MEMBERS PRESENT:

Guillermo Madrid, Jr.
Mary B. García
Gloria M. Rodríguez

MEMBERS ABSENT:

Guillermo Gandara Sr. *(Arrived to the meeting at 6:23 p.m.)*
Jesús Gandara Jr. *(Arrived to the meeting at 6:04 p.m.)*

STAFF PRESENT:

Manny Soto, Jr., Acting City Manager
Olivia Navarro, Assistant City Clerk
Jerry Wallace, City Attorney

STAFF ABSENT:

Manuel Rubio, City Clerk

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m. by *Gloria M. Rodriguez* who sat in as Mayor Pro Tem

2. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

Pledge of Allegiance led by *Sam Leony*

3. ESTABLISHMENT OF QUORUM

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

PRESENTATION:

4. *PRESENTATION* ON UPDATE OF THE MASTER PLAN BY SITES SOUTHWEST, LLC. *MANNY SOTO, JR.*

***Phyllis Taylor* of Sites Southwest and *Jim Duncan*, Project Manager and President of Duncan Associates made the presentation, see** *(Exhibit "A")*.

Jesus Gandara, Jr. arrived to the meeting at 6:04 and sat in as Mayor Pro Tem.

5. *PUBLIC COMMENT*

Juan Castaneda and Joe DeTuro spoke on this item

CONSENT AGENDA:

6. *APPROVAL OF* SPECIAL COUNCIL MEETING MINUTES OF 04/05/11 AND REGULAR COUNCIL MEETING MINUTES OF 04/07/11.
MANNY SOTO, JR.

7. *EXCUSE* ABSENT COUNCIL MEMBERS. ***MANNY SOTO, JR.***

A motion was made by Gloria M. Rodriguez seconded by Mary B. Garcia to *approve the Consent Agenda.* Motion carried unanimously. Motion passed.

REGULAR AGENDA:

8. *DISCUSSION AND ACTION* TO ACCEPT THE INDEPENDENT AUDITOR'S REPORT CONDUCTED BY *STRICKLER & PRIETO, LLP* FYE 09/30/10 FOR THE CITY OF SOCORRO, TEXAS. ***MANNY SOTO, JR.***

A motion was made by Jesus Gandara, Jr. seconded by Gloria M. Rodriguez to *approve item number eight (8).* Motion carried unanimously. Motion passed.

9. *RESOLUTION* DECLARING APRIL AS FAIR HOUSING MONTH IN THE CITY OF SOCORRO, TEXAS. ***MANNY SOTO, JR.***

A motion was made by Gloria M. Rodriguez seconded by Mary G. Garcia to *approve item number nine (9).* Motion carried unanimously. Motion passed.

10. *DISCUSSION AND ACTION* TO AUTHORIZE MEMORANDUM OF UNDERSTANDING (MOU) REGARDING THE ADOPTION OF THE TEXAS DEPARTMENT OF TRANSPORTATION'S FEDERALL APPROVED DISADVANTAGED BUSINESS ENTERPRISE PROGRAM BY THE CITY OF SOCORRO, TEXAS. ***MANNY SOTO, JR.***

A motion was made by Gloria M. Rodriguez seconded by Mary B. Garcia to *approve item number ten (10).* Motion carried unanimously. Motion passed.

11. *DISCUSSION AND ACTION* TO AUTHORIZE THE MAYOR OR MAYOR PROTEM TO SIGN CONTRACT AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORATION SAFE ROUTES TO SCHOOL PROGRAM TO BE IMPLEMENTED IN 8 SCHOOLS WITHIN THE CITY OF SOCORRO. ***MANNY SOTO, JR.***

A motion was made by Gloria M. Rodriguez seconded by Mary B. Garcia to *approve item number eleven (11).* Motion carried unanimously. Motion passed.

12. *DISCUSSION AND ACTION* TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND AWARD PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE IMPLEMENTATION OF THE CITY'S SAFE ROUTES TO SCHOOL PROGRAMS. ***MANNY SOTO, JR.***

A motion was made by Jesus Gandara, Jr., seconded by Gloria M. Rodriguez to *award the contract to Moreno Cardenas.* Motion carried unanimously. Motion passed.

