROM: Douglas Lobdell Jr., Parks Director

SUBJECT: *Discussion and action* regarding the Parks Commission.

SUMMARY: We have not been able to get a quorum for Parks and Recreation Commission meetings since I assumed responsibility for City of Socorro Parks. Request Council review their Parks Commission appointees.

BACKGROUND

Dist.	Name	Dec Meeting	Feb Meeting	Notes
D1	Romulo Lucero	No	Yes	Good attendance
D2	Paul Guerra	? no contact	? no contact	50%
D3	Daniel Gomez	? no contact	? no contact	Poor attendance
D4	<i>Vacant</i>			
At Lg	Humberto Nevarez	Yes	No	Good attendance
May	Carlos Sepulveda	Yes	Yes	Good attendance
May	Jesus Reyes	No	No	Never attended

STATEMENT OF THE ISSUE

The Parks and Recreation Commission cannot address Parks and Recreation issues and goals without a quorum.

FINANCIAL IMPACT None.

Account Code (GF/GL/Dept): N/A

Funding Source: N/A

Amount: N/A

Quotes (Name/Commodity/Price)

Co-op Agreement (Name/Contract#)

ALTERNATIVE. City Council may direct that the Parks and Rec Commission organization be reconsidered, or that the Commission be eliminated.

STAFF RECOMMENDATION

Recommend that Council review their appointees and, if appropriate, remove non-attending members and appoint replacements.

REQUIRED AUTHORIZATION

1. City Manager _____ Date _____
2. CFO _____ Date _____
3. Attorney _____ Date _____

DIVISION 4. - PARKS AND RECREATION BOARD

- **Sec. 2-208. - Established.** The city has established a parks and recreation advisory board as provided in this division.

(Ord. No. 303, § 4, 5-17-2012; Ord. No. 321, § 6, 8-15-2013)

- **Sec. 2-209. - Members.**

(a) *Appointment; qualifications.* The parks and recreation board shall be composed of seven members, all of whom shall be residents of the city, and known to be interested in parks and recreation. Appointments shall be made by members of the city council as follows:

- (1) Place 1—District 1.
- (2) Place 2—District 2.
- (3) Place 3—District 3.
- (4) Place 4—District 4.
- (5) Place 5—District 5.
- (6) Place 6—Mayor.
- (7) Place 7—Mayor.

(b) *Terms.* Initial terms for Places 1, 2 and 3 shall end on December 1, 2013, and for Places 4, 5 and 6 shall end on December 1, 2016. Thereafter, all members shall serve for terms of four years beginning and ending on December 1.

(c) *Ex officio member.* The city representative in charge of the department of parks and recreation shall be an ex-officio member of the board without the power to vote.

(d) *Removal.* Members of the board may be removed by the nominating member of city council for any reason at any time by posting the removal and announcing same into the record of any city council meeting.

(e) *Conflicts of interest.* No member of the parks and recreation board shall hold any other public office of profit in the government of the city or county during the term of office. No member of the parks and recreation board shall participate in any way or in any manner in which that member has a personal or financial interest. The member's withdrawal from the board for this purpose shall be shown in the minutes.

(f) *Compensation.* The members of the board shall serve without pay.

(Ord. No. 303, § 4, 5-17-2012; Ord. No. 321, § 6(B), (E), (K), 8-15-2013)

- **Sec. 2-210. - Officers; organization.**

(a) The parks and recreation board shall select from among its members a chairperson and vice-chairperson, and shall adopt, subject to the approval of the mayor and city council, such rules and regulations for the government of its proceeds as may be deemed proper and not inconsistent with the ordinances of the city and state law.

(b) The city shall designate an employee to serve as secretary of the parks and recreation board who shall keep a record of the transactions of the board and shall provide the board with data, information, plans and maps relating to the city, and shall cooperate fully in all particulars with the board.

(Ord. No. 303, § 4, 5-17-2012; Ord. No. 321, § 6(C), (D), 8-15-2013)

- **Sec. 2-211. - Meetings; quorum.** Regular meetings of the parks and recreation board shall be held on dates adopted by a two-thirds majority vote of the members present at a meeting of the board. Special meetings may be called by the chairperson or on the request of two or more members on three days' notice to all

members and posting of notice as required by state law. All meetings shall be open to the public to the extent required by state law. A quorum for any meeting shall consist of a majority of the qualified members.

