

**City of Peñitas
Regular Called Meeting
WEDNESDAY
June 07, 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 PEÑITAS 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 RECOGNIZING JUNE AS ELDER ABUSE AWARENESS MONTH
 - b.) RECOGNIZING THE PEÑITAS PUBLIC LIBRARY STAFF, THE FRIENDS OF THE PEÑITAS PUBLIC LIBRARY, AND THE PEÑITAS PUBLIC LIBRARY ADVISORY BOARD FOR BEING AWARDED THE FRANK J. DOBIE LIBRARY TRUST GRANT AND BEING RECOGNIZED AT THE TEXAS LIBRARY ASSOCIATION CONFERENCE IN AUSTIN, TX.
- 6. Monthly Reports – MAY 2023**
 - a. City Manager
 - b. Department Reports
- 7. Approval of Minutes for the meeting(s) held in April and May 2023**
- 8. Discussion, consideration, and action on the following items:**
 - a. Discussion, consideration, and possible action Variance request by Alberto Chapa not to provide paving improvements to a 25' dedicated Prive Road along the west side of this 3 Lot residential subdivision.
 - b. Discussion, consideration, and possible action Variance request by Alberto Chapa not to provide streetlights along the proposed Private Road along the 3 proposed residential lots.
 - c. Discussion, consideration, and possible action Variance request by Alberto Chapa not to provide sidewalks along the Private Road or along U.S. Expressway 83.
 - d. Discussion, consideration, and possible action Variance request by Alberto Chapa not to provide fire hydrants along Private Road.
 - e. Discussion, consideration, and possible action Variance request by Alberto Chapa to connect OSSF System instead of Sewer Connection along Private Road.
 - f. Discussion, consideration, and possible action Diamond Subdivision Phase II, Homeville Association D an IRR TR - S461.19-W273.02-Lot 2 Exc S57.78' E223.21-W226.96' 2.68 Av Net (Final)
 - g. Discussion, consideration and possible action regarding third and final reading of Ordinance 2023-10 RE: Granting AEP Texas, Inc, its successors, and assigns, a non-exclusive franchise to construct, maintain, and operate lines and appurtenances and appliances for conducting electricity in, over, under, and through the streets, avenues, alleys, and public places of the City of Peñitas, Texas.
- 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 2nd day of June 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 purposes 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