13. *RESOLUTION* AUTHORIZING THE CITY OF SOCORRO TO PARTICIPATE IN THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS HOME RESERVATION SYSTEM PROGRAM. ***MANNY SOTO, JR.***

A motion was made by Gloria M. Rodriguez seconded by Mary B. Garcia to *approve item number thirteen (13).* Motion carried unanimously. Motion passed.

ADDENDUM TO THE CONSENT AGENDA:

14. *DISCUSSION AND ACTION* ON THE PROPOSED CONDITIONAL USE PERMIT OF *LOT 73, BLOCK 2, VALLE HERMOSO ESTATES,* FOR DAYCARE CENTER. ***MANNY SOTO, JR.***

A motion was made by Gloria M. Rodriguez seconded by Mary B. Garcia to *move the Addendum to the Consent Agenda into the Addendum to the Regular Agenda.* Motion carried unanimously. Motion passed.

ADDENDUM TO THE REGULAR AGENDA:

Manny Soto, Jr. stepped out of the meeting at 6:47 p.m.

A motion was made by Gloria M. Rodriguez seconded by Mary B. Garcia to *approve item number fourteen (14).* Motion carried with Guillermo M. Rodriguez, Mary B. Garcia and Gloria M. Rodriguez voting aye and Jesus Gandara, Jr., voting nay. Motion passed.

15. *DISCUSSION AND ACTION* ON APPROVAL OF CERTIFICATE OF APPROPRIATENESS TO INSTALL A WATER DISPENSER AT LOT 1, BLOCK 13, EL CAMPESTRE SUBDIVISION UNIT 3. ***MANNY SOTO, JR.***

A motion was made by Gloria M. Rodriguez to *approve.* Motion died no second.

Manny Soto, Jr. stepped back into the meeting at 6:55 p.m.

A motion was made by Jesus Gandara, Jr. seconded by Mary B. Garcia to *approve item number fifteen (15) with the stipulation that the owner work with Mr. Leony to create a historic molding to be placed on the structure to comply with the Historic Corridor.* Motion carried unanimously. Motion passed.

16. *DISCUSSION AND ACTION* ON APPROVAL OF CERTIFICATE OF APPROPRIATENESS FOR THE RE-PAINITING PROJECT OF TRACT *Z-A, BLOCK 22, SOCORRO GRANT.* *MANNY SOTO, JR.*

A motion was made by Mary B. Garcia seconded by Jesus Gandara, Jr. to *approve item number sixteen (16).* Motion carried unanimously. Motion passed.

17. *DISCUSSION AND ACTION* ON APPROVAL TO WAIVE FEES FOR THE CHURCH BAZZAR AT *SAN FELIPE DE JESUS CATHOLIC CHURCH* LOCATED AT 401 PASSMORE ON MAY 13, 14 AND 15 OF 2011, BY SERGIO VALENCIA. *MANNY SOTO, JR.*

A motion was made by Gloria M. Rodriguez seconded by Jesus Gandara, Jr. to *approve item number seventeen (17).* Motion carried unanimously. Motion passed.

A motion was made by Gloria M. Rodriguez seconded by Mary B. Garcia to *move into Executive Session at this time.* Motion carried unanimously. Motion passed.

THE CITY COUNCIL CONVENED INTO EXECUTIVE SESSION AT 7:06 P.M.

EXECUTIVE SESSION

THE CITY COUNCIL RECONVENED BACK IN SESSION AT 7:11 P.M.

20. *DISCUSSION AND ACTION* ON LEGAL ADVICE RECEIVED BY LEGAL COUNSEL IN EXECUTIVE SESSION. MANNY SOTO, JR.

A motion was made by Jesus Gandara, Jr., seconded by Gloria M. Rodriguez to *delete item number twenty (20).* Motion carried unanimously. Motion passed.

21. *ADJOURN*

A motion was made by Gloria M. Rodriguez seconded by Mary B. Garcia to *adjourn at 7:12 p.m.* Motion carried unanimously. Motion passed.

Guillermo Gandara Jr.