(Ord. No. 303, § 4, 5-17-2012; Ord. No. 321, § 6(J), 8-15-2013)

- **Sec. 2-212. - Duties and responsibilities.**

(a) *Generally.* The parks and recreation board shall have the duties and responsibilities as designated by the city council of the city, including, without limitation, those specified in this section.

(b) *Advise mayor and city council.* The parks and recreation board shall act as an advisory committee to the mayor and city council in development, supervision, and administration of the affairs of the department of parks and recreation of the city.

(c) *Surveys and reports.* The parks and recreation board shall from time to time, in cooperation with the city planning and zoning commission, make a complete and thorough survey of the parks of the city and of the recreational activities conducted by the city and shall report its findings to the city council, together with recommendations that it deems proper with reference to the improvement of the same.

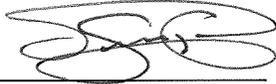
(d) *Studies, investigations and reports.* The parks and recreation board shall study, investigate and report upon plans for the extension of the parks and recreational activities within the city giving attention to the establishment of new parks in different parts of the city, as well as the extension and development of the existing parks, and the development and extension of recreational activities in parks and other public properties.

(e) *Encourage cooperation among city and other persons and entities.* The parks and recreation board shall at all times seek to promote close cooperation between the city and all private citizens, institutions and agencies interested in the establishment and development of parks and recreational activities which include, but are not limited to, the city independent school district, county water improvement district, Lower Valley Water Authority, El Paso Community College and Texas A&M University.

**CITY OF SOCORRO
REQUEST FOR CITY COUNCIL AGENDA ITEM**

Note: Regular Council meetings are held on the 1st and 3rd Thursday of each month. Requests **MUST** be submitted to the City Clerk by **12:00 p.m.** on the **THURSDAY** one week before the scheduled meeting date. **Late items (received by 5:00 p.m.) on the Friday prior the meeting will be placed as an Addendum. NO AGENDA ITEMS WILL BE RECEIVED AFTER 5:00 ON FRIDAY.**

Date Submitted February 26, 2015

Department:  2/26/15
Planning & Zoning

1st. Signature: _____

2nd. Signature: _____

DESCRIBE REQUEST:

DISCUSSION AND ACTION ON THE PROPOSED 2015 ANNEXATION PROJECT.

_____ FOR OFFICE USE ONLY _____

Please check one:

- | | |
|--|--|
| <input type="checkbox"/> Executive Session | <input checked="" type="checkbox"/> Regular Agenda |
| <input type="checkbox"/> Presentation Agenda | <input type="checkbox"/> Consent Agenda |

This item is to be placed on the agenda for: March 5, 2015

Received by City Clerk on: _____, 2015. Time: _____

Approved to be placed on the agenda : _____
City Council / City Manager

- ACTION TAKEN:
- Approved
 - Not approved
 - Tabled
 - Other

Gloria M. Rodriguez
District 2 / Mayor Pro-Tem

Victor Perez
District 3

Anthony Gandara
District 4

Willie Norfleet Jr.
City Manager

Jesus A. Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



DATE: March 5, 2015
TO: MAYOR AND CITY COUNCIL
FROM: Sam Leony, Planning and Zoning Director
CC: Willie Norfleet Jr., City Manager

SUBJECT:

Proposed incentives to properties located in our Historical District and official Landmarks around the City on remodeling or restoration projects.

SUMMARY:

The proposed incentives to consider would be any kind of municipal permit fees related to building, plumbing, electrical, mechanical, fencing, zoning process, and signs.

The intention of this request is to encourage property owners to preserve their properties enhancing our Historical District but in total compliance with our historical regulations.

BACKGROUND:

The properties subject to this benefit would be those located within our Historical District and those recognized as Historical Landmarks in official records.

STATEMENT OF THE ISSUE:

This possibility is currently considered by several municipalities to encourage the investment on historical properties.

ALTERNATIVE:

Not Applicable.

STAFF RECOMMENDATION:

The Historical Landmark Commission recommends APPROVAL, and the Planning and Zoning Department recommends APPROVAL with the condition of conducting socio-economical study to determine the financial status of the applicants.

FINANCIAL IMPACT:

Not Applicable.

