

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
JULY 11, 2011 4:30 P.M.
MISSION CITY HALL**

PRESENT:

Norberto Salinas, Mayor
Maria Elena Ramirez, Councilwoman
Ruben D. Plata, Councilman
Norie Gonzalez Garza, Councilwoman
Leo Olivarez, Mayor Pro Tem
David Guerra, City Attorney
Anna Carrillo, City Secretary
Julio Cerda, City Manager

ALSO PRESENT:

Kathy Olivarez, Progress Times
Gail Burkhardt, The Monitor
Richard Perez
Fred Kurth
Jim & Beth Barnes
Chris Voss

ABSENT:

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Aida Lerma, Deputy City Manager
Sonia Carnes, Deputy City Manager
Guillermo Seguin, Deputy City Manager
Sergio Zavala, Planning Director
Bobby Salinas, Planning Dept.
Roberto Salinas, Public Works Director
Paul Schaefer, Golf Course Director
Joanne Longoria, CDBG Director
Gilbert Sanchez, Fire Marshal
Rick Saldana, Fire Chief
Eduardo Belmarez, Purchasing Director
Leo Longoria, Chief of Police
Robert Dominguez, Asst. Chief of Police
Martin Garza, Asst. Chief of Police
Randy Perez, Accountant
Julian Gonzalez, Parks & Rec. Director
Mayra Rocha, Library Director
Juan C. Avila, B & G Club Director
Noemi Munguia, HR Director
Robert Hinojosa, Risk Manager
Jesse Lerma, Civil Service Director
Roland Rodriguez, I. T. Director
Jonathan Wehrmeister, Judge
Cassandra Karl, Museum Director

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:36 p.m.

2. Pledge Allegiance and Invocation

Mayor Salinas led the meeting with the pledge of allegiance and City Manager Julio Cerda gave the invocation.

3. Departmental Reports

Mayor Pro Tem Leo Olivarez moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Maria Elena Ramirez and approved unanimously 4-0.

4. Citizens Participation

Matt Ruszczak, CEO of the Greater Mission Chamber of Commerce reported on several events held during the week and the upcoming Butterfly Festival to be held in October.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

A. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Burguesa Burger Restaurant, 307 E. Expressway 83, Lot 6-D, El Pueblo Subd., C-3, Life of Use, Nicky Runnels

This recently opened burger restaurant was located between Conway Ave. and Mayberry Road along the north side of Expressway 83. The applicant was now requesting to offer alcoholic beverages with meals. There was no bar component within the restaurant.

- Hours of Operation: Monday – Thursday from 10:30 a.m. to 9:00 p.m., Friday & Saturday from 10:30 a.m. to 10:00 p.m., and closed on Sundays. Alcoholic beverages will only be served during State selling hours.
- Staff: 15 employees
- Parking: The 1,700 sq.ft. building required 23 spaces (1,700 / 75 sq.ft. = 22.6 parking spaces). There were 26 existing spaces, thus meeting code.
- Section 6-4a of the Alcoholic Beverages code states: “Unless waived by the City Council based on special or extenuating circumstances, the sale of all alcoholic beverages within 300 feet of any church, public school, private school or public hospital, within the corporate limits of the city is hereby prohibited. No alcoholic beverages of any kind shall be sold on any premises located within 300 feet of any church, public school, private school or public hospital.”
- Section 6-4d states: “Unless waived by the City Council based on special or extenuating circumstances, the measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be in a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections.”

The subject site was 208’ from the school’s property line, however, it was 785’ from the nearest school building. On 5/25/11, the Alcoholic Beverages code was amended to allow the City Council to waive the separation requirement ‘based on special or extenuating circumstances’. Based on the distance from the nearest school building and how far the students would be from the restaurant, staff believed that the sale of alcohol would not be detrimental to the area and would be a special or extenuating circumstances. There was no public opposition at P&Z’s 6/22/11 hearing. The P&Z unanimously approved the conditional use permit as recommended by staff.

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Staff Recommendation: Approval subject to: 1) Wet Zone the property (if needed), and 2) 1 year re-evaluation to assess this new operation 3) Waive the separation requirement based on special and extenuating circumstances.

Staff, P & Z and City Manager recommended approval.

Mayor Salinas asked if there were any comments for or against the CUP request.

There were no comments.