Guillermo Gandara, Sr. Mayor

Olivia Navarro

Olivia Navarro, Assistant City Clerk

May 5, 2011

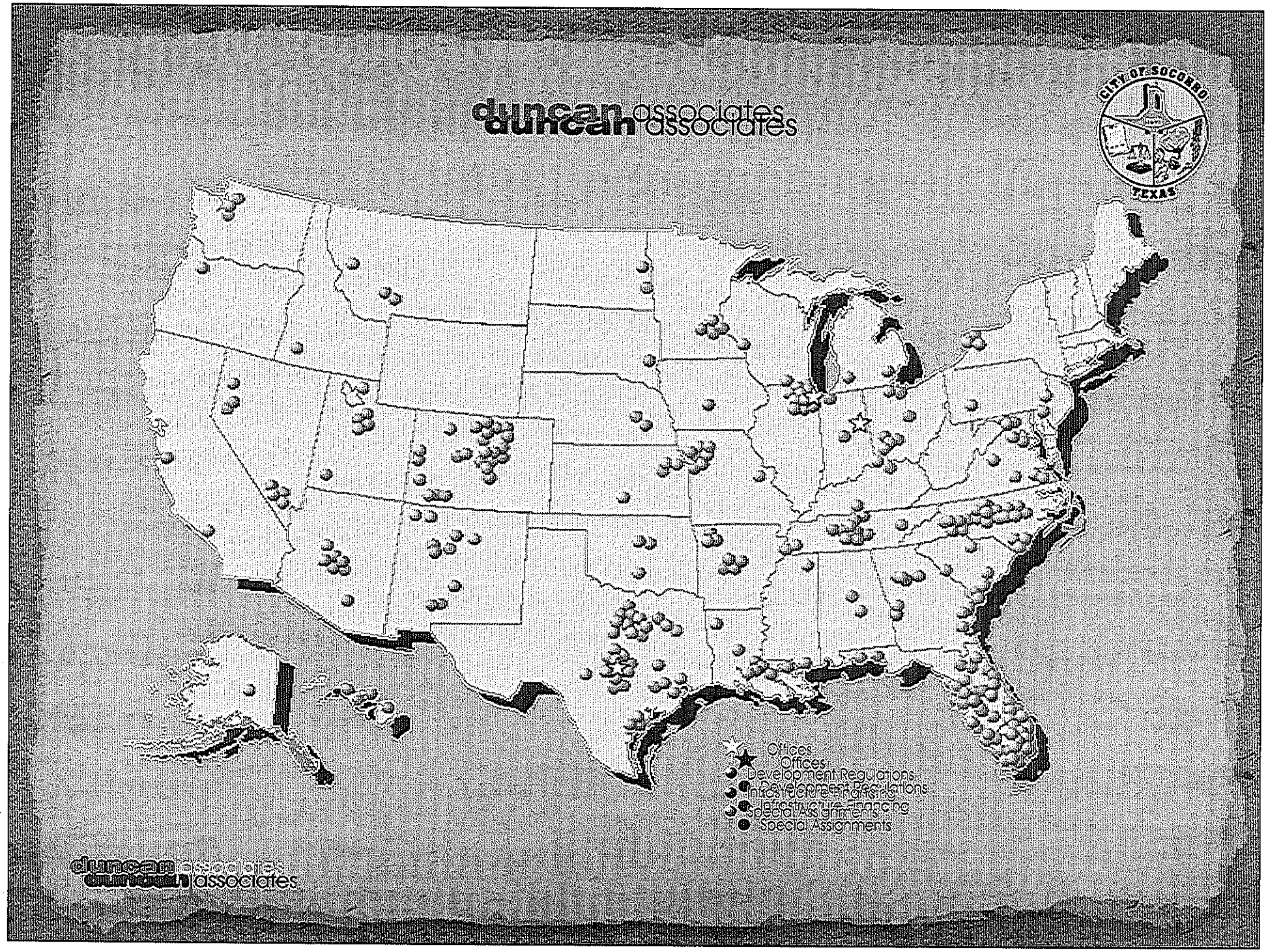
Date when minutes were approved

Prepared by Olivia Navarro

Paying for Growth: Development Impact Fees

James B. Duncan, FAICP
duncan associates

City of Socorro, Texas
April 21, 2011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CITY OF SOCORRO
TEXAS
Offices
Offices
Development Regulations
Development Regulations
Infrastructure Financing
Infrastructure Financing
Special Assignments
Special Assignments
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An Impact Fee By Any Other Name