AUTHORIZATION:

1. City Manager: _____ Date: _____

2. Attorney: _____ Date: _____

3. CFO: _____ Date: _____

Gloria M. Rodriguez
District 2 / Mayor Pro-Tem

Victor Perez
District 3

Anthony Gandara
District 4

Willie Norfleet Jr.
City Manager



Jesus A. Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1

DATE: March 5, 2015
TO: MAYOR AND CITY COUNCIL
FROM: Sam Leony, Planning and Zoning Director
CC: Willie Norfleet Jr., City Manager

SUBJECT:

Proposed amendment to Ordinance 321, Section 3, to allow the Planning and Zoning Commission to adopt Rules and Regulations for the government of their own procedures, and to carry out the purposes for which the Commission was created.

SUMMARY:

As a result of an analysis to our existing Ordinance 321 related to terms and procedures of our existing Commissions, it was determined a necessary amendment to the aforementioned ordinance in order to discuss voting requirements, quorum requirements, and election of officers.

BACKGROUND:

Based upon the existing Ordinance 321, does not address the need of the Commission to adopt the bylaws, rules and regulations governing the conduct of their business.

STATEMENT OF THE ISSUE:

It is necessary to adopt an ordinance to amend Ordinance 321 by adding the new following Section G: "That the Planning and Zoning Commission shall select from among their members, a chairman, a vice-chairman, and that the PZC adopt rules and regulations for their own proceedings, and to carry out the purposes for which the Commission is created, not inconsistent with the Charter and ordinances of the City."

ALTERNATIVE:

Not Applicable.

STAFF RECOMMENDATION:

The Planning and Zoning Commission recommends APPROVAL.

FINANCIAL IMPACT:

Not Applicable.

AUTHORIZATION:

1. City Manager: _____ Date: _____

2. Attorney: _____ Date: _____

3. CFO: _____ Date: _____

MOUNCE, GREEN, MYERS,
SAFI, PAXSON & GALATZAN
A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW
100 N. STANTON, SUITE 1000
EL PASO, TEXAS 79901-1448
(915) 532-2000

JOHN S. BIRKELBACH
Direct Dial (915) 541-1535

MAILING ADDRESS:
P.O. BOX 1977
EL PASO, TEXAS 79999-1977
FACSIMILE: (915) 541-1548
birk@mgmsg.com

MEMORANDUM

TO: Planning & Zoning Commission

FROM: John S. Birkelbach

RE: Planning and Zoning Commission By-Laws

DATE: February 3, 2015

At the request of the Planning and Zoning Commission, I have reviewed the following:

1. By-Laws of The City of Socorro Plan Commission dated May 2, 1989 ("1989 By-Laws");
2. By-Laws of the City of Socorro Planning & Zoning Commission which appear to have been adopted on February 13, 2007 ("2007 By-Laws"). It is my understanding that an executed counterpart of the 2007 By-Laws has not been located;
3. City of Socorro, Texas Ordinance Number 321, adopted by the City Council of the City of Socorro on August 15, 2013 ("Ord 321"); and
4. Article XII of the City Charter authorizing the Planning and Zoning Commission (PZC).

You have requested our opinion regarding the status of the 1989 By-Laws, the 2007 By-Laws, and the effects, if any, of Ord 321 on the 1989 By-Laws and the 2007 By-Laws.

We have not been provided any evidence that any prior City Council authorized or approved the 2007 By-Laws or the 1989 By-Laws. In the absence of authorization by City Council for the creation of by-laws, the 2007 By-Laws and the 1989 By-Laws are not effective.

Ord 321 is a comprehensive ordinance that established the jurisdiction and authority of the PZC, the Socorro Museum Commission, the Board of Adjustment and other City Commissions, and repealed prior ordinances relating to the respective commissions. I have provided to you a copy of Ord 321

In adopting Ord 321, the City Council adopted different rules for the various commissions. For example, the provisions of Section 4 (Page 15) relating to the Zoning Board of Adjustment ("ZBA") included provisions that addressed the following:

1. quorum requirements (Page 18);
2. voting requirements (Pages 18-19);
3. established rules for the conduct of meetings and the election of officers (Page 20); and
4. authorized the ZBA to adopt its own rules and to modify the rules set forth in Section F (Page 20).

With respect to the Socorro Museum Commission, in Section 2 of the Ordinance (Page 3), the City Council established rules regarding the following:

1. voting requirements (Subsection 3, Page 5);
2. the power to adopt rules, regulations, and resolutions (Subsection 3, Page 5);
3. voting of members (Subsection 4, Page 5 and Subsection 3, Page 6);
4. quorum requirements (Subsection 3, Page 6); and
5. adopted Robert's Rule of Order.

However, in adopting new policies and procedures for the PZC, the City Council did not address the following:

1. voting requirements;
2. quorum requirements; and
3. election of officers.