Councilwoman Ramirez moved to approve Conditional Use Permit as per staff recommendation: Sale & On-Site Consumption of Alcoholic Beverages – Burguesa Burger Restaurant, 307 E. Expressway 83, Lot 6-D, El Pueblo Subd., C-3, Life of Use, Nicky Runnels. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

At 4:43 p.m., Councilman Ruben Plata joined the meeting.

B. Discussion and Action on Proposed Ord. # _____ to prohibit Recreational Vehicles (RV's) from parking on the front yard/driveways of properties zoned Single Family Residential (R-1)

Based on neighborhood concerns expressed to Management, Planning had been asked to consider amending the R-1 zoning district to prohibit the parking of private recreational vehicles on R-1 zoned property's 'front yard area'. In this regard, the Zoning Code would add Section 1.371-4 (d) as follows:

Prohibited Uses:

(d) A recreational vehicle shall not be parked or stored within the front yard area inclusive of any paved driveway; it is further asserted that such recreational vehicles shall not be parked alongside any public or private street unless it is for temporary loading or unloading which must be completed within 48 continuous hours.

What was being promoted by the above amendment was to promote R-1's aesthetics, and was purely a quality of life measure. There was no public opposition during P&Z's 6/22/11 official hearing. P&Z unanimously recommend approval.

Staff, P & Z and City Manager recommended approval.

Mayor Salinas asked if there were any comments for or against the request.

Cris Voss of 1611 Crown Pointe spoke in favor of this request.

Councilwoman Ramirez moved to approve the ordinance to prohibit Recreational Vehicles (RV's) from parking on the front yard/driveways of properties zoned Single Family Residential (R-1). Motion was seconded by Mayor Pro Tem Olivarez.

After much discussion to determine what other zoning districts should be included in this ordinance, motion and second were withdrawn and the item was remanded back to P&Z to consider all Residential Zoning Districts.

C. Public Hearing: on the 2011 Edward Byrne Memorial Justice Assistance (JAG) Formula Program Grant

The Mission Police Department was requesting the opening of a Public Hearing on the 2011 Edward Byrne Memorial Justice Assistance (JAG) Formula Program Grant and the expenditure of \$10,244.00. The City of Mission Police Department had been awarded the aforementioned grant amount and planned to utilize the funding to purchase Police Portable Radios. A public hearing was requested to hear comments on the expenditure of these grant funds from the general public as required by the U.S. Department of Justice, Office of Justice Programs. There was no cash match required for this particular grant program.

Staff Recommendation: Authorize the Public Hearing on the 2011 Edward Byrne Memorial Justice Assistance (JAG) Formula Program Grant and the expenditure of \$10,244.00.

No action was taken on this item; this was only a public hearing.

2.0 Disposition of Minutes

2.1 City Council Meeting – June 27, 2011

Councilwoman Garza moved to approve the minutes as presented. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.0 Acknowledge Receipt of Minutes

3.1 Boys and Girls Club – April 28, 2011

Speer Memorial Library Board – May 17, 2011

Planning and Zoning Commission – June 8, 2011

Councilwoman Garza moved to acknowledge the receipt of minutes as presented. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.0 Approvals and Authorizations

4.1 Adoption of Ord. #3655 for CUP for the Sale & On-Site Consumption of Alcoholic Beverages – Burguesa Burger Restaurant, 307 E. Expressway 83, Lot 6 – D, El Pueblo Subd.

Staff and City Manager recommended ordinance approval.

Councilwoman Garza moved to approve adoption of Ord. No. 3655 for CUP for the Sale & On-Site Consumption of Alcoholic Beverages – Burguesa Burger Restaurant, 307 E. Expressway 83, Lot 6 – D, El Pueblo Subd. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 3655

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR THE SALE & ON-SITE
CONSUMPTION OF ALCOHOLIC BEVERAGES – BURGUESA BURGER RESTAURANT,
307 E. EXPRESSWAY 83, LOT 6-D, EL PUEBLO SUBDIVISION

At 4:57 p.m., Councilwoman Garza stepped out of the meeting.

4.2 Report on the City of Mission's Agreement with Hunt Valley Development on annual transferring of Water Rights

As the City Council was aware, the City of Mission had a long-standing agreement with Hunt Valley Development to annually transfer any water rights of recorded plats within their development. During the period of July 1, 2010 to June 30, 2011, Hunt recorded 5 new subdivisions, which were calculated to require a dedication of 24.46 ac-ft. of water rights (19.57 recorded acres x 1.25/acre).

