

*City of Uvalde*  
**CITY COUNCIL**  
**AGENDA**

**REGULAR MEETING**  
*Tuesday, February 09, 2016*  
*6:00 p.m.*



***COUNCILMEMBERS:***

*Don McLaughlin, Jr., Mayor*  
*Margaret Palermo - District 1*  
*John H. Flores, Jr. – District 2*  
*Rogelio M. Munoz – District 3*  
*Stephen E. Balke – District 4*  
*Ernest W. “Chip” King, III – District 5*

**CITY OF UVALDE, TEXAS  
REGULAR CITY COUNCIL MEETING  
6:00 P.M., TUESDAY, FEBRUARY 9, 2016  
CITY HALL – COUNCIL CHAMBERS**

**AGENDA**

- 1. CALL MEETING TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS**
- 5. CITIZEN'S INPUT**
  - 5A. Citizens are requested to sign up prior to council meeting if requesting time to address council. Presentations will be limited to no more than three (3) minutes.
- 6. CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
  - 6A. Consider and act on the Minutes of the January 26, 2016 Regular City Council Meeting. **Pg.5**
  - 6B. Consider and act on payment of bills over \$5,000.00 from January 22, 2016 through February 5, 2016 **Pg.9**
  - 6C. Consider and act on the confirmation and approval of the Mayor's appointment of Terry Carson to the Grand Opera House Advisory Committee, pursuant to Article II, Section 13, of the City Charter.
- 7. NEW BUSINESS**
  - 7A. Consider and act on a Resolution Establishing Procedure for a General Election in Uvalde, Texas and Order of Election for May 07, 2016. **Pg.10**
  - 7B. Consider and act on an amendment to the 2015-2016 Budget pertaining to the EAA habitat fund and to the 2012 Certificates of Obligation reserve fund. **Pg.14**
  - 7C. Consider and act on amending the Code of Ordinances by repealing Section 17.20.011, Flea Market (Ord. 2004-03) **Pg.17**

**8. REPORTS**

- 8A. Report from Raul Reyes, Chief Information Officer of Southwest Texas Junior College on new developments at the college.
  
- 8B. Presentation by Chief Eric Herrera, UPD. Seeking grant assistance for Police Computer Tough Books for squad cars and office.
  
- 8C. Report by Joe Cardenas regarding Street Improvement Project.

**9. ADJOURNMENT**

Certificate: I certify that the above and foregoing notice was posted in compliance with 551.043, Texas Government Code at \_\_\_ p.m. on February 5, 2016.



---

Vince DiPiazza, City Manager

City Hall Municipal Building is wheelchair accessible with accessed and special parking available on the West Side of the Building. The Council Chamber is accessible by elevator to the second floor. Requests for special services must be received forty-eight (48) hours prior to meeting time by calling City Hall (830) 278-3315. In this Notice of Open Meeting, the posting of an agenda item as a matter to be discussed in open session is not intended to limit or require discussion of that matter in open session if it is otherwise appropriate to discuss the matter in executive session. If, during the discussion of any agenda item, a matter is raised that is appropriate for discussion in executive session the council may, as permitted by law, convene into executive session to deliberate on the matter.

The posting of an agenda item as a matter to be discussed in executive session is not intended to limit or require discussion of that matter in executive session. The council may discuss in open session any matter for which notice has been given in this notice of open meeting including an agenda item posted for executive session. In no event, however, will the council take action on any agenda item in executive session, whether it is posted for open or executive session discussion.

**CERTIFICATION**

I, the undersigned authority, do hereby certify that the attached agenda of meeting of the City of Uvalde City Council is a true and correct copy and that I posted a true and correct copy of said notice on two glass public notice cases at City Hall, readily accessible to the general public at all times, and said Notice was posted on the 5 day of February 2016 and will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

---

Vince DiPiazza, City Manager

I certify that the attached agenda of items to be considered by the City Council was removed by me from the City of Uvalde City Hall glass public notice cases on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_

Title: \_\_\_\_\_

STATE OF TEXAS            }  
COUNTY OF UVALDE       }  
CITY OF UVALDE           }

BE IT REMEMBERED, that the City Council of the City of Uvalde, Texas, met in a Regular Meeting at 6:00 p.m. on Tuesday, January 26, 2016, with the following members present:

Don McLaughlin, Jr.	Mayor
Stephen E. Balke	Councilmember
John Flores	Councilmember
Ernest W. “Chip” King, III	Councilmember
Margaret Palermo	Councilmember