Furthermore, the City Council did not authorize the PZC to adopt bylaws, rules or regulations governing the conduct of its business.

Since the City Council has not addressed any of these issues, I would recommend that the PZC request that the City Council adopt an ordinance amending Ord 321 by adding the new following Section G:

"That the Planning and Zoning Commission shall select from among their members, a chairman, a vice-chairman, and that the Planning and Zoning Commission adopt rules and regulations for the government of their own proceedings, and to carry out the purposes for which the Commission is created, not inconsistent with the Charter and ordinances of the City."

If City Council passes the foregoing ordinance, I would be happy to assist you in preparation of the by-laws for the regulation of your proceedings.

I am happy to address any issues you may have at the meeting of the Commission this evening.

John S. Birkelbach

John S. Birkelbach

JSB/pmb

Jesus A. Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodriguez
District 2 / Mayor Pro-Tem

Victor Perez
District 3

Anthony Gandara
District 4

Willie Norfleet Jr.
City Manager

DATE: March 5, 2015
TO: MAYOR AND CITY COUNCIL
FROM: Sam Leony, Planning and Zoning Director
CC: Willie Norfleet Jr., City Manager

SUBJECT:

Proposed Conditional Use Permit for Dialysis Center at Tract 4D-2H & 4D-2W, Block E, Socorro Grant.

SUMMARY:

The property matter of this request is located at 10697 North Loop Dr., northwesterly located at 1,100 feet from the intersection of North Loop Dr. and Horizon Blvd. This property has an estimated area of 38,031 sf., and it is owned by Socorro Dialysis, LLC, 1700 Curie Dr., El Paso, TX 79902.

BACKGROUND:

According to our Future Land Use map, the projected land use for this property is: Commercial.

According to the Flood Insurance Rate Maps, the referenced property lies within an area determined to be outside of the 500-year flood plain, more particularly described as **Zone X**; this classification is the safest area with the less possibility of being flooded (Community Panel # 480212 0236-B / FEMA, September 4, 1991).

The current use of the property is: Retail shopping center (C-2, General Commercial).

The proposed use of the property: Medical Dialysis Clinic.

Adjacent Land Uses: North: C-1 (LC), South: C-2 (GC), East: R-1 (SFR), West: C-2 (GC).

STATEMENT OF THE ISSUE:

The property matter of this request complies with the requisites established in our zoning ordinance Division 9, C-2 – General Commercial, Section 46-414 (4), for the proposed use.

ALTERNATIVE:

Not applicable.

STAFF RECOMMENDATION:

The Planning and Zoning Commission recommends APPROVAL.

FINANCIAL IMPACT:

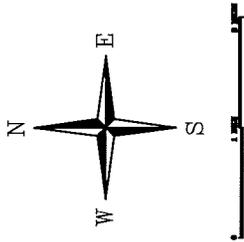
Not Applicable.

AUTHORIZATION:

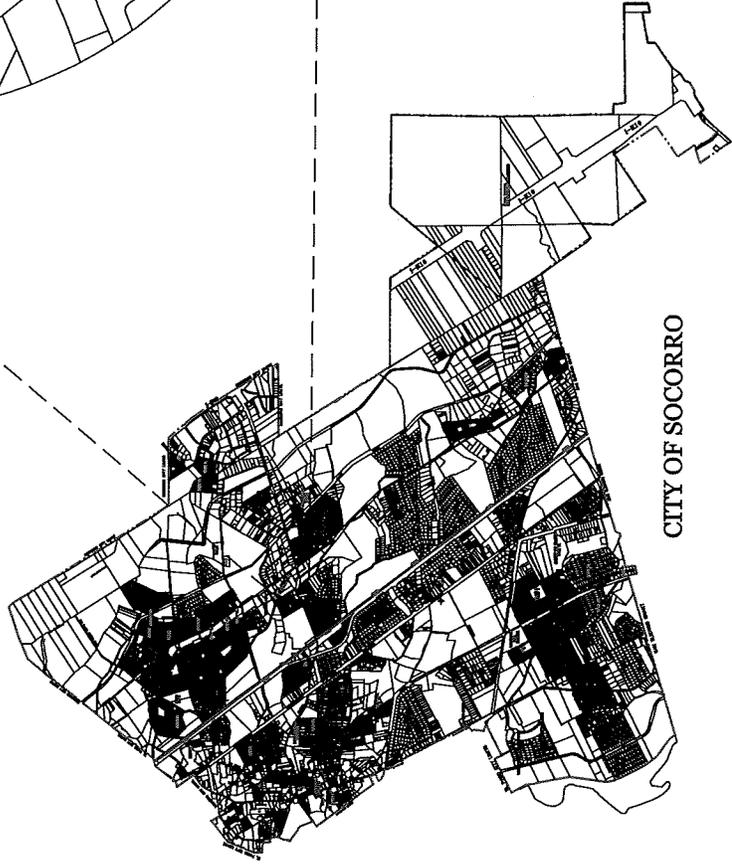
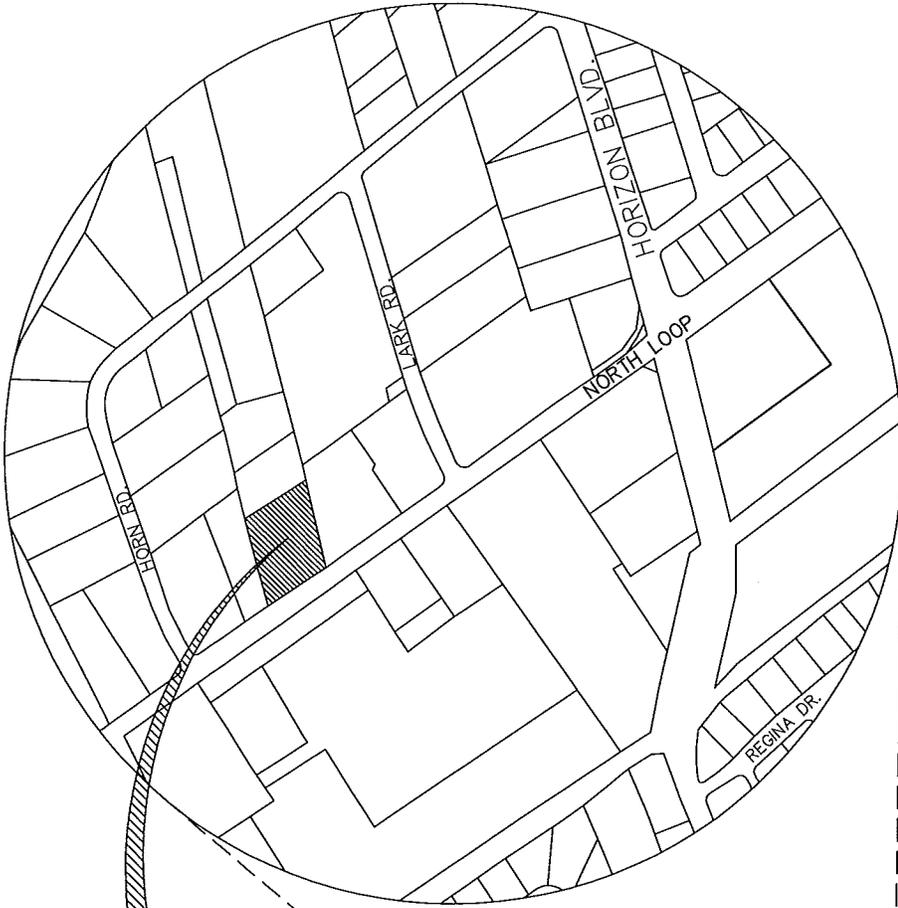
1. City Manager: _____ Date: _____