- Capital Recovery Fee
- Utility Connection Fee
- System Development Charge
- Service Availability Charge
- Development Fee
- Mitigation Fee
- Facility Fee
- Proffer

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What Impact Fees Are

- A regulatory fee, not a TAX
- A one-time, up-front charge
- Charged on new development only
- Charged at plat or building permit
- Based on pre-determined formula
- Pay only for off-site capital costs

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What Impact Fees Are NOT

- A deterrent for economic development
- An impediment for move-up buyers
- A barrier for affordable housing
- Expensive/difficult to administer
- A local funding panacea
- A no-growth tool

Why Impact Fees are Popular

- Replace vanishing traditional funding
- Deter declining levels of service
- Create level playing field for developers
- Add certainty to development process
- Soften anti-growth public sentiment
- Offset increasing taxes and rates

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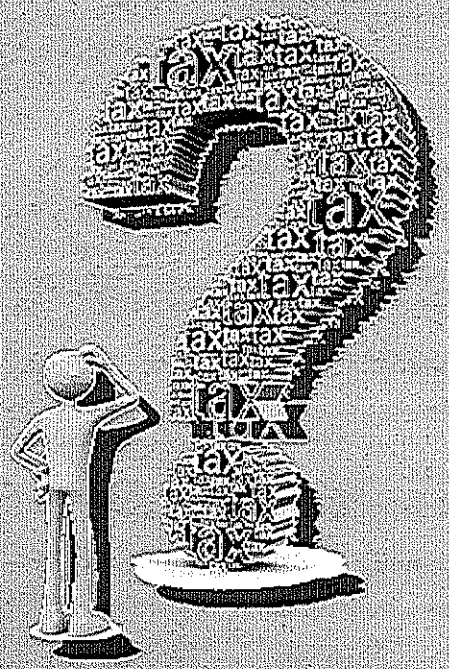
Are Impact Fees Right for Your City?

Evaluation Criteria

- Growth projections
- Statutory limitations
- Other funding options
- Available plans/data
- Current service levels
- Political support
- Revenue potentials



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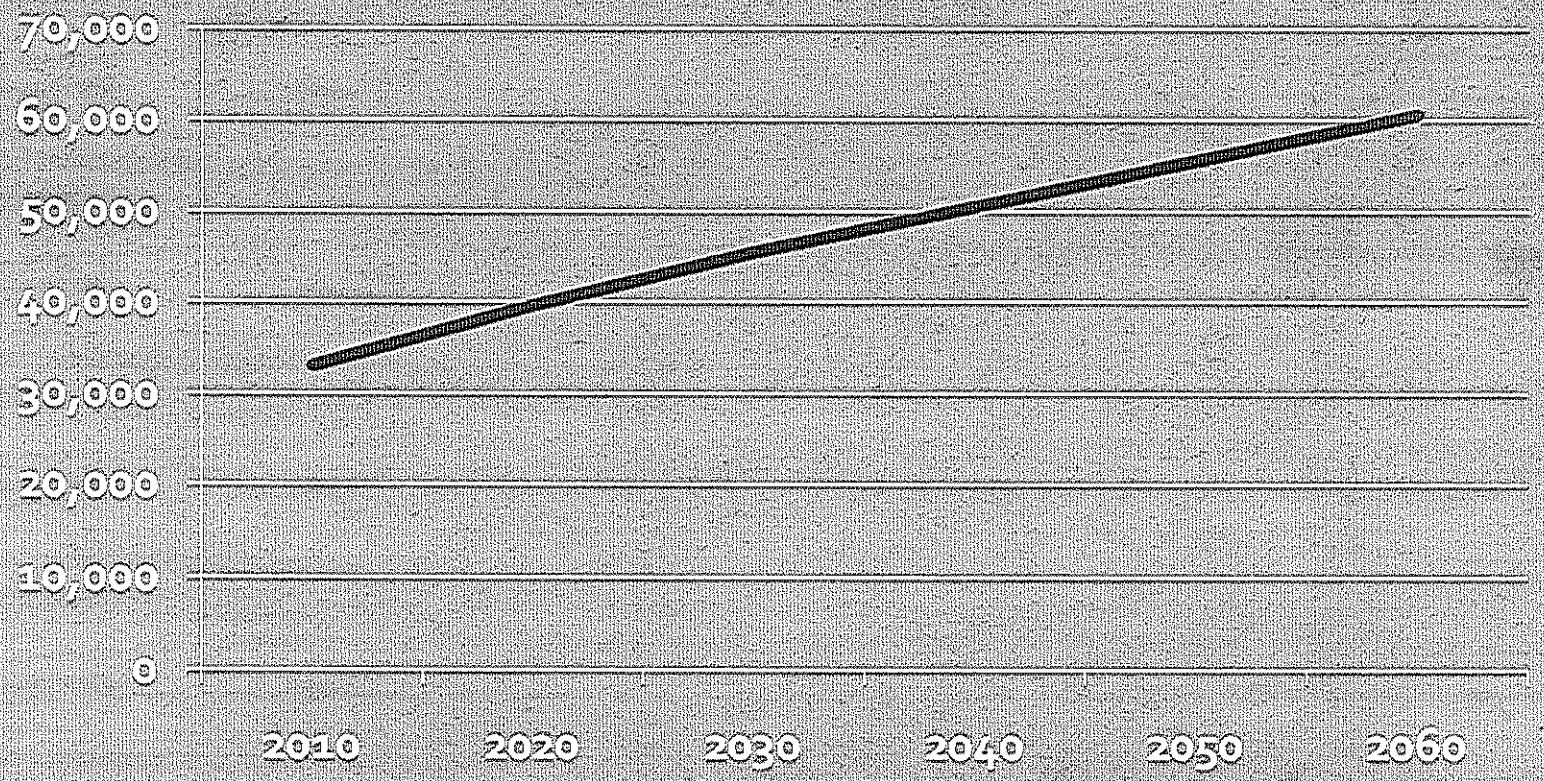
Socorro's Projected Growth