Also present:

Vince DiPiazza	City Manager
Joe A. Cardenas	Assistant City Manager
Paul J. Tarski	City Attorney
Andrew Hagen	Municipal Judge
Susan Anderson	Director of Planning & Community Development
Phillip Conner	Interim Finance Director
Debbie Pike	Utility Office Manager
Rob Fowler	Parks and Recreation Coordinator
Eric Herrera	Chief of Police
Clint Baack	Director of Parks and Recreation
John Meyer	Patrol Lieutenant
Miguel Hernandez	CID Lieutenant
Mariano Pargas	Patrol Lieutenant

**Agenda Item No. 1 - Call Meeting to Order**

*Mayor Don McLaughlin, Jr. called the meeting to order at 6:00 p.m.*

**Agenda Item No. 2 - Invocation**

*Pastor Ron Zeiner, Bread of Life Church, led the Invocation.*

**Agenda Item No. 3 - Pledge of Allegiance**

**Agenda Item No. 4- Presentations, Proclamations and Recognitions**

**Agenda Item No. 5 - Citizen’s Input**

- 5A. Citizens are requested to sign up prior to council meeting if requesting time to address council. Presentations will be limited to no more than three (3) minutes.  
*No citizens input.*

### **Agenda Item No. 6 - Consent Agenda**

*(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*

- 6A. Consider and act on the Minutes of the January 12, 2016 Regular City Council Meeting.
- 6B. Consider and act on payment of bills over \$5,000.00 from January 19, 2016 through January 22, 2016.
- 6C. Consider and act confirmation and approval of the Mayor's appointment of David Mancha and Olga Charles to the Historic Preservation Board, pursuant to Article II, Section 13, of the City Charter.
- 6D. Consider and act on the confirmation and approval of the Mayor's appointment of Ruby Rodriguez to the Uvalde Housing Authority Board of Commissioners, pursuant to Article II, Section 13, of the City Charter.  
*Councilman Stephen E. Balke motioned to accept all items in the Consent Agenda, 6A through 6D. Councilwoman Margaret Palermo and Councilman Chip King seconded the Motion. Motion for approval of Consent Agenda carried 5-0.*

### **Agenda Item No. 7 - New Business**

- 7A. Consider and act on pay request #2 to J R Sitework, Inc. in the amount of \$373,697.51 for 2015 Street and Drainage Project. Page 10  
*Motion made by Councilman Chip King to approve Item 7A. Councilman John Flores seconded the motion. Motion carried 5-0.*
- 7B. Consider and act on an application for Outside the City Limits Utility Service for Armando Flores for vacant property situated next to 1513 Hood Street, Uvalde, Texas. Page 15  
*Councilman Stephen Balke motioned to approve Item 7B. Councilman Chip King seconded the motion. Motion carried 5-0.*
- 7C. Consider and act on an application for Outside the City Limits Utility Service for Andy Perez for 2316 Garner Field Road, Uvalde, Texas. Page  
*Councilman Chip King motioned to approve Item 7C. Councilman Stephen E. Balke seconded the motion. Motion carried 5-0.*

- 7D. Consider and act on a Memorandum of Understanding between the City of Uvalde and the Uvalde C.I.S.D. on the joint development of UCISD property for public-use practice fields. Page 21  
*Councilman John Flores questioned the availability to the public. City Manager Vince DiPiazza assured that the school district did agree to make property available for public use. Motion made by Councilman Chip King to approve Item 7D. Councilman John Flores seconded the motion. Motion carried 5-0.*

### **Agenda Item No. 8 – Executive Session**

The City Council of the City of Uvalde, Texas, will convene into executive session in accordance with the purposes permitted by the Open Meetings Act:

*The City Council of the City of Uvalde convened into Executive Session at 6:20 p.m.*

- 8A. Convene into Executive Session pursuant to Sections 551.072 regarding possible acquisition of real property.
- 8B. Convene into Executive Session pursuant to Sections 551.087 regarding economic development negotiations.