2. Attorney: _____ Date: _____

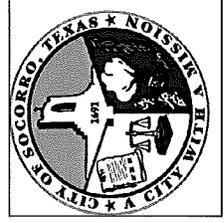
3. CFO: _____ Date: _____



PROJECT SITE:
10697 NORTH LOOP
TR. 4D-2H BLK. E
SOCORRO GRANT

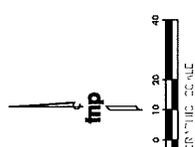
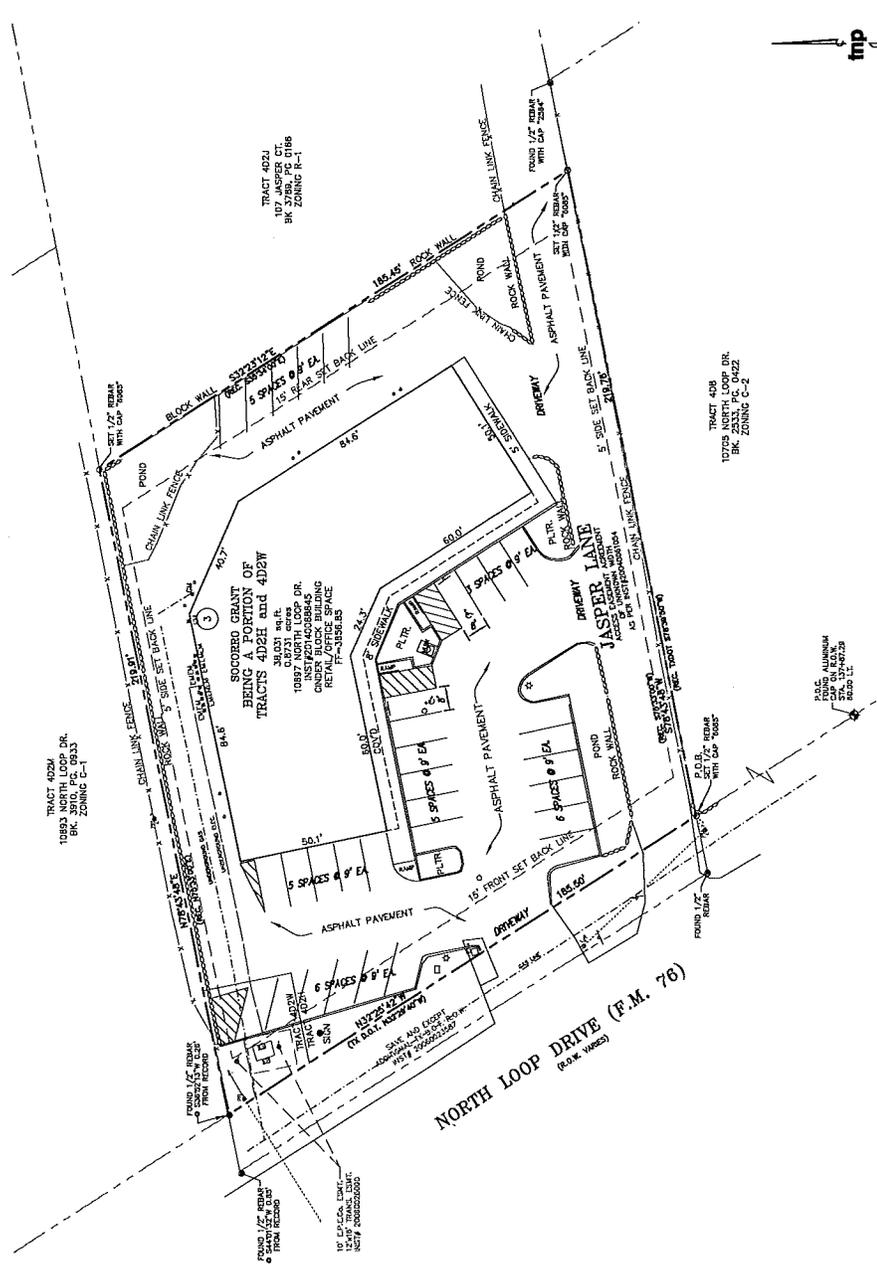


CITY OF SOCORRO



LOCATION MAP

Scale: N.T.S.



OWNER
SOCORRO DIALYSIS, LLC
 10697 NORTH LOOP DRIVE
 SOCORRO, TX 79927

DEVELOPER
DAVITA INC.
 1551 WEWATTA STREET
 DENVER, CO 80202
 PH: 303-405-2100
 ATTN: HENRY ABNER

ARCHITECT
SEARER, ROBBINS & STEPHENS, INC.
 1730 EAST NORTHERN AVENUE, SUITE 124
 PHOENIX, AZ 85020
 PH: 602-277-1187
 ATTN: DAVID B. ROBBINS

City of Socorro, Texas
 Conditional Use Permit for
10697 N. Loop Drive
Site Plan

teague nall & perkins
 1001 N. Loop West, Suite 76102
 Fort Worth, TX 76102
 817.336.5773 ph 817.336.2813 fx
 TSPF Registration No. F-230
 www.tnplns.com



scale	1"=20'
date	Jan. 2015



no.	revision	by	date

DIVISION 9. C-2 - GENERAL COMMERCIAL DISTRICT

Sec. 46-412. Purpose.

The purpose of this zone is to allow those commercial activities that serve the general community on a day-to-day basis.

