

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
APRIL 22, 2013 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, April 22, 2013 at 4:30 p.m. at the Mission Council Chambers, 1201 E. 8<sup>th</sup> Street, Mission, Texas to consider the following matters.

<b>Regular Meeting</b>	<b>Att. Page</b>	<b>Originator</b>	<b>Status</b>
1. Call to order		Salinas	
2. Pledge Allegiance and Invocation		Salinas	
3. Proclamation – GenTX Day	1	Carrillo	
4. Proclamation – Motorcycle Safety Awareness Month	2	Carrillo	
5. Proclamation – Safe Digging Month in Mission	3	Carrillo	
6. Proclamation – National Police Week	4	Carrillo	
7. Departmental Reports	7	Garza	
8. Report from the Greater Mission Chamber of Commerce		Ruszczak	
9. Report from the National Butterfly Center		Wright	
10. Citizens Participation		Salinas	

**1.0 Public Hearing**

**1.1 Planning & Zoning Recommendations**

- A. Rezoning: A .817 acre tract of land being all of Lots 1.1A 66 Tijerina  
5 & 6, Block 258, all of Block 259, a portion of  
abandoned Dunlap Ave., and a portion of abandoned  
Canal ROW, all being out of the Original Townsite of  
Mission; **and** A tract of land containing 65.316 acres  
comprised of 1) Block “A” and “B”, Northwest  
Addition; 2) Lots 1-10, Lots 15-22, Block 12, and Lots  
A & B, Block 14, out of Northwest Addition; 3) A part  
of Ewing Street ROW adjacent to the south lines of said  
Blocks 12 & 14 (dedicated by Northwest Addition to  
Mission Subd., not open), and a part of Lots 23-5 & 23-6,  
West Addition to Sharyland; 4) A 2.77 acre tract out of  
Lots 23-6 & 22-6, West Addition to Sharyland, and 5)  
the ROW of Ewing St. (partially open as Kika De La  
Garza Loop), adjacent to the east line of Block “A”, the  
ROW of Cummings Ave. between Blocks “A” & 12,  
the ROW of Perkins Ave. (not open) between Blocks 12  
& 14, and the alleys ROW across Blocks 12 & 14, all  
dedicated by Northwest Addition (AKA Mission High  
School site including the Leo Najo Baseball Field, the  
Tom Landry Stadium and the Mission Boys and Girls  
Club), from R-1 (Single Family Residential) to P (Public  
Zone), Mission C.I.S.D.  
Adoption of Ordinance # \_\_\_\_\_ approving 1.1A
- B. Rezoning: W. ½ of Lot 3, Mission Acres 1.1B 76 Tijerina  
Subdivision, from C-3 (General Business) to P (Public  
Zone), Iglesia De Cristo  
Adoption of Ordinance # \_\_\_\_\_ approving 1.1B

## Agenda, 04/22/13 Pg. 2

- C. Rezoning: The N. 92.50' of the W. 200' out of a 4.66 acre tract out of Lot 30-7, West Addition to Sharyland Subdivision, from R-1 (Single Family Residential) to C-3 (General Business), Emerardo Longoria  
Adoption of Ordinance # \_\_\_\_\_ approving 1.1C 86 Tijerina
- D. Rezoning: 2.122 acre tract of land out of Lot 22-1, West Addition to Sharyland Subdivision, from R-5 (High Density Manufactured Housing) to R-4 (Mobile & Modular Home), David Reyna  
Adoption of Ordinance # \_\_\_\_\_ approving 1.1D 94 Tijerina
- E. Consider request by Juan R. Rodriguez to have the City Abandoned 0.07 acre tract of land being an irregular shaped portion of existing road right-of-way out of Schuerbach Road and a 40' dedicated road lying immediately south of an adjacent to border Pacific Railroad Company right-of-way and also lying north and west of Lot 1, Mrs. E.V. Flores Subdivision  
Adoption of Ordinance # \_\_\_\_\_ approving 1.1E 104 Tijerina
- F. Conditional Use Permit: Manufacturing and Packaging of Ice Cream and Chicharrones in a C-3 Zone, 204 W. Tom Landry, Lots 3-6, Block 175, Mission Original Townsite Subdivision, C-3, Jorge Pascual  
Adoption of Ordinance # \_\_\_\_\_ approving 1.1F 123 Tijerina
- G. Conditional Use Permit: Drive-Thru Service Window, 810 N. Schuerbach Road, Suite "D", Lot 1, Sylvia Plaza Subdivision, C-2, Jose Bazaldua  
Adoption of Ordinance # \_\_\_\_\_ approving 1.1G 134 Tijerina
- H. Preliminary Re-Plat Approval: Lone Star Bank Subdivision, Ph. II, Lots 1A & 1B, Being a Re-plat of Lot 1, Lone Star Bank Subdivision, Ph. II, C-3, Developer: J.A. Investments, Engineer: Melden & Hunt, Inc. 1.1H 144 Tijerina
- I. Public Hearing – Mission Economic Development Corporation Industrial Revenue Bonds (AmeriTex Pipe & Products, LLC Project) 1.1I 152 Meade

### 2.0 Disposition of Minutes

- 2.1 City Council Meeting – April 8, 2013 2.1 154 Carrillo

### 3.0 Acknowledge Receipt of Minutes

- 3.1 Parks & Recreation Board Meeting – March 20, 2013 3.1 171 Garza  
Juvenile Justice and Delinquency Prevention  
Advisory Board – March 6, 2013  
Planning & Zoning Commission – March 27, 2013

### 4.0 Approvals and Authorizations

- 4.1 Final Plat Approval: Orchards at Shary Road Subdivision Ph. II, 7.98 acres out of Lot 285, John H. Shary Subdivision, R-1A, 4.1 192 Tijerina  
Developer: 3M Venture, LLC,  
Engineer: Javier Hinojosa Engineering

### Agenda, 04/22/13 Pg. 3

- |      |  |      |     |            |
|------|--|------|-----|------------|
| 4.2  | Authorization to solicit bids for, or purchase via state approved contract two (2) vehicles for Meter Reader Department  | 4.2  | 204 | Seguin     |
| 4.3  | Write-off uncollectable utility accounts receivable.   | 4.3  | 206 | Seguin     |
| 4.4  | Approval of Change Order No. 1 for additional work for the Mission Historical Museum Site Improvements Project   | 4.4  | 208 | Contreras  |
| 4.5  | Approval of Collection of Taxes Contract between the County of Hidalgo and City of Mission for taxable year 2013   | 4.5  | 211 | Perez      |
| 4.6  | Tax Collections Report – March, 2013   | 4.6  | 213 | Perez      |
| 4.7  | March 2013 Financial Statements  | 4.7  | 220 | Perez      |
| 4.8  | Acceptance of Quarterly Report of Investments for the Quarter ending March 31, 2013 and Interest Earned for three months ending March 31, 2013   | 4.8  | 235 | Perez      |
| 4.9  | Approval of Ordinance # _____ between the State of Texas (TxDOT) and the City of Mission for the approval of Municipal Maintenance Agreement, for the maintenance, control, supervision and regulation of certain State Highways and portions of state highways in the City of Mission and authorizing the Mayor to execute such agreement | 4.9  | 241 | R. Salinas |
| 4.10 | Approval of Resolution # _____, Resolution of the City Council of Mission Approving the Issuance of Industrial Development Revenue Bonds by the Mission Economic Development Corporation to Finance and Refinance a Manufacturing Project for AmeriTex Pipe & Products, LLC  | 4.10 | 254 | Meade      |
| 4.11 | Authorization to submit a grant application to the Texas Department of Transportation for the Click It or Ticket It Grant Program  | 4.11 | 266 | Dominguez  |
| 4.12 | Approval of Ordinance # _____ amending Ordinance 3832 to delete assignment pay of school supervisor from the salary and incentive pay plan for sworn personnel for fiscal year 2012-13   | 4.12 | 275 | J. Lerma   |
| 4.13 | Authorization to engage Spawglass Contractors for the design of the City of Mission Conway Avenue Streetscape Project – Phase I Design and execute the agreements incident thereto   | 4.13 | 280 | R. Perez   |
| 4.14 | Budget Amendments: Hotel/Motel Fund  | 4.14 | 286 | Perez      |

### 5.0 Unfinished Business

- |     |  |     |     |          |                            |
|-----|--|-----|-----|----------|----------------------------|
| 5.1 | <b>Public Hearing Agenda Item:</b> Rezoning: 722 E. 8 <sup>th</sup> St., Suite D being out of Lots 11 & 12, and a 20' strip adjacent thereto, Block 113, Mission Original Townsite, from C-3 to P, Elizabeth B. Hernandez (City Attorney may ask City Council to go into executive session on this item under the "Consultation With Attorney" exception before considering this matter in open session) | 5.1 | 289 | Tijerina | <b>Tabled<br/>04/08/13</b> |
|-----|--|-----|-----|----------|----------------------------|

### 6.0 Routine Matters

- |     |                         |     |    |         |
|-----|-------------------------|-----|----|---------|
| 6.1 | City Manager's Comments | 6.1 | -- | Garza   |
| 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

Deliberation regarding real property Sec. 551.072

- A. Purchase of Drainage and Utility Easements out of Lot 172, John H. Shary Subdivision

7.2 Consultation with Attorney Sec. 551.071

- A. Consent to City Attorney's selection of an attorney for eminent domain proceedings if needed for Mile 2 North SH 107 (Conway Ave.) to Moorefield Rd.
- B. Proposal from City of Penitas on Extra-Territorial Jurisdiction
- C. Concerns on proposed actions by the Tax Increment Reinvestment Zone/Mission Redevelopment Authority regarding bonds and other issues

7.3 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. 8<sup>th</sup> Street, Mission, Texas on this the 19<sup>th</sup> day of April, 2013 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 22<sup>nd</sup> day of April, 2013 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. 8<sup>th</sup> 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 19<sup>th</sup> day of April, 2013 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. 8<sup>th</sup> Street at \_\_\_\_\_ p.m. on said date.

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Anna Carrillo, City Secretary