

City of Peñitas
Regular Called Meeting
WEDNESDAY
April 05, 2023
6:00 p.m.

A Regular Called Meeting of the City of Peñitas, Texas will be held at the Peñitas Public Library Building located at 1111 S. Main St.

THE CITY OF PENITAS CITY COUNCIL MEETINGS ARE AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT THE CITY SECRETARY AT (956)581-3345 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING. THANK YOU.

Notice is hereby given in accordance with S.B. 270 Chapter 277, Page Acts of the 61st Legislature of the State of Texas, 1969 that the following matters will be considered by the City Council of the City of Peñitas, Texas at said meeting. The Commissioners of the City of Peñitas reserve the right to adjourn into Executive (Closed) Session at any time during the course of the meeting to discuss any of the items listed on the agenda as authorized by the Texas Open Meetings Act. No final action will be taken in Executive Session.

Agenda

- 1. Open Meeting & Determination of Quorum**
- 2. Pledge of Allegiance/Invocation**
- 3. Certification of Posting**
- 4. Public Comments**
- 5. Recognitions and/or Presentations**
 - a.) PROCLAMATION 2023-01 RE: DECLARING APRIL 2023 AS NATIONAL SEXUAL ASSAULT AWARENESS MONTH
- 6. Monthly Reports – March 2023**
 - a. City Manager
 - b. Department Reports
- 7. Approval of Minutes for the meeting(s) held in March 2023**
- 8. Discussion, consideration, and action on the following items:**
 - a. Discussion, consideration, and possible action to approve the Ordinance between AEP Texas Inc. and the City of Penitas.
 - b. Discussion, consideration, and possible action on the following Conditional Use Permit request by SCI Wireless, Tillman Infrastructure & AT&T for a 170-foot self-support communications tower with an 8-foot lightning rod at 412 S. Main Street (rear). (Los Ejidos De Reynosa W 197.29' - E810.53' - N327.95' & W423.72' - E610.22' - N165' & N15' - E186.50' Lot 333 3.16AC net.).
 - c. Discussion, consideration, and possible action on Variance request by FEMs Consulting to the City of Penitas Ordinance Chapter 34 sec 34-180 (e)(a) maximum height of structures 35 feet to construct a 170-foot self-support communications tower with an 8-foot lightning rod at 412 S. Main Street (rear). (Los Ejidos De Reynosa W 197.29' - E810.53' - N327.95' & W423.72' - E610.22' - N165' & N15' - E186.50' Lot 333 3.16AC net.).
 - d. Discussion, consideration, and possible action on approval on HMAC Asphalt Overlay RFB No. 2023-PW-001.
 - e. Discussion, consideration, and possible action on RESOLUTION 2023-15 RE: Updating EDC A resolution and appointing/reappointing members.
 - f. Discussion, consideration, and possible action on RESOLUTION 2023-16 RE: Updating EDC B resolution and appointing/reappointing members.
- 8. Executive Session Pursuant to Texas Gov. Code Section 551.001**
 - A. Personnel Matters: Discussion regarding employment, evaluation, reassignment, duties, discipline, or dismissals of employees.
- 9. Return to Open Session**

The City Council upon returning to open session may take any action it deems appropriate on the following items:

 - A. Personnel Matters: Discussion regarding employment, evaluation, reassignment, duties, discipline, or dismissals of employees.

10. Adjournment

*Note: If during the course of the meeting, the City Council should determine that a closed or executive session is required, then such closed or executive session is authorized by Article 6252-17 Revised Civil Statute of Texas, Section 2(e), 2(g). Notice of the closed or executive session will be given after the commencement of the meeting covered by this notice. Should any final action, final decision, or final vote be required in the opinion of the Commission regarding any item during the meeting then such final action, final decision, or final vote shall be made during the open meeting covered by this notice upon reconvening of the public meeting.

Posted on this 31st day of March 2023 at 5:00 p.m. at the Peñitas City Hall.

All agendas are also posted at www.cityofpenitas.com.

“CERTIFICATION ON POSTING”

I, MARTHA VASQUEZ MUNOZ, CERTIFY THAT I POSTED A TRUE AND CORRECT COPY OF THE FOREGOING NOTICE OF THIS AGENDA AT A PLACE ACCESSIBLE TO THE PUBLIC AT LEAST 72 HOURS PRIOR TO THE MEETING.

Notice of Meeting of the City of Peñitas

Notice is hereby given that the City Council will hold a meeting at the Penitas Public Library, 1111 S. Main Street, Penitas, Texas. The subjects to be discussed are listed on the agenda, which is attached to and made part of this notice.

If during the course of the meeting covered by this Notice, the City Council should determine that a closed or executive meeting or session of the Council is required, then such closed or executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., will be held by the Council at the date, hour and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Council may conveniently meet in such closed or executive meeting or session concerning any and all purposed permitted by the Act, including, but not limited to the following sections and purposes.

Texas Government Code Section:

551.071 Consultation with Attorney.

551.072 Deliberation regarding real property.

551.073 Deliberation regarding prospective gifts.

551.074 Personnel Matters. 551.076 Deliberation regarding security devices or security audits.

551.087 Deliberation regarding economic development negotiation.

Should any final action, final decision, or final vote be required in the opinion of the City Council with regard to any matter considered in such closed or executive meeting or session, then the final action, final decision, or final vote shall be either:

- (a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or
- (b) at a subsequent public meeting of the City Council upon notice thereof; as the Council shall determine.

MARTHA VASQUEZ MUNOZ, INTERIM CITY SECRETARY