(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)

Sec. 46-413. Permitted uses.

Permitted uses in this zone shall include:

- (1) All retail sales of goods and services conducted entirely within a building as well as the incidental display of merchandise wholly under a permanent part of a main building, such as a marquee.
- (2) Movie theaters, bowling alleys and skating rinks; pool tables allowed as an accessory and secondary use to such permitted uses.
- (3) Churches, post offices, fire stations, libraries and public buildings.
- (4) Offices.
- (5) Commercial kennels and veterinary clinics.
- (6) Cafes, restaurants, cafeterias, and drive through eating establishments.
- (7) Clubs and lodges without alcoholic beverages sale to members or the public.
- (8) Child care institutions, day care centers, nursing homes, and halfway houses.
- (9) Service establishments, including filling or service stations.
- (10) Ambulance service with or without outdoor storage of ambulances.
- (11) Spas, health studios or fitness centers, without outdoor activities.

(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)

Sec. 46-414. Conditional uses (requires permit).

Conditional uses in this zone shall include:

- (1) Shopping centers and shopping malls and all other commercial, office, retail and service uses requiring over 50,000 square feet.
- (2) Bars, liquor stores, and adult businesses, provided that:
 - a. No such businesses shall be located within 1,500 feet of the nearest point of a lot on which is located a religious and/or educational institution, a public park or recreation facility.

- b. No such business shall be located within 1,500 feet of any lot within any residential zone.
- c. No such business shall operate between the hours of 2:00 a.m. and 9:00 a.m.

(3) Amusement parks.

→ (4) Hospitals.

(5) Colleges and universities.

(6) Motor vehicle body shops, parts manufacturing, repair and maintenance facilities, provided that:

- a. All body and fender repairing must be done within a completely enclosed building or room with stationary windows that may be opened only at intervals necessary for ingress and egress.
- b. No spray painting may be done except in a completely enclosed spray booth especially designed for that purpose.
- c. All other auto repairing, etc., must be conducted within a building enclosed on at least three sides.
- d. Service stations primarily for automobiles and petroleum gas for consumption but not for resale and including lubricating, minor repairs and associated activities that are conducted within a completely enclosed building. A solid wall or fence at least six feet high shall be erected between the activity and any abutting or contiguous residential zone, or other buffer as may be required by the planning and zoning commission.
- e. Garage for automotive repair and painting provided it complies with the following:
 - 1. All activities shall be conducted within a completely enclosed building.
 - 2. Storage of not more than five inoperable automobiles intended for repair, owned by customers only, provided that the outdoor area in which such cars are stored shall be enclosed by a solid wall or fence at least six feet high.
- f. Shopping centers and malls. Applications for conditional use shall be submitted according to the following requirements:
 - 1. An applicant shall submit a general development plat for the shopping center including drawings showing the approximate location of proposed buildings; lighting control; protective screening; landscaping; the general design of pedestrian and vehicular entrance, and circulation; and the general design or parking, loading, and traffic handling facilities and methods.



CONDITIONAL USE PERMIT REQUEST

1. Name: Davita Inc. Date: 01/15/2015

Address: 1551 Wewatta Street, Denver, CO 80202 Phone: (303) 405-2100

Representative: Dave Robbins

Address: 1730 East Northern Avenue, Suite 124, Phoenix, AZ 85020 Phone: (602) 277-1187

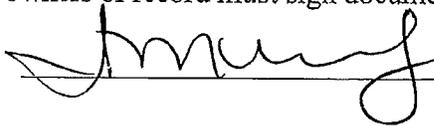
2. Property Location: 10697 North Loop Drive, Socorro, TX

Legal Description: Portion of Tract 4D2H and Tract 4D2W, Block 3, Socorro Grant

If legal description is not available, a metes and bounds description will be required.

<u>38,031 SF/0.873 Acres</u> Area (Sq. ft. or Acreage)	<u>C2</u> Current Zoning	<u>Shopping Center</u> Current Land Use
<u>CUP for Dialysis Center</u> Proposed Zoning	<u>Dialysis Center</u> Proposed Land Use	

3. All owners of record must sign document.



EACH ITEM ON THIS FORM MUST BE COMPLETED AND ALL EXHIBITS MUST BE SUBMITTED BEFORE THIS REQUEST CAN BE SCHEDULED FOR A PUBLIC HEARING

Planning Department

Owner or Representative

Date

Date

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

DATE: 02/23/2015

TO: Council

FROM: Mayor Jesus Ruiz

SUBJECT: Discussion and action on requesting a quarterly report from each City Commission

SUMMARY

City Commissions play a key role in our City government as they are made up of volunteers who provide recommendations to Council. In order to be more informed of what the commissions are doing and how the attendance is, I recommend that we request a quarterly report from each one. This will allow Council members to know what has happened in the last four meetings, be informed of the decisions that are being made, and look at the attendance so that changes to commissioners can be made if necessary.

