

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
MAY 29, 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 Tuesday, May 29, 2012 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. Departmental Reports   | 1                | Cerda             |               |
| 4. Presentation of Boys & Girls Club Scholarship Recipients   |                  | Cerda             |               |
| 5. Presentation by Upper Valley Art League  |                  | Cerda             |               |
| 6. Report from the Greater Mission Chamber of Commerce  |                  | Ruszczak          |               |
| 7. Citizens Participation   |                  | Salinas           |               |
| <b>1.0 Public Hearing</b>   |                  |                   |               |
| <b>1.1 Planning &amp; Zoning Recommendations</b>  |                  |                   |               |
| A. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages -- "Taqueria Hidalgo" Restaurant, 307 E. Expressway 83, Lot 6-D, El Pueblo Subdivision, C-3, Julio C. Acebo  | 1.1A 48          | Zavala            |               |
| B. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – La Jaiba Mexican Seafood Grill, 4001 S. Shary Road, Suite 350, Lot 1, Tech Center No. 2 Subdivision, PUD, Veronica Vasquez   | 1.1B 57          | Zavala            |               |
| C. Rezoning: The East 180' of the South ½ Block 8, Citriana Heights Subdivision, C-2 to C-3, Arnoldo Cadena   | 1.1C 63          | Zavala            |               |
| D. Rezoning: A 10.78 acre tract of land of the South 20 acres out of Lot 186, John H. Shary Subdivision, AO-I to R-1, 2G Shary Development  | 1.1D 73          | Zavala            |               |
| E. Rezoning: The North ½ of Lot 1, Block A, Riverside Subdivision, AO-I to C-3, Pepe De La Fuente   | 1.1E 81          | Zavala            |               |
| F. Rezoning: 1.475 Acres, being a part or portion of a certain tract known as the Fernandez Strip out of Porcion 52, (NW corner of Inspiration Road & 1 Mile Road South), AO-I to C-3, William Moschell   | 1.1F 86          | Zavala            |               |
| <b>2.0 Disposition of Minutes</b>   |                  |                   |               |
| 2.1 City Council Meeting – April 23, 2012 and City Council Special Meeting – May 21, 2012   | 2.1 93           | Carrillo          |               |
| <b>3.0 Acknowledge Receipt of Minutes</b>   |                  |                   |               |
| 3.1 Boys & Girls Club of Mission – April 12, 2012<br>Shary Golf Advisory Board – February 15, 2012<br>Speer Memorial Library Board – March 20, 2012 and April 17, 2012<br>Mission Economic Development Corporation – March 20, 2012<br>Mission Tax Increment Reinvestment Zone – February 28, 2012 and March 27, 2012 | 3.1 107          | Cerda             |               |

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Mission Redevelopment Authority – February 28, 2012 and  
March 27, 2012

Citizen’s Advisory Committee – March 6, 2012, March 20, 2012,  
March 27, 2012 and April 10, 2012

Planning and Zoning Commission – March 14, 2012,  
March 28, 2012 and April 25, 2012

### 4.0 Approvals and Authorizations

- |      |  |      |     |          |
|------|--|------|-----|----------|
| 4.1  | Adoption of Ordinance # _____ for CUP for the Sale & On-Site Consumption of Alcoholic Beverages – “Taqueria Hidalgo” Restaurant, 307 E. Expressway 83, Lot 6-D, El Pueblo Subdivision                              | 4.1  | 182 | Zavala   |
| 4.2  | Adoption of Ordinance # _____ for CUP for the Sale & On-Site Consumption of Alcoholic Beverages – La Jaiba Mexican Seafood Grill, 4001 S. Shary Road, Suite 350, Lot 1, Tech Center No. 2 Subdivision              | 4.2  | 184 | Zavala   |
| 4.3  | Adoption of Ordinance # _____ for Rezoning the East 180’ of the south ½ Block 8, Citriana Heights Subdivision, C-2 to C-3  | 4.3  | 186 | Zavala   |
| 4.4  | Adoption of Ordinance # _____ for Rezoning A 10.78 acre tract of land of the South 20 acres out of Lot 186, John H. Shary Subdivision, AO-I to R-1   | 4.4  | 188 | Zavala   |
| 4.5  | Adoption of Ordinance # _____ for Rezoning the North ½ of Lot 1, Block A, Riverside Subdivision, AO-I to C-3   | 4.5  | 190 | Zavala   |
| 4.6  | Adoption of Ordinance # _____ for Rezoning 1.475 Acres, being a part or portion of a certain Tract known as the Fernandez Strip out of Porcion 52 (NW corner of Inspiration Road & 1 Mile Road South), AO-I to C-3 | 4.6  | 192 | Zavala   |
| 4.7  | Request by Meadow Creek Homeowners Association to install a chain link fence between Inspiration Road and Lake View Drive (2 parallel public streets)  | 4.7  | 194 | Zavala   |
| 4.8  | Approval of Ordinance # _____ to Abandon part of Utility Easement within Lot 9, Patriot Estates Subdivision  | 4.8  | 202 | Zavala   |
| 4.9  | Request by Bert Ogden to have City Council issue a Changeable Copy Ground Pole Sign Permit at 1400 E. Expressway 83  | 4.9  | 209 | Zavala   |
| 4.10 | Approval of Ordinance # _____ granting a wet designation for 1401 N. Conway Ave., In-N-Out Drive Thru  | 4.10 | 217 | Carrillo |
| 4.11 | Approval of Ordinance # _____ granting a wet designation for 4001 S. Shary Rd., Suite 350, Lot 1, Tech Center No. 2 Subd., La Jaiba Mexican Seafood Grill  | 4.11 | 222 | Carrillo |
| 4.12 | Approval of Resolution # _____ of the Council of the City of Mission Consenting to legislation authorizing Hidalgo County Water Control and Improvement District No. 19 to undertake roadway improvements projects | 4.12 | 225 | Cerda    |
| 4.13 | Second reading of Ordinance approving the renewal of City of Mission, Texas Franchise Agreement with Magic Valley Electric Co-op, (MVEC).  | 4.13 | 229 | Seguin   |
| 4.14 | Approval of Ordinance # _____ renewing City of Mission Texas Franchise Agreement with Magic Valley Electric Co-op, (MVEC).   | 4.14 | 231 | Seguin   |

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|---|------|-----|------------|
| 4.15 Approval to donate 1989 Pierce Arrow 95 foot ladder fire truck to the City of Guadalupe, NL  | 4.15 | 246 | J. Lerma   |
| 4.16 Approval of Ordinance # _____ updating City of Mission Local Civil Service Rules   | 4.16 | 249 | J. Lerma   |
| 4.17 Approval of Resolution # _____ approving the issuance of Mission Economic Development Corporation Solid Waste Disposal Revenue Refunding Bonds (Republic Services, Inc. Project) Series 2012 and related matters | 4.17 | 288 | Meade      |
| 4.18 Authorize the City of Mission to enter into a Memorandum of Understanding Addendum with CLEAResult, Inc. to extend the Participation of the 2012 AEP Texas CitySmart Program                                     | 4.18 | 296 | Perez      |
| 4.19 Authorization to accept the Regional Solid Waste Grant from the Lower Rio Grande Valley Development Council  | 4.19 | 298 | Perez      |
| 4.20 April 2012 Financial Statements  | 4.20 | 314 | Flores     |
| 4.21 Tax Collections Report – March, 2012   | 4.21 | 329 | Flores     |
| 4.22 Tax Collections Report – April, 2012   | 4.22 | 336 | Flores     |
| 4.23 Budget Amendments: General Fund, Utility Fund, Designated Purpose Fund, Aquatics and MEDC Fund   | 4.23 | 343 | Flores     |
| 4.24 Audit Contract for FY 2011-2012  | 4.24 | 358 | Flores     |
| 4.25 Request for Two Open Cuts by Our Lady of Guadalupe Church in Relation to their Expansion Plans   | 4.25 | 398 | Hernandez  |
| 4.26 Approval of Resolution # _____ to adopt the Section 3 Plan to comply with 24 CFR, Part 135 of the US Department of Housing and Urban Development   | 4.26 | 400 | Longoria   |
| 4.27 Award bid for “Housing Assistance Program Phase 11-I Re-bid”   | 4.27 | 402 | Longoria   |
| 4.28 Award bid for “Housing Assistance Program Phase 11-II”   | 4.28 | 404 | Longoria   |
| 4.29 Authorization to solicit bids for materials and labor for the installation of a sprinkler system at Birdwell Park  | 4.29 | 406 | Gonzalez   |
| 4.30 Award bid and Purchase via State approved contract of Maintenance Equipment for Parks and Recreation Department  | 4.30 | 407 | Gonzalez   |
| 4.31 Authorization to Reject and Resolicit Bids for Maintenance Equipment for Parks and Recreation Department   | 4.31 | 411 | Gonzalez   |
| 4.32 Authorization to purchase brush chipper via State Approved Contract for Parks and Recreation Department  | 4.32 | 413 | Gonzalez   |
| 4.33 Approval to purchase WEDECO UV System Parts for Waste Water Treatment Plant from a sole source vendor  | 4.33 | 415 | R. Salinas |
| 4.34 Award bid for the purchase of Corrosion Inhibitor for Water Treatment Plants   | 4.34 | 418 | R. Salinas |
| 4.35 Award bid for the demolition of the sub-standard improvements located on 1.47 acres out of block 137, Mission original townsite and being at 819 Francisco Ave., Mission, Texas                                  | 4.35 | 420 | R. Salinas |
| 4.36 Award bid for the purchase of Ammonium Sulfate for Water Treatment Plants  | 4.36 | 422 | R. Salinas |
| 4.37 Authorization to solicit bids for the “Repair of Manholes” for the Public Works Department   | 4.37 | 424 | R. Salinas |
| 4.38 Authorization to submit the Byrne Criminal Justice Innovation Program FY 2012 Competitive Grant to the US Department of Justice, Bureau of Justice Assistance  | 4.38 | 425 | Garza      |

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|--|------|-----|-----------|
| 4.39 Authorization to purchase full battery replacements for the Mission Police Department UPS system via sole source vendor                 | 4.39 | 426 | Garza     |
| 4.40 Authorization to amend Chapter 118 – Article III Wreckers, Article V, Rates and Fees Section 118-191. Maximum rates for Wrecker Service | 4.40 | 431 | Garza     |
| 4.41 Budget Amendments: 2012 CO, PD Federal Sharing Fund   | 4.41 | 433 | Flores    |
| 4.42 Authorization to solicit bids for construction of new Restrooms at La Placita/Leo Pena Park   | 4.42 | 439 | Hernandez |
| 4.43 Authorization to solicit bids for the reconstruction of the traffic signal at Mayberry and 1 <sup>st</sup> Street                       | 4.43 | 440 | Hernandez |

**5.0 Unfinished Business**

None

**6.0 Routine Matters**

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|-----------------------------|-----|----|---------|
| 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. FY 2011-2012 and FY 2012-2013 Amigos Del Valle Allocation
  - B. Mission Economic Development Corporation / Mission Economic Development Authority
- 7.2 The City Council will reconvene in open session to take any actions necessary

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|------------------------|-----|----|---------|
| <b>8.0 Adjournment</b> | 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 25<sup>th</sup> day of May, 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 29<sup>th</sup> day of May, 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. 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 25<sup>th</sup> day of May, 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. 8<sup>th</sup> Street at \_\_\_\_\_ p.m. on said date.

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Anna Carrillo, City Secretary