Source: Texas Water Development Board, 2010

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Socorro's Projected Growth

- Historical annual new construction
  - 100 to 120 residential building permits
  - Mix of single family and mobile homes
  - 20,000 to 40,000 sf of commercial and office space
  - Occasional industrial – 100,000 to 400,000 sf
- Projected annual new construction
  - 140 +/- new residential units per year
  - Commercial, office, industrial to be determined

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Land Use Assumptions

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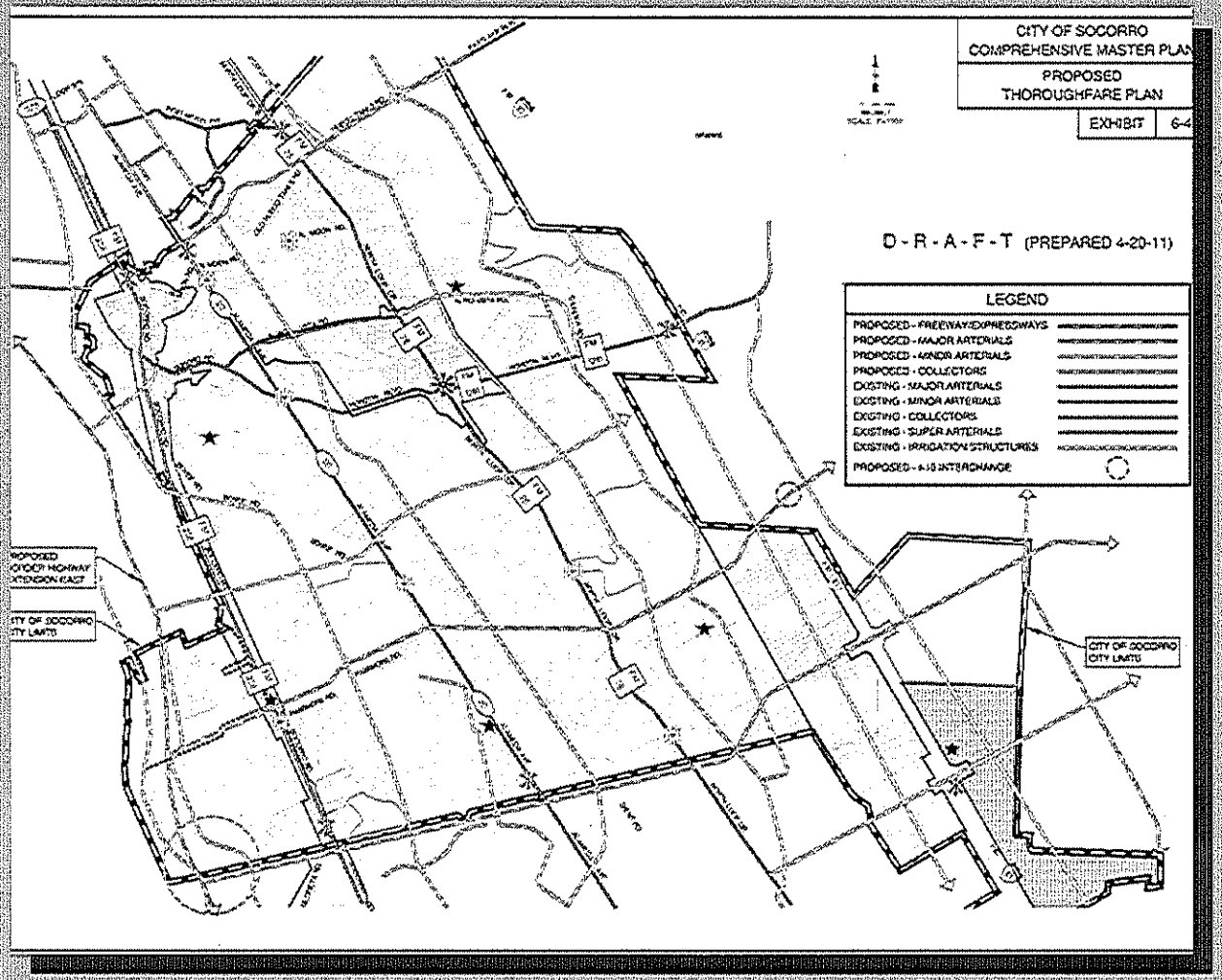
Transportation Capital Improvements



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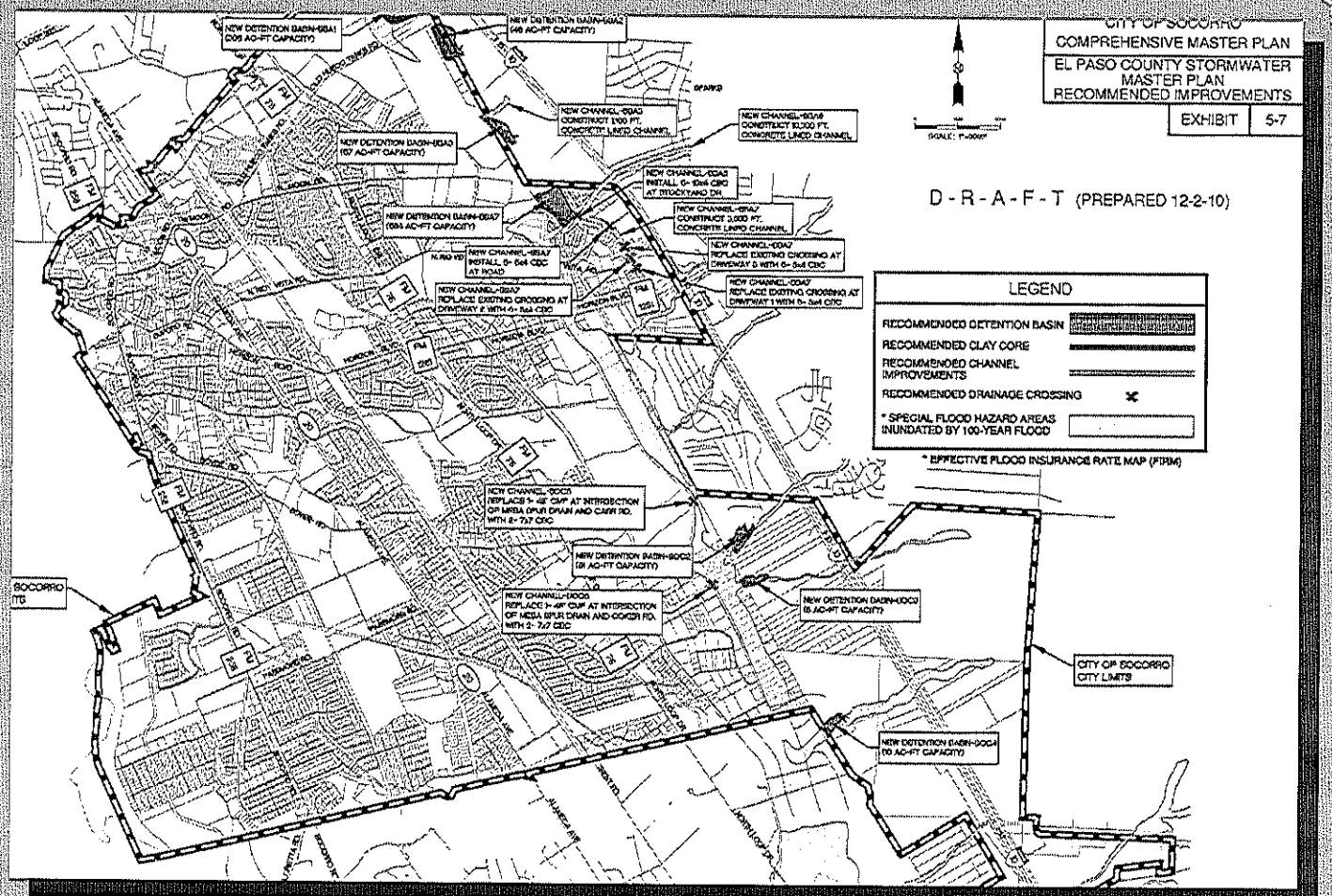
Drainage Capital Improvements