BACKGROUND

n/a

STATEMENT OF THE ISSUE

See above

FINANCIAL IMPACT

None

ALTERNATIVE

Not approve the request for quarterly reports

COUNCIL MEMBER RECOMMENDATION

Approve the request and have the secretary from each Commission write the quarterly report and send it to Mr. Norfleet so that he can provide it to us.

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

DATE: 02/23/2015

TO: Council

FROM: Mayor Jesus Ruiz

SUBJECT: Discussion and action on building a library within the City of Socorro

SUMMARY

Council has allocated approximately \$600,000 to have a library constructed in the City of Socorro. A library will provide a great amount of resources for the people of Socorro and its value is immense. Council needs to discuss the issue and decide how to move forward. We can either build a library from the ground up or convert one of the existing buildings into a library.

BACKGROUND

n/a

STATEMENT OF THE ISSUE

See above

FINANCIAL IMPACT

Council has allocated \$600,000.

ALTERNATIVE

None

COUNCIL MEMBER RECOMMENDATION

During our discussion on 02/19/2015, Council identified three options; build a library from scratch, purchase a building to be turned into a library, or use the building on Vineyard Rd. and turn it into a library. I recommend that the Council member that makes the motion use one of these three options.

Jesus Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodríguez
District 2– Mayor Pro Tem

Victor Perez
District 3

Anthony Gandara
District 4

Willie Norfleet, Jr.
City Manager

DATE: February 25, 2015

TO: Sandra Hernandez, City Clerk

FROM: Sergio Cox, District 1 Representative

SUBJECT: 10949 Burt Rd.

SUMMARY *Discussion and action on purchasing* a section of the property located at 10949 Burt Rd. for the purpose of storm water flood control.

BACKGROUND Based on past storms during the monsoon season, and because of the slope of Burt Road and an unfinished development across the street from 10949 Burt Rd., heavy flooding has occurred to the point where rain water drained directly into this property.

STATEMENT OF THE ISSUE The owner of the property had to close and tear down an apartment that flooded and became moldy and mildewed. She has come to City Council meeting numerous times requesting help with this issue. By purchasing a section of this property, the City of Socorro could develop a ponding area that would capture a large percentage of the storm water.

FINANCIAL IMPACT Unknown at this time until an appraisal of the property can be done. The money would come from the 2014 CO as a portion of it was designated for storm water flood control.

ALTERNATIVE We can continue to ignore the issue which could result in a lawsuit against the City of Socorro for refusal to take any action.

COUNCIL MEMBER RECOMMENDATION Recommendation is that the City Manager and Attorney John Birkelbach enter into discussions with the property owner to negotiate a price agreement.

Jesus Ruiz
Mayor

Rene Rodriguez
At Large

Sergio Cox
District 1



Gloria M. Rodríguez
District 2– Mayor Pro Tem

Victor Perez
District 3

Anthony Gandara
District 4

Willie Norfleet, Jr.
City Manager

DATE: February 25, 2015

TO: Sandra Hernandez, City Clerk

FROM: Sergio Cox, District 1 Representative

SUBJECT: Update of MS-4 Permit

SUMMARY *Discussion and action* on status report on obtaining the MS-4 permit required to legally be able to allow storm flood water to drain into the canal owned by the El Paso County Water Improvement District. The purchase of the permit had already been approved by Socorro City Council at a previous meeting.

BACKGROUND As stated the purchase of this permit has already been approved and is required by EPCWID for the drainage of storm water into their canals.

STATEMENT OF THE ISSUE This is something that needs to be finalized as we are once again approaching the monsoon season for 2015. It needs to be done soon because there are other time consuming steps to follow. Once the permit is obtained we will still need to go before the EPCWID board for final approval.

FINANCIAL IMPACT The money was already allocated when this was approved.

ALTERNATIVE None

COUNCIL MEMBER RECOMMENDATION I recommend that either the City Manager or the City Attorney move on this as quickly as possible as time is of the essence. I also recommend that a status report be given at the next regular meeting.

