

**City of Peñitas
Regular Called Meeting
WEDNESDAY
March 6, 2024
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. Monthly Reports – February 2024**
 - A. City Manager
 - B. Department Reports
- 6. Approval of Minutes for the meeting(s) held in February 2024.**
- 7. Presentation/Recognition**
 - A. Proclamation in recognition of National Social Work Month
 - B. Recognition of Royal Court participants for representing the City of Peñitas at the Texas Citrus Fiesta Inc.
- 8. Discussion, Consideration, and Possible Action on the following items:**
 - A. Discussion, Consideration, and Possible Action regarding Variance not to provide streetlights at 250' spacing along the east side of Michaela.
Instead provide for one streetlight along the WEST side of Michaela at the westerly projection of the junction between the two lots along the east side of the PRIVATE roadway.
 - B. Discussion, Consideration, and Possible Action regarding Variance not to provide sidewalks along U.S. Expressway 83 or along the east side of the proposed PRIVATE roadway prior to plat recordation. A plat note shall be provided stating that a 4' sidewalk along the PRIVATE ROAD and the expressway shall instead be required at time of building permit issuance and not prior to recordation of the plat.
 - C. Discussion, Consideration, and Possible Action regarding Variance not to extend an 8" water line along the west side of the two proposed lots from an existing Agua SUD water line located along the north side of U.S. Expressway 83.
Instead, a water service for each of the two lots shall be extended north along the west side of each lot within a proposed 10' Utility easement for potable water service to each lot.
 - D. Discussion, Consideration, and Possible Action regarding Variance not to provide fire hydrants along PRIVATE ROAD.
Instead, one fire hydrant is being proposed at the SEC of proposed Lot 1 located at the intersection with the PRIVATE road and U.S. Expressway 83 - provided that an adequate sized water line (by Agua SUD) having satisfactory water pressures such that a fire hydrant will operate as required by the fire code.
 - E. Discussion, Consideration, and Possible Action regarding Variance not to provide paving improvements to a 50'-foot dedicated Public Road along the west side of this 2-Lot residential subdivision.
Instead, Subdividers are proposing a PRIVATE roadway complete with 16' edge to edge of

pavement centered on an existing 50'-foot roadway easement. The 50'-foot roadway shall not become Public and instead continue to be PRIVATE. The plat shall indicate the roadway shall be PRIVATE and not maintained by the City of Penitas. In addition, the newly proposed pavement section shall begin at U.S. Expressway 83 and end at the north end of this proposed subdivision.

- F. Discussion, Consideration, and Possible Action regarding Tierra Blanca No. 1 Subdivision, Property ID#'s 1376577 and 279642. (Final)
- G. Discussion, Consideration, and Possible Action regarding Variance request by Jessica Sandoval to build a water well instead of connecting to water services at Homeville Association C Lot 6, Property ID 156193, 39016 Old Mile 4 Road, Penitas TX 78576.
- H. Discussion, Consideration, and Possible Action regarding approval of RESOLUTION (DCOP EDC 4B) NO. 2024-011 RE: Appointing/reappointing Economic Development Corporation of Peñitas (EDC 4B) members.
- I. Discussion, Consideration, and Possible Action regarding approval of RESOLUTION NO. 2024-012 RE: the operation of Peñitas Operation Stonegarden 2023 for the period of 03/01/2024-02/28/2025.

9. Executive Session Pursuant to Texas Gov. Code Section 551.001

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

10. 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, Consideration, and Possible Action regarding employment, evaluation, reassignment, duties, discipline, or dismissals of employees.

11. 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 1st day of March 2024 at 5:00 p.m. at the Peñitas City Hall.

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

"CERTIFICATION ON POSTING"

I, JENNIFER JANNEY QUINTERO, 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.



JENNIFER JANNEY QUINTERO CITY SECRETARY