### **Agenda Item No. 9 - Reconvene From Executive Session**

*The City Council of the City of Uvalde reconvened from Executive Session at 6:54 p.m.*

- 9A. Reconvene into open session and take action as deemed appropriate in the City Council's discretion regarding the acquisition of real property.  
*Mayor Don McLaughlin motioned to proceed with real estate negotiations regarding the acquisition of real property. Councilman Stephen Blake seconded the motion. Motion carried 5-0.*
- 9B. Reconvene into open session and take action as deemed appropriate in the City Council's discretion regarding economic development negotiations.  
*Mayor Don McLaughlin motioned for City staff to proceed with negotiations. Councilman John Flores seconded the motion. Motion carried 5-0*

**Agenda Item No. 10 -Reconvene From Executive Session**

**Agenda Item No. 11 - Adjournment**

*Motion for adjournment made by Councilman Chip King. Councilman John Flores, Jr. and Councilman Stephen Balke seconded the motion. Motion carried 5-0. Meeting adjourned at 6:55 p.m.*

---

Don McLaughlin, Jr., Mayor

Attest:

---

Sorayda A. Sanchez, City Secretary



**Accounts Payable in Excess of \$5,000.00**  
**For Period Ending February 5, 2016**  
 Requesting Approval to Release Payment

Name	Description	Department	Account Number and Amount	Authorized/Verified By
<i>***The following items have already been mailed- due to their due dates.***</i>				
Uvalde County Appraisal District	1 <sup>st</sup> quarter taxes	General Government	100-12-00-6215 \$25,188.00	V Dipiazza
All American Pump & Machine	Repair of gear box for aerator @ waste water plant	Gas Dept	711-83-00-6414 \$12,479.29	V Dipiazza
Postmaster	Postage	Utility Dept	711-80-00-6330 \$10,000.00	V Dipiazza
CDS/Muery Services	Professional Services	Streets Street Project	609-00-00-6300 \$5,144.00	V Dipiazza
Edwards Aquifer Authority	Management Fees	Admin	710-00-00-6367 710-00-00-6368 \$29,330.00	V Dipiazza
Postmaster	Postage	Utility	711-80-00-6330 \$10,000.00	V Dipiazza
Pollution Control Services	Professional Services	Landfill	722-86-00-6300 \$6,830.00	V Dipiazza
ASCO- Associated Supply Co	Yard Bucket (equipment)	Service Center	610-00-00-6708 \$112,349.73	V Dipiazza
ASCO-Associated Supply Co	Case 580N Cab (equipment)	Service Center	610-00-00-6708 \$100,702.81	V Dipiazza
Frost National Bank	Principal Payment	Collections	722-88-00-6720 \$6,382.48	V Dipiazza
<i>*** The following payments are being held and will be released upon approval for Release***</i>				
<b>Tax Note Items</b>				
				V Dipiazza

**RESOLUTION NO. 2016-\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UVALDE TEXAS, PROVIDING ELECTION PROCEDURES FOR THE CITY'S GENERAL ELECTION ON MAY 07, 2016, FOR THE ELECTION OF TWO CITY COUNCIL MEMBERS TO A TERM OF FOUR YEARS AND FOR THE ELECTION OF THE MAYOR TO A TERM OF TWO YEARS; AND PROVIDNG FOR RELATED MATTERS.**

**WHEREAS**, the laws of the State of Texas and the Charter of the City of Uvalde, Texas provide that on May 07, 2016 there shall be elected the following officials for this City:

Mayor – Two Year Term  
Council member District 2 – Four Year Term  
Council member District 4 – Four Year Term

and;

**WHEREAS**, the laws of the State of Texas and the Charter of Uvalde, Texas further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said code, a resolution should pass establishing the procedure to be followed in said election and designating the voting places for said election.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, by the City Council of the City of Uvalde, Texas:

That all independent candidates at the election to be held on the 1<sup>st</sup> Saturday in May, 2016 for the above mentioned offices should file their application to become candidates and designate their campaign treasurer with the City Secretary at City Hall, Intersection of Main and Getty Streets, P.O. Box 799, Uvalde, Texas 78802-0799, on or before 5:00 p.m., **February 19, 2016** and that all applications shall be uniform as prescribed by Section 141.031 of the Election Code of the State of Texas. The general city election of the city council will be held on the 1<sup>st</sup> Saturday in May, 2016 or the nearest date thereto as may be required by law, in each even numbered year. At the general election to be held in 2016 and every fourth year thereafter, council members for Districts 2 and 4 will be elected. At the general election held in 2014 and every fourth year thereafter, council members for places 1, 3, and 5 will be elected. The mayor shall be elected at each biennial, city general election. A candidate may file for any office, but must file for a specific office on the ballot and may not be a candidate for more than one (1) office in any election.