Staff and City Manager recommended approval of the report.

Mayor Pro Tem Olivarez moved to approve the report on the City of Mission's Agreement with Hunt Valley Development on annual transferring of Water Rights. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.3 Preliminary Final Plat Approval: Cardinal Waves Subd., 20.76 ac. Tract being all of Lots 77 & 80, Nick Doffing Subd., Rural ETJ, Developer: Cardinal Estates, LTD, Engineer: Quintanilla, Headley, & Assoc.

The subdivision was located approximately ½ mile north of Mile 6 along the east side of Brushline Road. The subdivision consisted of 34 lots, where Lots 1, 23, 24, & 34 had the option of being used for commercial or multi-family purposes. All other lots were for residential purposes.

The water CCN belonged to AGUA SUD. The developer was providing water by connecting to an existing 8" waterline located along the east side of Brushline Road and extending a new 8" line east into the proposed subdivision and looping the system with Doffing Crossing's existing 8" line. The developer was installing 4 new hydrants; staff approved the hydrant's locations.

Sanitary sewer service for this subdivision would be addressed by individual on-site sewage facilities (OSSF) of a standard design septic tank and drain field on each lot. Each lot met or exceeded the County's typical ½ acre standard where septic tanks were permitted. This area was not within the City of Mission's Sewer CCN. (NOTE: Mission sewer was 3.74 miles away).

The lots would be fronting 50' ROW 32' B/B paved streets built to the County's construction specifications. No residential access would be allowed from Lots 1, 23, 24, & 34 onto Brushline Road. Drainage for the subdivision was proposed through the use of swales located in the rear of each property as permitted under County guidelines. The P&Z unanimously approved the subdivision plat.

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Staff Recommendation: Approval subject to meeting the Model Subdivision Rules and complying with the street alignment policy.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve the Preliminary Plat Approval of Cardinal Waves Subd., 20.76 ac. Tract being all of Lots 77 & 80, Nick Doffing Subd., Rural ETJ, Developer: Cardinal Estates, LTD, Engineer: Quintanilla, Headley, & Assoc. Motion was seconded by Councilman Plata and approved unanimously 4-0.

At 5:00 p.m. Councilwoman Garza rejoined the meeting.

4.4 Preliminary Plat Approval: Taurus No. 20 Subd., 10 Ac. being Lot 6, Miller Bros. Nursery Re-Subd., R-1 and C-2, Developer: Leonel Bazan Engineer: Melden & Hunt, Inc.

This subdivision was located on the SE intersection of Mile 2 and Moorefield Road. The plat was given preliminary approval by the City Council in 10/09/06. Since its approval, the subdivision had taken longer than usual to complete construction (purchase of water district ROW); CCN desertification (from AGUA to City of Mission); relocating phone poles, etc. The road and utilities had finally been completed and were pending 'final approval' by the Public Works Department. Utility testing and other minor items were being resolved.

Since this subdivision had been dormant for so long and was about to be completed, Staff felt that it would be more appropriate to bring it back for review/action. Upon review, the proposed subdivision was still meeting the City's Subdivision Code as proposed. Also, the plat's fees had been taken care of, too (Park Fees, sewer capital recovery, etc.). The following items were still lacking in order to be recorded: Comply with all format findings, Provide exclusion from the Water District, Provide Street lighting, etc. The P&Z unanimously approved the subdivision plat on 6/22/11.

Staff Recommendation: Approval of Preliminary Plat subject to: 1) memos of approval from the Public Works Department, and 2) meet codes on street lighting, water district exclusion, etc. (This Plat must come back for 'Final Approval' once Public Works provides the Memo's of Approval.)

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Preliminary Plat Approval: Taurus No. 20 Subd., 10 Ac. being Lot 6, Miller Bros. Nursery Re-Subd., R-1 and C-2, Developer: Leonel Bazan Engineer: Melden & Hunt, Inc. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.5 Preliminary Final Plat Approval: Leisure Valley Ranch R.V. & Mobile Home Park Phase IV, 13.636 acres of land out of Porcion 79 and all of Lot 1, M.U.D. No. 1 Subd., Rural ETJ, Developer: Jack Martin, Engineer: Melden & Hunt, Inc.

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This proposed subdivision was the next phase of the Martin Valley Ranch development and was at the ¾ mile alignment of Western Road but accessed via the various public streets of the previous phases. This subdivision consisted of 21 residential lots.