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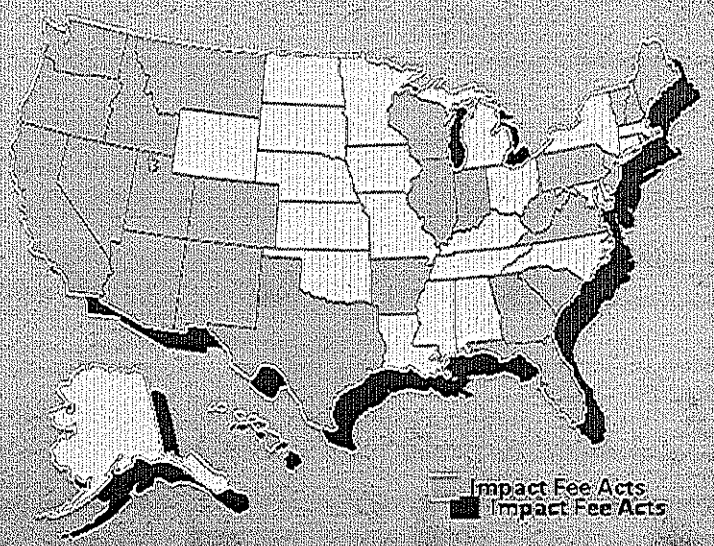
What is the Legal Basis for Impact Fees?

The Rational Nexus Test

- Must create **need** for new facilities
- Must receive **benefit** from new facilities
- Must only pay **fair share** of new facilities



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Texas Impact Fee Act

- Authorized by Chapter 395 Texas Local Government Code
- Capital improvements advisory committee (CIPAC) required
- Eligible facilities: water, wastewater, storm water and roads
- Eligible costs: construction, land, engineering and planning
- Ineligible costs: maintenance, upgrading and administration
- Land use and population projections required (10 years+)
- Service areas required (roads not to exceed six mile radius)
- Capital improvements plan required that:
  - describes existing facilities and necessary upgrade costs,
  - analyzes total capacity and current levels of usage,
  - describes new facilities and costs necessitated by growth,
  - determines consumption by service unit,
  - determines total number of projected new service units,
  - projects demand for new service units over next 10 years
  - awards credits for taxes and revenues or 50% fee reduction
  - determines maximum fee per service unit per service area