The Mayor is elected at large by a majority vote of the qualified voters for a term of two (2) years. Each council member is elected to a specific place on the council for a term of four (4) years by a majority vote of the qualified voters of the City voting in the election for that place. The candidate receiving a majority of the votes for an elective office shall be declared the winner. The Mayor and Council members shall take office on the twenty-fourth (24<sup>th</sup>) day after the general election at which they are a candidate for office. The Mayor shall serve the period of his term, or until the person's successor is elected and qualifies for office as prescribed by the Charter. Each council member shall serve the period of his term, or until the person's successor is elected and qualifies for office as prescribed by the Charter.

The order in which the names of the candidates for each place shall be printed on the ballot shall be determined by a drawing by the City Secretary as provided by Section 52.094 of the Election Code.

Said election shall be held in the following voting precincts:

1. District 2
  - A. Church of the Nazarene, 311 E. Sabinal Street, Uvalde, Texas
  - B. All qualified voters residing in District 2 and within the boundary lines shown on the attached map shall vote at this location for councilmember district 2 & mayor.
2. District 4
  - A. First Presbyterian Church, 300 N. Getty Street, Uvalde, Texas
  - B. All qualified voters residing in District 4 and within the boundary lines shown on the attached map shall vote at this location for councilmember district 4 & mayor.
3. District 1
  - A. Anthon Elementary School Cafeteria 224 N. Benson Street, Uvalde, Texas
  - B. All qualified voters residing in District 1 and within the boundary lines shown on the attached map shall vote at this location for mayor.
4. District 3
  - A. SSGT Willie De Leon Civic Center 324 E. Main Street, Uvalde, Texas
  - B. All qualified voters residing in District 3 and within the boundary lines shown on the attached map shall vote at this location for mayor.
5. District 5
  - A. Baptist Temple Church, 620 E. Main Street, Uvalde, Texas
  - B. All qualified voters residing in District 5 and within the boundary lines shown on the attached map shall vote at this location for mayor.

The City Secretary is hereby authorized and instructed to provide and furnish all the necessary election supplies to conduct such election. Voting at such election shall be upon paper ballots prepared in conformity with the Texas Election Code.

The polls at each of the above designated polling places shall be opened on said Election Day from 7:00 a.m. to 7:00 p.m.

The governing body of the City shall appoint the Election Judge for early voting. The City Secretary is the Early Voting Clerk for said election. Mrs. Sorayda A. Sanchez is hereby appointed Early voting Clerk for early voting and is hereby authorized to appoint Deputy Early Voting Clerks. The early voting by personal appearance for the designated election shall be in the Cactus Room of the SSGT. Willie De Leon Civic Center, 324 East Main Street, Uvalde, Texas, 78801, and said place for early voting by personal appearance shall remain open for at

least eight hours on each day for early voting which is not a Saturday, a Sunday, or an official State holiday beginning on April 25, 2016 and continuing through May 3, 2016. Said place of voting shall remain open between the hours of 8:00 a.m. and 5:00 p.m. on each day for said early voting. As required under Section 85.005 (d) Election Code, early voting by personal appearance at the main early voting polling place shall be conducted for at least 12 hours on two weekdays, if the early voting period consists of six or more weekdays; therefore early voting by personal appearance shall be conducted for 12 hours on May 2, 2016 and May 3, 2016. The Early Voting Clerk's address to which ballot applications and ballot voted by mail may be sent to is City Hall, Box 799, Uvalde, Texas 78802-0799.

Early voting by personal appearance and by mail shall be by paper ballots and shall be canvassed by an Early Voting Ballot Board.

All ballots shall be prepared in accordance with Texas Election Code. Optical scan ballots shall be used for early voting by mail, for early voting by personal appearance and for Election Day. The ES&S AutoMark Voter Assist Terminal as required by the Help America Vote Act of 2002 will be available for use during both early voting by personal appearance and on Election Day at each polling place. The City Council hereby adopts for use in early voting and election day voting, the ES&S AutoMark Voter Assist Terminal as approved by the Secretary of State.

Said election shall be held in accordance with the Election Code of the State and only resident qualified voters of said City shall be eligible to vote in said election. Returns of the election shall be made known as soon as possible after the closing of the polls; and the election returns shall be canvassed by the City Council not earlier than May 10, 2016 nor later than May 18, 2016.

The mayor shall give note of this election in accordance with the terms and provisions of Section 4.004, 83.010, 85.004, and 85.007 of the Election Code, and all necessary orders and the proper authority shall issue writs for said election. Returns of said election shall be made to the City Council immediately after the closing of the polls. A notice containing a substantial copy of this Resolution shall be posted on the bulletin board used for posting notice of meetings of the governing body at the City Hall and at the aforesaid polling places not later than the twenty-first (21<sup>st</sup>) day before the election, and by publishing the Notice of General Election at least one time, not earlier than thirty (30) days nor later than ten (10) days prior to said election, in a newspaper of general circulation in the city.

It is further found and determined that in accordance with the order of this governing body, the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located in City Hall, a place convenient and readily accessible to the general public and said notice having been so posted and remained posted continuously for at least 72 hours preceding the scheduled time of said meeting.

**PASSED, APPROVED, AND ADOPTED THIS 09<sup>TH</sup> DAY OF FEBRUARY 2016.**

THE CITY OF UVALDE:

---

Don McLaughlin, Mayor

ATTEST:

---

Sorayda A. Sanchez, City Secretary

# BUSINESS OF THE CITY COUNCIL

**SUBJECT: Consider an ordinance amending the Fiscal Year beginning October 1, 2015 through September 30, 2016.**

AGENDA DATE: February 9, 2016

SUBMITTAL DATE: Feb. 1, 2016

SUBMITTED BY: Phill Conner

REVIEWED BY:

ATTACHMENTS: Budget Ordinance

## **Budget Information**

Expenditure amount: \$

N/A

Budget amount: \$ N/A

Notes: This is a housekeeping item and changes from the original budget are noted below.

## **BACKGROUND INFORMATION**

The City's budget is adopted by an ordinance each year by City Council. With all of the information that must be accumulated during the budget process, it is not unusual for there to be items that require changes throughout the year. The changes recommended are as follows:

Fund 710 – EAA / Habitat Fund: We are charged an annual fee by the Edwards Aquifer Authority. This fee is passed on to our water customers. Therefore, we need to budget for the revenue from the water customers and for the expenditures each month to the Edwards Aquifer Authority.

Fund 709 – TX Utility System and Repair Fund: One of the requirements of the loan covenants for the Series 2012 A Certificates of Obligation is to transfer \$9,486.50 each year to a separate bank account. This bank account is to be used as a reserve fund for contingencies arising from the operations of the Utility System. This transfer is to be made each year until the balance equals or exceeds \$113,838.00. The transfer is to be made out of the excess revenues of the Utility System (Fund 711).

## **RECOMMENDED ACTION**

City Council approves the attached ordinance.

**ORDINANCE NO. 2016-\_\_\_**

**AN ORDINANCE REVISING 2015-2016 OPERATING FUNDS' BUDGET REVENUES AND EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 FOR THE CITY OF UVALDE, TEXAS; AUTHORIZING EXPENDITURES AS SET OUT IN SUCH BUDGET; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Uvalde, Texas has found and determined that it is necessary to revise its 2015-2016 Budget for the purpose of designating an amendment for the fiscal year; and

**WHEREAS**, the City Council of the City of Uvalde, Texas has determined that it is in the best interests of the citizens of the City of Uvalde, Texas that such provisions and budget amendments be adopted and are effective immediately.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UVALDE, TEXAS:**

**Section 1.** In order to balance revenues and appropriations and to correct errors and omissions in the fiscal 2015-2016 Budget of the City, the budget is amended as reflected in Exhibit A attached hereto.

**Section 2.** \_\_\_ The ordinance takes effect on its passage.

**PASSED, APPROVED, AND ADOPTED this \_\_\_ day of February, 2016.**

\_\_\_\_\_  
Don McLaughlin, Mayor

\_\_\_\_\_  
Sorayda Sanchez, City Secretary

**City of Uvalde**  
**2015-16 Budget**  
**Amendment #1 (Exhibit A)**

	<b>Budget</b>	<b>Amendment</b>	<b>Revised Budget</b>
	<b>FY 2015-16</b>	<b>2/9/2016</b>	<b>FY 2015-16</b>
<b>Fund 710 - EAA / Habitat Fund</b>			
Revenue:			
710-81-00-5434 Edward Aquifer Fees	-	151,665	151,665
710-81-00-5452 Habitat Conservation Plan Revenue	-	168,971	168,971
	-	320,636	320,636
Expense			
710-00-00-6367 Edward Aquifer Fees	-	151,665	151,665
710-00-00-6368 EAA Havitat Conserv Fees	-	168,971	168,971
	-	320,636	320,636
<b>Fund 709 - TX Utility System Repair &amp; Replacement</b>			
Revenue:			
709-00-00-5915 Transfer from Utility Fund	-	9,487	9,487
	-	9,487	9,487
<b>Fund 711 - Utility Fund</b>			
Expense:			
Transfer to TX Utility System R&R Fund	-	9,487	9,487
	-	9,487	9,487



## **BUSINESS OF THE CITY COUNCIL**

SUBJECT: Flea Market Zoning Ordinance

AGENDA DATE: February 9, 2016 SUBMITTAL DATE: February 3, 2016

SUBMITTED BY: Susan Anderson REVIEWED BY: Susan Anderson

ATTACHMENTS: Proposed ordinance for repealing the flea market ordinance

### **BACKGROUND INFORMATION**

In 2004, the City adopted an ordinance regulating flea markets within the City limits. This ordinance seems very restrictive and consequently no one has applied for a flea market permit in the 12 years the ordinance has been on the books. Flea markets are allowed only in industrial zones. However, we allow vendors to sell in business zones with some restrictions. Staff believes that this type of retail business can be accommodated with other existing code. Since there are no existing flea markets, staff believes there will be no detrimental results of repealing this ordinance and perhaps it might spur some entrepreneurial activity if vendors are not limited to industrial zones. The Planning and Zoning Commission unanimously voted to repeal the ordinance.

### **RECOMMENDED ACTION**

Staff recommends adopting this ordinance.

THE STATE OF TEXAS }  
COUNTY OF UVALDE }  
CITY OF UVALDE }

Members present:  
Caroline Jones-Chairman  
Mario Valdez  
Kelly Faglie  
Joe Suarez  
Rodrigo Rodriguez  
Lauren Nolasco-Alternate  
Jimmy Williams-Alternate  
Lydia Moss-Alternate

Members Absent:  
Paul Martinez

**I. CALL MEETING TO ORDER**

*The Planning and Zoning Commission of Uvalde, Texas, Regular meeting of February 2, 2016, was called to order by Caroline Jones at 6:00 p.m. in the Council Chambers.*

**II. APPROVAL OF MINUTES**

*Consider and act on the minutes of January 6, 2016, of the Planning and Zoning Commission. Motion to approve minutes was made by Kelly Faglie 2<sup>nd</sup> by Joe Suarez. Motion passed 5-0.*

**III. CITIZEN'S INPUT**

*There were no citizens present.*

**IV. PUBLIC HEARING**

*Consider and act on the request of City of Uvalde, applicant, to repeal Uvalde Municipal Code Zoning Chapter 17.20.011 Flea Market ordinance from Chapter 17 Zoning, City of Uvalde, Uvalde County Texas.*

Susan Anderson Presented: There has been an ordinance to allow Flea Markets since 2004 and no one has taken advantage since then. The ordinance restricts flea markets to industrial zones, requires site plan approval and a monthly fee of \$100.00. Vendors are allowed to sell in business districts with the permission of the property owner and proper certificates and permits. Therefore, regulations concerning flea markets are

duplicated in other codes. Susan suggests repealing ordinance. Motion to approve repeal made by Rodrigo Rodriguez, 2<sup>nd</sup> by Joe Suarez. Motion passed 5-0.

**V. ADJOURNMENT**

*A motion was made by Mario Valdez 2<sup>nd</sup> Joe Suarez to adjourn the meeting. Motion passed 5-0. Meeting adjourned at 6:16 p.m.*

---

Caroline Jones  
CHAIRWOMAN

---

Jovita Maldonado  
Code Enforcement Officer

**ORDINANCE 2016- \_\_**

**AN ORDINANCE OF THE CITY OF UVALDE, TEXAS, REPEALING  
ORDINANCE NUMBER 2004-03 PROVIDING FOR FLEA MARKETS AND  
PROVIDING FOR RELATED MATTERS**

Whereas, the City Council of the City of Uvalde, Texas, (the “City”) determines that Ordinance Number 2004-03 providing for flea markets is no longer necessary and wishes to repeal said ordinance;

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

**Section 1.     Findings of Fact.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2.     Repealing Ordinance.** Ordinance Number 2004-03 is hereby repealed.

**Section 3.     Effective Date.** This Ordinance is effective immediately upon passage and approval by the City Council.

**Section 4.     Open Meetings.** It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act *Chapt. 551, Tex. Gov't. Code.*

**PASSED AND APPROVED** by the City Council on this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**ATTEST:**

**CITY OF UVALDE, TEXAS**

\_\_\_\_\_  
Sorayda Sanchez, City Secretary

\_\_\_\_\_  
Don McLaughlin Jr., Mayor