The developer was proposing to provide water service by installing a 8” lines into an existing 8” network of lines located east of the proposed subdivision. The developer was proposing 2 fire hydrants, which staff approved of.

Sewer service was proposed through the installation of a new 8” line that would flow into the new M.U.D. sewer plant located just north of the proposed street (Lot 1). Hidalgo County Municipal Utility District No. 1 owned and maintained the sanitary sewer mains and services.

The developer was proposing one new street approximately 1450’ in length running southwesterly from the existing Fairway Drive. The street was proposed as a 50’ ROW 32’ B-B street, thus complying with prevailing county codes. The drainage for this new development would be provided through an 18” storm line that would drain into an existing pond on the north side of the subdivision that, when full, would then drain into another pond located to the south of the subdivision through a 12” bleeder line. The P&Z unanimously approved the subdivision plat on 6/22/11.

Staff Recommendation: Approval subject to complying with County codes and any format findings.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Preliminary Plat Approval: Leisure Valley Ranch R.V. & Mobile Home Park Phase IV, 13.636 acres of land out of Porcion 79 and all of Lot 1, M.U.D. No. 1 Subd., Rural ETJ, Developer: Jack Martin, Engineer: Melden & Hunt, Inc. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.6 Approval of Ord. #3656 granting a wet designation for 307 E. Expwy. 83, Lot 6 – D, El Pueblo Subd. Burguesa Burger Restaurant

Staff and City Manager recommended ordinance approval.

Councilwoman Garza moved to approve Ord. No. 3656 granting a wet designation for 307 E. Expwy. 83, Lot 6 – D, El Pueblo Subd. Burguesa Burger Restaurant. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

ORDINANCE NO. 3656

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
AMENDING ORDINANCE NO.780 DESIGNATING PLACES WHERE BEER AND OTHER
ALCOHOLIC BEVERAGES MAY BE SOLD WITHIN THE CORPORATE LIMITS OF THE
CITY OF MISSION TO INCLUDE THE PREMISES LOCATED AT 307 E. EXPRESSWAY
83, LOT 6 – D, EL PUEBLO SUBDIVISION, BURGUESA BURGER RESTAURANT

4.7 Award bid for renovation of the South Water Treatment Plant

On May 25, 2011, City Council authorized staff to solicit bids for the renovation of the South Water Treatment Plant Trains # 1 & 2 Filters. The City of Mission had received and opened five (5) bid responses for this project. Staff along with Melden & Hunt, Inc, (Project Engineers) recommended awarding to low bidder, R. P. Constructors, Inc, for a total bid of \$792,000.00.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve to award bid for renovation of the South Water Treatment Plant. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.8 Authorization to submit the 2011 Edward Byrne Memorial Justice Assistance (JAG) Formula Program Grant to the U.S. Department of Justice, Bureau of Justice Assistance

The Mission Police Department was requesting authorization to submit the 2011 Edward Byrne Memorial Justice Assistance (JAG) Formula Program Grant to the U.S. Department of Justice, Bureau of Justice Assistance. The City of Mission Police Department had been awarded the aforementioned grant totaling \$10,244.00. It was the intention of the organization to utilize the funding to purchase Police Portable Radios. There was no cash match required for this particular grant program. Staff was seeking a favorable recommendation.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to submit the 2011 Edward Byrne Memorial Justice Assistance (JAG) Formula Program Grant to the U.S. Department of Justice, Bureau of Justice Assistance. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.9 Authorization to become a member of the Rio Grande Valley Communications Group

The Mission Police Department was requesting authorization to become a member of the Rio Grande Valley Communications Group. The purpose of the group was to discuss, study, develop, implement, and the operation and maintenance of a consolidated regional public safety services communications system for the mutual benefit of the membership. The Mission Police and Fire Departments may be able to communicate part-time on a regionalized P25 radio communications system seamlessly across the Rio Grande Valley during major events to include natural disasters, police emergencies and fire emergencies.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to become a member of the Rio Grande Valley Communications Group. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.10 Authorization to accept the 2012 Tobacco Compliance Grant from the Texas Comptroller of Public Accounts