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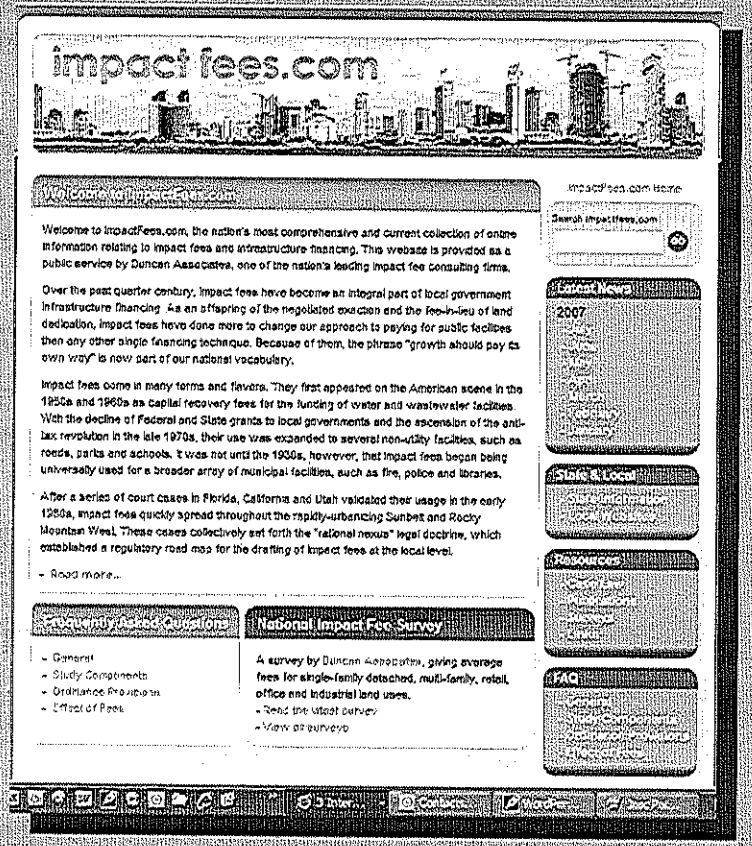
ImpactFees.com



On the impact fee exaction issue

- Frequent questions
- Daily news articles
- Case law chronology
- Local fee websites
- National fee survey
- State enabling acts

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Ten (Impact Fee) Commandments

1. Follow established legal rules
2. Link to local planning goals
3. Listen to local stakeholders
4. Watch out for "double dipping"
5. Do not try to correct "past sins"
6. Produce customized studies
7. Use most current data available
8. Use local data wherever possible
9. "Keep it short and simple"
10. Get good advice and assistance

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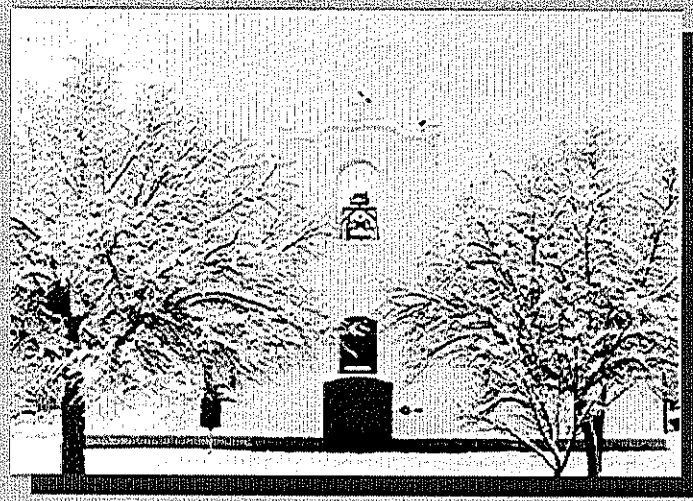

HELP US IMAGINE

THE FUTURE OF SOCORRO

October 2010 Community Meeting for the Comprehensive Master Plan

Tuesday Oct. 5 6:00 PM to 8:00 PM

Spanish translation will be available

What do you think should be changed, and what would you like to see in the future of Socorro? Come and express your opinion!

Rio Vista Community Center
901 Rio Vista Rd., Socorro TX

CITY OF SOCORRO
TEXAS

For more information, contact:
Barbara Herrington 505.822.8200
Or Deborah Hradek 915.351.8800

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