

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
FEBRUARY 13, 2012 4:30 P.M.
MISSION CITY HALL**

Pursuant to V.T.C.A. Gov. Code Section 551.001 et. seq., the City Council of the City of Mission, Texas will hold a regular meeting on Monday, February 13, 2012 at 4:30 p.m. at the Mission Council Chambers, 1201 E. 8th Street, Mission, Texas to consider the following matters.

Regular Meeting	Att.	Page	Originator	Status
1. Call to order			Salinas	
2. Pledge Allegiance and Invocation			Salinas	
3. Proclamation – Children’s Advocacy Center	1		Carrillo	
4. Departmental Reports	2		Cerda	
5. Report from the Greater Mission Chamber of Commerce			Ruszczak	
6. Citizens Participation			Salinas	

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

A. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Genghis Grill, 2521 E. Expwy 83, Ste. 400, being Lot 5, Block A, Shary - Taylor Expwy 83, Subd., C-4, Genghis Grill	1.1A	28	Zavala	
B. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Yoko’s Sushi Restaurant, 122 S. Shary Rd., Ste. K, being Lot 2, Home Depot Subd. #2, C-4, Elena Priscila Lozano	1.1B	34	Zavala	
C. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages & Drive – Thru Service Window – 100% Antojitos Mexicanos, 301 W. Griffin Pkwy, Ste. 1, being Lot 1-D, Mission Park Plaza Subd., C-3, Jose R. Mendez	1.1C	40	Zavala	
D. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Mariachuchena’s Bar & Grill, 302 W. Griffin Pkwy, Suites A & B, being Lot 2, Storage Depot Subd., C-3, Jose V. Narvaez	1.1D	49	Zavala	
E. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Smokin’ Aces, 2518 E. Business Highway 83, being Lot 14, J.E. Leslie Subd., C-3, Michael Aguilar	1.1E	56	Zavala	
F. Public Hearing in accordance with the Code of Ordinances of the City of Mission – Chapter 118- Section 32-2 (d) TaxiCab Permit for La Lomita Taxi	1.1F	66	Garza	

2.0 Disposition of Minutes

2.1 City Council Meeting – January 23, 2012	2.1	71	Carrillo	
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3.0 Acknowledge Receipt of Minutes

3.1 Zoning Board of Adjustments – November 16, 2011 Citizen’s Advisory Committee – November 8, 2011 and December 13, 2011 MEDC Special Meeting – January 3, 2012 Planning and Zoning Commission – January 11, 2012	3.1	89	Cerda	
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4.0 Approvals and Authorizations

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| 4.1 | Adoption of Ordinance # _____ for CUP for the Sale & On-Site Consumption of Alcoholic-Beverages-Genghis Grill, 2521 E. Expwy 83, Ste. 400, being Lot 5, Block A, Shary-Taylor Expwy Subd. | 4.1 | 131 | Zavala |
| 4.2 | Adoption of Ordinance # _____ for CUP for the Sale & On-Site Consumption of Alcoholic Beverages-Yoko's Sushi Restaurant, 122 S. Shary Rd., Ste. K, being Lot 2, Home Depot Subd. #2 | 4.2 | 133 | Zavala |
| 4.3 | Adoption of Ordinance # _____ for CUP for the Sale & On-Site Consumption of Alcoholic Beverages & Drive – Thru Service Window – 100% Antojitos Mexicanos, 301 W. Griffin Pkwy, Ste. 1, being Lot 1-D, Mission Park Plaza Subd. | 4.3 | 135 | Zavala |
| 4.4 | Adoption of Ordinance # _____ for CUP for the Sale & On-Site Consumption of Alcoholic Beverages-Mariachuchena's Bar & Grill, 302 W. Griffin Pkwy, Suites A & B, being Lot 2, Storage Depot Subd. | 4.4 | 137 | Zavala |
| 4.5 | Adoption of Ordinance # _____ for CUP for the Sale & On-Site Consumption of Alcoholic Beverages-Smokin' Aces, 2518 E. Business Highway 83, being Lot 14, J.E. Leslie Subd. | 4.5 | 139 | Zavala |
| 4.6 | Preliminary Plat Approval: Los Cabos Subd. Phase II, 13.90 acre out of Lots 72 & 82, J.H.S. Subd., PUD, Developer: Hunt Valley Dev. I, LLC
Engineer: Halff Associates | 4.6 | 141 | Zavala |
| 4.7 | Final Plat Approval: Las Estrellas Subd. No. II, 7.13 ac. tract being all of Lot 10, Nick Doffing Company Subd., No. 4, Rural ETJ,
Developer: GARCO, Ltd.
Engineer: Quintanilla, Headley & Associates | 4.7 | 151 | Zavala |
| 4.8 | Final Plat Approval: Las Estrellas Subd. No III, 28.01 ac. tract being all of Lot 11, Nick Doffing Company Subd., No. 2 and all of Lot 57 & 58, Nick Doffing Company Subd., No. 3, Rural ETJ,
Developer: GARCO, Ltd.
Engineer: Quintanilla, Headley & Associates | 4.8 | 161 | Zavala |
| 4.9 | Approval of Ordinance # _____ granting a wet designation for 2521 E. Expwy. 83, Ste. 400, Lot 5, Block A, Shary-Taylor Expwy. 83 Subd., Genghis Grill | 4.9 | 172 | Carrillo |
| 4.10 | Approval of Ordinance # _____ calling a General Election in Mission, Texas providing for the election of Councilmembers for Places Two and Four; providing for polling places and other matters relating to said election | 4.10 | 175 | Carrillo |
| 4.11 | Acceptance of the Comprehensive Annual Financial Report (CAFR) for Fiscal Year ended 9/30/11 | 4.11 | 179 | Flores |
| 4.12 | Tax Collection Report – December, 2011 | 4.12 | 180 | Flores |
| 4.13 | Acceptance of Quarterly Report of Investments for the Quarter ending December 31, 2011 and Interest Earned for Three Months Ending December 31, 2011 | 4.13 | 190 | Flores |

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| 4.14 Budget Amendments: General Fund and PD Federal Sharing Fund | 4.14 | 197 | Flores |
| 4.15 Award bid for the construction of Northwest Park (Hollis Rutledge Sr.) Park Paving Improvements | 4.15 | 204 | J. Gonzalez |
| 4.16 Award bid for the purchase of Waterline Improvements Materials for Highland Park Project | 4.16 | 207 | R. Salinas |
| 4.17 Award bid for the purchase of Ready Mix Concrete | 4.17 | 209 | R. Salinas |
| 4.18 Authorization to solicit bids for the repair of manholes for the Public Works Dept. | 4.18 | 211 | R. Salinas |
| 4.19 Authorization for the City of Mission Fire Department To submit an application for FEMA Fiscal Year 2011 Staffing for adequate Fire and Emergency Response (SAFER) Grant | 4.19 | 212 | Saldana |
| 4.20 Authorization to issue a permit to operate a Taxicab Service in the City of Mission to La Lomita Taxi | 4.20 | 213 | Garza |
| 4.21 Authorization to submit the 2013 STEP Comprehensive Grant to the Texas Department of Transportation | 4.21 | 214 | Garza |
| 4.22 Approval of Resolution # _____ authorizing the Mission Police Department to submit the Mission Police Department's Operation Skywatch Grant to the Office Of the Governor's Criminal Justice Division | 4.22 | 215 | Garza |
| 4.23 Approval of Resolution # _____ authorizing and supporting the dedication of the roadway on the east side of the Jesus Martinez Post # 93 American Legion between U.S. Expressway 83 Westbound Frontage Road and West "A" Street in memory of U.S. Army Private First Class Jesus Martinez | 4.23 | 217 | Garza |
| 4.24 Approval of Ordinance # ____ authorizing the dedication of the 1000 to the 1100 Block of East 7 th Street in memory of U.S. Army Corporal Francisco Quintanilla, Jr. | 4.24 | 220 | Garza |
| 4.25 Authorization to solicit bids or purchase via a state Approved contract; two police dogs | 4.25 | 223 | Garza |
| 4.26 Discussion and action to approve new sanitation rates to be Charged to City of Mission by Allied Waste Services, (AWS) effective February 1, 2012 through January 31, 2013 | 4.26 | 224 | Seguin |
| 4.27 Discussion and action to select approve and remit, to the Sharyland Water Supply Corp., (SWSC) the attached Ballot/Proxy form | 4.27 | 228 | Seguin |
| 4.28 Authorization to solicit Bids to Demolish Substandard Improvements located on 1.47 acres out of Block 137, MOT and being at 819 Francisco Ave., Mission, TX | 4.28 | 236 | R. Salinas |
| 4.29 Approval of Resolution # _____ designating the Mayor of the City of Mission as authorized representative of the City of Mission to give notice of intent to reimburse Expenditures with proceeds of Tax Exempt Obligations | 4.29 | 241 | Cerda |
| 4.30 Consider and take action under the authority of the 2009 On Call Contract with L&G Engineering for Work Authorization No. 11 in regards to the Inspiration Rd. Project from US Expwy. 83 to Mile 3 North | 4.30 | 244 | Hernandez |

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- 4.31 Authorization to enter into contract for Lease Election Services with Hidalgo County Elections Administrator on behalf of the County of Hidalgo 4.31 248 Carrillo
- 4.32 Discussion and action to approve Ordinance # _____ amending 90-56 of the City of Mission Code of Ordinances providing for new Commercial Container Sanitation Rates and an effective date 4.32 255 Seguin

5.0 Unfinished Business
None

6.0 Routine Matters

- 6.1 City Manager's Comments 6.1 -- Cerda
- 6.2 Mayor's Comments 6.2 -- Salinas

7.0 Executive Session pursuant to V.T.C.A. Gov. Code Sec. 551.001

- 7.1 Consultation with Attorney Sec. 551.071
 - A. Claim of Julio Villarreal
 - B. Intergovernmental Cooperative Agreement between City of Mission and Palm Valley Animal Center
 - C. Approve City Attorney's selection of Water Rights Attorney
 - D. Claim against El Valle De Luna Mobile Home Park
 - E. Claims against delinquent sewer customers residing outside Mission City limits
 - F. Claim regarding Shary Springs Subdivision
 - G. Discussion of contract with Republic Services, and possible action
- 7.2 Personnel matters Sec. 551.074
 - A. Approval of Professional Services Contract for Mark Sossi, P.C.
- 7.3 Deliberation regarding real property Sec. 551.072
 - A. Acquisition of property 2024 Lambeth Drive
- 7.4 The City Council will reconvene in open session to take any actions necessary

8.0 Adjournment 8.0 -- Salinas

C E R T I F I C A T E

I, the undersigned City Secretary do certify that the above notice of meeting was posted on the bulletin board of City Hall, 1201 E. 8th Street, Mission, Texas on this the 10th day of February, 2012 at _____ p.m.

Anna Carrillo, City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations for a disability must be made 48 hours prior to this meeting. Please notify the City Secretary's Office at 580-8668.

NOTICE OF REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MISSION

Notice is hereby given that on the 13th day of February, 2012 the City Council of the City of Mission will hold a regular meeting at 4:30 p.m. at the Mission Council Chambers, 1201 E. 8th Street, Mission, Texas 78572. The subjects to be discussed are listed on the agenda, which is attached to and made a 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.
551.0785	Deliberations involving medical or psychiatric records of individuals.
551.084	Investigation; exclusion of witness from hearing.
551.087	Deliberation regarding economic development negotiations
551.088	Deliberation regarding test item.

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.

On this the 10th day of February, 2012 this Notice was mailed to news media who had previously requested such Notice and an original copy was posted on the bulletin board at City Hall, 1201 E. 8th Street at _____ p.m. on said date.

Anna Carrillo, City Secretary