The Mission Police Department was requesting authorization to accept a Tobacco Compliance Grant from the Texas Comptroller of Public Accounts. The \$4,500.00 grant would be utilized to enforce compliance with State Tobacco laws. The grant also provided for consistent compliance education of tobacco retailers and court personnel concerning tobacco laws. There was no local match required for this grant by the City of Mission.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to accept the 2012 Tobacco Compliance Grant from the Texas Comptroller of Public Accounts. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.11 Award Bid for Northwest (Hollis Rutledge, Sr.) Park Landscape and Irrigation Improvements

On February 14, 2011 City Council authorized staff to solicit proposals for Northwest Park Landscape and Irrigation Improvements. The City of Mission had accepted and opened three (3) proposal responses for this project. Staff recommended awarding base only (Little League Fields) for Northwest Park Landscape and Irrigation Improvements to Green Thumb Landscaping who met all the Terms & Conditions and Specifications and was giving the best value for the City of Mission.

Alternate No. 1 would be considered for award at a later time.

Staff Recommendation: Authorization to award to Green Thumb Landscaping in the amount of \$30,695.50

Staff and City Manager recommended approval.

Councilman Plata moved to approve to award bid for Northwest (Hollis Rutledge, Sr.) Park Landscape and Irrigation Improvements. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.12 Authorization to Solicit bids or Purchase via State Approved Contract for Three Deck Mower for Public Works Dept.

Staff was seeking authorization to solicit bids or purchase via State approved contract for Three Deck Mower for streets and drainage department.

Streets & Drainage: Three Deck Mower: Estimate \$17,000.00 Account 16-410-74950 (Drainage Assessment Fund- Machinery & Equipment)

Staff and City Manager recommended approval.

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Councilwoman Ramirez moved to authorize to solicit bids or purchase via State Approved Contract for Three Deck Mower for Public Works Dept. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.13 Authorization to Solicit bids or Purchase via State Approved Contract for Jet Rodder for Public Works Dept.

Staff was seeking authorization to solicit bids or purchase via State approved contract for Jet Rodder for water distribution department. The estimated cost for the equipment was as follows:

Water Distribution: Jet Rodder: Estimate \$52,500 Account 02-412-74950 (Capital Outlay-Machinery & Equipment)

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to authorize to solicit bids or purchase via State Approved Contract for Jet Rodder for Public Works Dept. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

4.14 Authorization to Solicit bids or Purchase via State Approved Contract for Two Self Priming Centrifugal Pumps for Public Works Dept.

Staff was seeking authorization to solicit bids or purchase via State approved contract for 2-Self Priming Centrifugal Pumps for waste water plant department. The estimated cost for the equipment was as follows:

Wastewater Treatment Plant: 2-PUMPS: Estimate \$20,000.00 each, total \$40,000.00.
Account-02-414-74950 (Capital Outlay-Machinery & Equipment)

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to authorize to solicit bids or Purchase via State Approved Contract for Two Self Priming Centrifugal Pumps for Public Works Dept. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.15 Award bid for “Housing Assistance Program – Housing Rehabilitation Phase 10-II DR”

On June 13, 2011 City Council authorized staff to solicit bids for one (1) home for rehabilitation. The City of Mission had accepted and opened one (1) bid response for this project. Staff recommended to award bid to Jurado Builders, LLC who met all the Terms & Conditions and Specifications and was within budget. CAC met on July 6, 2011 and approved staff's recommendation as stated above.

Jurado Builders, LLC - \$22,800.00
1600 Doherty Ave. - \$22,800

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The city had been utilizing 75% of the annual CDBG allocation for several years for reconstruction projects. Since 1999, a total of 330 families to date had been provided some form of housing assistance. Out of the 330 families, 188 families were provided with reconstruction assistance while 142 families were provided with rehabilitation assistance (including CDBG-R, CDBG-DR and SSBG funds).

Staff Recommendation: Authorization to Award 1600 Doherty Ave. to Jurado Builders, LLC

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to authorize to award bid for “Housing Assistance Program – Housing Rehabilitation Phase 10-II DR”. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.16 Award bid for “Housing Assistance Program – Housing Rehabilitation Phase 10-II R”

On June 13, 2011 City Council authorized staff to solicit bids for one (1) home for rehabilitation. The City of Mission had accepted and opened three (3) bid responses for this project. Staff recommended awarding 1107 Miracle Lane to Jurado Builders, LLC who met all the Terms & Conditions and Specifications. CAC met on July 6, 2011 and approved staff’s recommendation as indicated above.

Jurado Builders, LLC - \$23,400.00

1107 Miracle Lane - \$23,400

The city had been utilizing 75% of the annual CDBG allocation for several years for reconstruction projects. Since 1999, a total of 330 families to date had been provided some form of housing assistance. Out of the 330 families, 188 families were provided with reconstruction assistance while 142 families were provided with rehabilitation assistance (including CDBG-R, CDBG-DR and SSBG funds).

Staff Recommendation: Authorization to award 1107 Miracle Lane to Jurado Builders, LLC

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to authorize to award bid for “Housing Assistance Program – Housing Rehabilitation Phase 10-II R”. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

4.17 Authorization to solicit bids or purchase through a state approved contract various computer hardware and software items

Staff was requesting authorization for the purchase of computer hardware and software. Currently there were 19 computers that operated a version of Windows that was no longer supported, and the current version of this operating system did not run on these computers. In addition, staff needed to replace several servers and associated peripherals that kept the system operating, as well as installing new equipment at the Boys and Girls Club. The software was

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needed to replace the current e-mail (intranet) service which was being terminated by the provider.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to authorize to solicit bids or purchase through a state approved contract various computer hardware and software items. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.18 Award bid for “Housing Assistance Program – Phase 10-II”

On June 13, 2011 City Council authorized staff to solicit bids for the reconstruction of four (4) homes and rehabilitation of two (2) through the CDBG program. The City of Mission had accepted and opened seven (7) bid responses for this project. Staff recommended awarding to Benchmark Construction for the reconstruction of four (4) homes and to Rigney Construction & Development, LLC for the rehabilitation of two (2) homes. Both Benchmark and Rigney Construction had met all the Terms & Conditions and Specifications. CAC met on July 6, 2011 and approved staff’s recommendation as indicated below and approve as follows:

<u>Benchmark Construction:\$166,400</u>		<u>Rigney Construction & Dev., LLC:\$ 40,500</u>	
*218 Miller -	\$ 41,600	117 Ebano -	\$ 20,250
*3708 Cando Mungia -	\$ 41,600	*1015 E. 1 st St. -	\$ 20,250
*1420 Dunlap Ave. -	\$ 41,600		
2013 Perkins -	\$ 41,600		

*Subject to title clearance that will satisfy City Attorney

The city had been utilizing 75% of the annual CDBG allocation for several years for reconstruction projects. Since 1999, a total of 330 families to date had been provided some form of housing assistance. Out of the 330 families, 188 families were provided with reconstruction assistance while 142 families were provided with rehabilitation assistance (including CDBG-R, CDBG-DR and SSBG funds).

Staff Recommendation: Authorization to award to Benchmark Construction & Rigney Construction & Dev., LLC

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to authorize to award bid for “Housing Assistance Program – Phase 10-II”. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.19 Authorization to Solicit bids for Re-Roofing the living area of Fire Sub-Station No. 2

Staff was seeking authorization to solicit bids for Re-Roofing the living area at Fire Sub-Station No. 2 located at 200 West 1st Street.

Staff Recommendation: Authorization to solicit bids for Re-Roofing the living area of Fire Sub-Station No. 2

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Staff and City Manager recommended approval.

Councilwoman Ramirez moved to authorize to solicit bids for Re-Roofing the living area of Fire Sub-Station No. 2. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.20 Approve Ordinance # ____ amending Sanitary Sewer Use Ordinance to include City of McAllen pre-treatment requirements limited to areas served by the City of McAllen

sanitary sewer services, and authorizing an inter-jurisdictional agreement for the City of McAllen to perform the technical and administrative activities of a pre-treatment program, and authorizing the City Attorney to provide the City of McAllen with a statement pursuant to CFR Section 403.9(b) 1

No action was taken on this item.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

None

6.2 Mayor's Comments

None

At 5:21 p.m., Councilman Plata moved to convene into executive session. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0

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

7.1 Deliberation regarding real property, Sec. 551.072

**A. Acquisition of property from Joel and Illiana Juarez for Utility Easement;
0.16 acre of Lot 28-11, WAS**

7.2 Consultation with Attorney, Sec. 551.071

A. Jaime Garza et al, vs City of Mission et al

7.3 The City Council will reconvene in open session to take any actions necessary

At 5:39 p.m., Mayor Pro Tem Olivarez moved to reconvene in open session. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

On item 7.1-A, no action was taken.

On item 7.2-A, no action was taken.

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8.0 Adjournment

At 5:40 p.m., Mayor Pro Tem Olivarez moved for adjournment. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary