

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
JANUARY 12, 2015 4:30 P.M.
MISSION CITY HALL**

PRESENT:

Norberto Salinas, Mayor
Jessica Ortega-Ochoa, Councilwoman
Ruben D. Plata, Councilman
Norie Gonzalez Garza, Mayor Pro Tem
Dr. Armando O'caña, Councilman
David Guerra, City Attorney
Anna Carrillo, City Secretary
Martin Garza, Jr., City Manager

ABSENT:

ALSO PRESENT:

Kathy Olivarez, Progress Times
Richard Perez
Lauren Rabe
Lupe Ozuna
Robert Linn
Yolanda Martinez
Joe Sanchez
Alejandro Moreno
Laura Gonzalez
Mary Cantu
Albert Pena
Bill Filut
Norman Rivera
Rene De La Cruz
Manuel de la Garza
Miguel Cisneros
Jaime Gutierrez
Juan Eliseo Gonzalez
Andy Vasquez

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Aida Lerma, Deputy City Manager
J.J. Rodriguez, Deputy City Manager
Danny Tijerina, Planning Director
Pat Martinez, Planning Dept.
Rene Lopez, Jr., Interim Fire Chief
Robert Dominguez, Chief of Police
Joel Larralde, Asst. Chief of Police
Randy Perez, Interim Finance Director
Roberto Salinas, Public Works Director
Juan Pablo Terrazas, City Engineer
Mario Flores, Golf Course Director
Joanne Longoria, CDBG Director
Eduardo Belmarez, Purchasing Director
Luduvico Martinez, B & G Club Director
Noemi Munguia, HR Director
Robert Hinojosa, Risk Manager
Jesse Lerma, Civil Service Director
Roland Rodriguez, I. T. Director
Luis Contreras, Museum Director
Mayra Rocha, Library Director
Jonathan Wehrmeister, Judge
Charles Longoria, Media Relations
Alex Meade, MEDC Chief Exec. Officer
Pete Lopez, Parks & Rec. Dept.

1. Call to order

With a quorum being present, Mayor Pro Tem Norie Gonzalez Garza called the meeting to order at 4:39 p.m.

2. Pledge Allegiance and Invocation

Mayor Pro Tem Garza led the meeting with the pledge of allegiance and City Manager Martin Garza, Jr. gave the invocation.

At 4:40 p.m., Mayor Pro Tem Garza continued with item #5 of the agenda.

3. Presentation of 20, 25, & 35 Year Service Award Recipients

Mayor, City Council and City Manager Martin Garza presented plaques to City Employees with 20, 25, & 35 years of service.

4. Presentation of Award received by City Secretary's Office

Mrs. Anna Carrillo, City Secretary presented the 2014 "5 Star Award" to the Mayor and City Council. The award was presented to the City of Mission Vital Statistics Department for meeting the criteria that exemplify excellence in vital registration.

At 5:15 p.m., Mayor Salinas continued with item 1.1F of the agenda.

5. Report from the Greater Mission Chamber of Commerce

George Myers, CEO of the Greater Mission Chamber of Commerce reported on the chamber events that had recently taken place and on a successful Welcome Back Winter Texan event. He also advised Mayor and Council on upcoming events.

6. Update on Streetscape Project

City Council was updated on the progress of the Streetscape project by Contractor Highmark Construction and by Ricardo Gallaga, Project Manager.

7. Departmental Reports

Councilman Ruben Plata moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Jessica Ortega-Ochoa and approved unanimously 4-0.

8. Citizens Participation

None

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

- A. Rezoning: A 0.56 acre tract out of Lot 186, John H. Shary Subdivision, from AO-I (Agricultural Open Interim) to R-1 (Single Family Residential), Manuel De La Garza
Adoption of Ordinance # 4180 approving 1.1A**

On December 17, 2014 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located approximately 300' north of Cassandra on the west side of Taylor Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval of the R-1 zone.

Staff Recommendation: Approval of R-1 zone.

City Manager recommended approval.

Mayor Pro Tem Garza asked if there were any comments for or against the request.

There were no comments.

Councilman Dr. Armando O'cana moved to approve the rezoning and to adopt Ordinance No. 4180 Rezoning: A 0.56 acre tract out of Lot 186, John H. Shary Subdivision, from AO-I (Agricultural Open Interim) to R-1 (Single Family Residential), as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 4180

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF A 0.56 ACRE TRACT OUT OF LOT 186, JOHN H. SHARY SUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO R-1 (SINGLE FAMILY RESIDENTIAL)

At 4:53 p.m., Councilwoman Ochoa stepped out of the meeting.

- B. Conditional Use Permit: Texas Citrus Fiesta Carnival, 7.4 acres out of Lot 25-6, West Addition to Sharyland Subdivision & Lot 1, North Star Plaza, AO-I & C-3, January 18, 2015 – February 1, 2015, Texas Citrus Fiesta Adoption of Ordinance # 4181 approving 1.1B**

On December 17, 2014 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit. The subject site was located near the NW corner of Conway and Griffin Parkway (F.M. 495). There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza asked if there were any comments for or against the request.

There were no comments.

Councilwoman O'cana moved to approve the cup and to adopt Ordinance No. 4181 Conditional Use Permit: Texas Citrus Fiesta Carnival, 7.4 acres out of Lot 25-6, West Addition to Sharyland Subdivision & Lot 1, North Star Plaza, AO-I & C-3, January 18, 2015 – February 1, 2015, as recommended. Motion was seconded by Councilman Plata and approved unanimously 3-0.

ORDINANCE NO. 4181

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR TEXAS CITRUS FIESTA CARNIVAL, 7.4 ACRES OUT OF LOT 25-6, WEST ADDITION TO SHARYLAND SUBDIVISION, & LOT 1, NORTH STAR PLAZA, JANUARY 18, 2015 – FEBRUARY 1, 2015

- C. Conditional Use Permit: Texas Citrus Fiesta Fun Fair, 807 N. Conway Avenue, (a.k.a. La Lomita Plaza & the Rotary Park), C-3, January 31, 2015, Texas Citrus Fiesta Adoption of Ordinance # 4182 approving 1.1C**

On December 17, 2014 the Planning and Zoning Commission held a Public Hearing to consider

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the conditional use permit. The property was located at La Lomita Plaza (Leo Pena Park). There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza asked if there were any comments for or against the request.

There were no comments.

Councilman Plata moved to approve the cup and to adopt Ordinance No. 4182 Conditional Use Permit: Texas Citrus Fiesta Fun Fair, 807 N. Conway Avenue, (a.k.a. La Lomita Plaza & the Rotary Park), C-3, January 31, 2015, as recommended. Motion was seconded by Councilman O'cana and approved unanimously 3-0.

ORDINANCE NO. 4182

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION,
TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE TEXAS CITRUS
FIESTA FUN FAIR, 807 N. CONWAY AVENUE, (A.K.A. LA LOMITA PLAZA AND THE
ROTARY PARK)

At 4.56 p.m. Councilwoman Ochoa rejoined the meeting.

**D. Conditional Use Permit: Restaurant on property zoned C-2, 1233 E. Griffin Parkway, Lot 1 and the S. 25' of Lot 2, Block 1, Bel-Aire Heights Subdivision, C-2, Lupe A. Gonzalez
Adoption of Ordinance # 4183 approving 1.1D**

On December 17, 2014 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit. The property was located on the NW corner of Orange Drive and Griffin Parkway. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff Recommendation: Approval based on the following: 1) the driveway onto Orange Drive would be closed, 2) access to the site would be off of FM 495 and the alley along the west boundary of the site, and 3) the hours and days of operation were consistent C-1/C-2 uses (offices and neighborhood commercial).

City Manager recommended approval.

Mayor Pro Tem Garza asked if there were any comments for or against the request.

Ms. Yolanda Martinez questioned the capacity and the amount of parking spaces of this property.

Planning Director Danny Tijerina advised Ms. Martinez that they were in compliance with the amount of parking spaces that were required for this property's square footage and seating spaces.

The applicant was present to answer any questions from the council.

Councilwoman Ochoa moved to approve the cup and to adopt Ordinance No. 4183 Conditional Use Permit: Restaurant on property zoned C-2, 1233 E. Griffin Parkway, Lot 1 and the S. 25' of Lot 2, Block 1, Bel-Aire Heights Subdivision, C-2, as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 4183

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR A RESTAURANT ON PROPERTY
ZONED C-2, 1233 E. GRIFFIN PARKWAY, LOT 1, AND THE S. 25' OF LOT 2, BLOCK 1,
BEL-AIRE HEIGHTS SUBDIVISION

At 5:00 p.m. Mayor Norberto Salinas joined the meeting and proceeded with the remaining items on the agenda.

- E. Conditional Use Permit: To place a Hotdog Cart, 1710 W. Business Highway 83, Being a 1 acre tract of land out of Lot 20-1, West Addition to Sharyland Subdivision, C-3, Florentino Vasquez, Jr.
Adoption of Ordinance # 4184 approving 1.1E**

On December 17, 2014 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit. The property was located at the NE corner area of Adams Street and Business Highway 83. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

Councilman O'cana moved to approve the cup and to adopt Ordinance No. 4184 Conditional Use Permit: To place a Hotdog Cart, 1710 W. Business Highway 83, Being a 1 acre tract of land out of Lot 20-1, West Addition to Sharyland Subdivision, C-3, as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4184

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT TO PLACE A HOTDOG CART, 1710 W.
BUSINESS HIGHWAY 83, BEING A 1 ACRE TRACT OF LAND OUT OF LOT 20-1, WEST
ADDITION TO SHARYLAND SUBDIVISION

At 5:02 p.m. Mayor Salinas continued with item #3 of the agenda.

- F. Conditional Use Permit Renewal: Drive-Thru Service Window – Banana Leaf Jarocho's Restaurant, 3604 N. Conway Blvd., .63 acre tract out of Lot 30-7, West Addition to Sharyland Subdivision, C-3, Alejandro Moreno
Adoption of Ordinance # 4185 approving 1.1F**

On December 17, 2014 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit. The property was located in the SE area of Victory and Conway

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Blvd. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

Councilman Plata moved to approve the cup renewal and to adopt Ordinance No. 4185 Conditional Use Permit: Drive-Thru Service Window – Banana Leaf Jarocho’s Restaurant, 3604 N. Conway Blvd., .63 acre tract out of Lot 30-7, West Addition to Sharyland Subdivision, C-3, as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

ORDINANCE NO. 4185

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR A DRIVE-THRU SERVICE WINDOW – BANANA LEAF JAROCHO’S RESTAURANT, 3604 N. CONWAY BLVD., .63 ACRE TRACT OUT OF LOT 30-7, WEST ADDITION TO SHARYLAND SUBDIVISION

G. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Dai Tung Restaurant, 2402 Brock St., Suite A, Lots 22 & 23, Shary Business Center Subdivision, C-3, Li Min Do Adoption of Ordinance # 4186 approving 1.1G

On December 17, 2014 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit. The property was located within a commercial plaza approximately 420’ south of Griffin Parkway along the east side of Shary Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

Councilman Plata moved to approve the cup renewal and to adopt Ordinance No. 4186 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Dai Tung Restaurant, 2402 Brock St., Suite A, Lots 22 & 23, Shary Business Center Subdivision, C-3, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4186

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR THE SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – DAI TUNG RESTAURANT, 2402 BROCK ST., SUITE A, LOTS 22 & 23, SHARY BUSINESS CENTER SUBDIVISION

H. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Evera Restaurant & Bar, 4001 S. Shary Road, Ste. 100, Lot 1, Tech Center No. 2 Subdivision, PUD, L’Aureola Restaurant Group, LLC Adoption of Ordinance # 4187 approving 1.1H

On December 17, 2014 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit. The existing 5,600 sq. ft. restaurant was located within an existing plaza located on the SE corner of San Mateo and Shary Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

Councilman Plata moved to approve the cup renewal and to adopt Ordinance No. 4187 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Evera Restaurant & Bar, 4001 S. Shary Road, Ste. 100, Lot 1, Tech Center No. 2 Subdivision, PUD, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4187

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR THE SALE & ON-SITE
CONSUMPTION OF ALCOHOLIC BEVERAGES – EVERA RESTAURANT & BAR, 4001 S.
SHARY ROAD, STE. 100, LOT 1, TECH CENTER NO. 2 SUBDIVISION

2.0 Disposition of Minutes

**2.1 City Council Meeting – December 15, 2014 and
Special City Council Meeting – December 22, 2014**

Mayor Pro Tem Garza moved to approve the minutes as presented. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

3.0 Acknowledge Receipt of Minutes

**3.1 Speer Memorial Library Board – November 18, 2014
Parks and Recreation Board – November 12, 2014
Traffic Safety Committee Special Meeting – September 23, 2014**

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

4.0 Approvals and Authorizations

4.1 Homestead Exemption Variance: A .56 acre tract of land out of Lot 186, John H. Shary Subdivision, AO-I (R-1 proposed), Manuel de la Garza

On December 17, 2014 the Planning and Zoning Commission convened and approved the Homestead Exemption Variance for a 0.56 acre tract of land out of Lot 186, John H. Shary

Subdivision. This property was located approximately 300' north of Cassandra along the west side of Taylor Road. The P&Z board unanimously recommended approval as per Staff's recommendation.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Homestead Exemption Variance: A .56 acre tract of land out of Lot 186, John H. Shary Subdivision, AO-I (R-1 proposed), as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.2 Resolution # 1394 Adopting and Implementing a Partial Amnesty Program to waive interest, penalty fees and Administrative costs due on outstanding mowing liens

The City of Mission had administered a mowing program to secure compliance with State Statutes and City Ordinances. Property owners who fail to comply with this program were assessed a fee and were subject to penalties, interest and administrative costs. Ordinarily, the collection of such charged fees occurred when property owners were billed, a title or property changes owners, and the lien was released in accordance with policy. When a taxpayer did not pay these fees, liens have been utilized as a financing mechanism to recoup the City's expenditures incurred to clean and mow weedy lots.

In compliance with City Ordinances, City staff charges and collects interest, penalty and administrative fees in order to recoup future value of its invested monies and costs.

Staff was recommending waiver of interest, penalty fees and administrative costs on all mowing liens filed in the office of the office of the County Clerk of Hidalgo County, Texas, before January 1, 2015, and paid in full to City during the period commencing on January 12, 2015 and ending on July 15, 2015. It was staff's belief that such waiver would be an incentive for the payment of such delinquent accounts. The collection of these accounts would be beneficial to and in the public interest of the City of Mission.

Staff Recommendation: Approval of the Resolution.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Resolution No. 1394 Adopting and Implementing a Partial Amnesty Program to waive interest, penalty fees and Administrative costs due on outstanding mowing liens, as recommended. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

RESOLUTION NO. 1394

RESOLUTION ADOPTING AND IMPLEMENTING A PARTIAL AMNESTY PROGRAM TO WAIVE INTEREST, PENALTY FEES AND ADMINISTRATIVE COSTS DUE ON OUTSTANDING MOWING LIENS

4.3 Request by Bert Ogden to have City Council issue a Ground Pole Sign Permit at 1400 E. Expressway 83

The Bert Ogden site was at the SE corner of Expressway 83/Bryan Road. Their proposal was to

install a new ground pole sign for Maserati car dealership. The dimensions of the sign were ten feet by eight foot (10' x 8'), forty feet (40') in height.

Sec. 86-155 (f) said that a Ground Pole Sign was permitted; in the case of a multiunit building (like a strip retail center), one ground or tenant sign would be allowed per site. This seemed to indicate that for each 'building' or 'business', one ground pole sign could be permitted. The easternmost building already had a changeable copy sign thus the dilemma of having 2 ground pole signs 50' away from each other.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the request by Bert Ogden to have City Council issue a Ground Pole Sign Permit at 1400 E. Expressway 83, as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

City Attorney David Guerra asked the council to discuss item 4.4 in executive session under the "Consultation with Attorney" exception before considering the item in open session.

At 5:29 p.m., Mayor Salinas continued with item 4.5 of the agenda.

4.4 Authorize staff to contract with third parties through the bidding process for the purpose of (1) abating nuisances pursuant to Article II of the Code of Ordinances captioned Weedy Lots, Unsanitary, Unsightly Conditions on Private Property, and/or (2) cutting and removing all weeds, trash and brush from all City properties, easements and rights of way and any other properties over which the City has dominion and control, and otherwise maintaining same in a neat and clean condition (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)

Staff was seeking authorization to solicit bids for conducting weedy lot abatement. Services would include all supervision, labor materials, supplies, tools and equipment necessary for the cleaning and clearing, loading and disposal of all trash, debris, rubbish, organic debris, municipal solid waste, special waste and tires. The contractor would mow all grasses, weeds, and underbrush.

Staff Recommendation: Authorization to solicit for bids.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize staff to contract with third parties through the bidding process for the purpose of (1) abating nuisances pursuant to Article II of the Code of Ordinances captioned Weedy Lots, Unsanitary, Unsightly Conditions on Private Property, and/or (2) cutting and removing all weeds, trash and brush from all City properties, easements and rights of way and any other properties over which the City has dominion and control, and otherwise maintaining same in a neat and clean condition, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.5 October 2014 Financial Statements

Randy Perez, Interim Finance Director presented the October 2014 Financial Statements for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the October 2014 Financial Statements, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.6 November 2014 Financial Statements

Mr. Perez presented the November 2014 Financial Statements for approval.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the November 2014 Financial Statements, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.7 Tax Collections Report – November, 2014

Mr. Perez presented the Tax Collections Report for November, 2014 for approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Tax Collections Report for November, 2014, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

At 5:35 p.m., Mayor Salinas asked to continue with item 4.9 of the agenda.

Councilman Plata stepped out of the meeting.

4.8 Budget Amendments: General Fund, Utility Fund, Designated Purpose Fund and Park Dedication Fund

Mr. Perez presented the budget amendments BA-2015-26 thru BA-2015-30 to the City Council for approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve budget amendments BA-2015-26 thru BA-2015-30 as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.9 Authorization to solicit bids for the purchase of Flexbase Commercial Caliche for Public Works Department

Staff was seeking authorization to solicit bids for the purchase of Flexbase Commercial Caliche for Streets and Water Distribution Division under Public Works Department. Caliche would be used for daily maintenance operations to include shaping, grading roadbeds, preparing alleys and streets, filling and repairing street failures. Contract terms would be for one year with one-year renewal option.

Staff Recommendation: Solicit for Bids.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to solicit bids for the purchase of Flexbase Commercial Caliche for Public Works Department, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.10 Authorization to solicit bids for the purchase of Ready Mix Concrete for Public Works and Parks & Recreation Departments

Staff was seeking authorization to solicit bids for the purchase of Ready Mix Concrete for Public Works and Parks & Recreations Departments. Ready Mix Concrete would be used for daily operations to include the repair and construction of sidewalks, curb, gutters, inlets, and manholes located throughout various locations within the City. Contract terms would be for one year with one-year renewal option.

Staff Recommendation: Solicit for Bids.

City Manager recommended approval.

Councilman O'cana moved to authorize to solicit bids for the purchase of Ready Mix Concrete for Public Works and Parks & Recreation Departments, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.11 Authorization to enter into a maintenance contract agreement with Goodyear Commercial Tire and Service Centers via Buy Board for the Sanitation Department

Public works was seeking authorization to enter into a maintenance contract agreement via buy board contract #470-14 with Goodyear Commercial Tire and Service Center for Sanitation Department fleet. Contract would include regular and after hours service rates, tire replacement and tire maintenance for side loaders and brush trucks. Maintenance Contract would be from February 1st 2015 to January 31, 2016.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to enter into a maintenance contract agreement with Goodyear Commercial Tire and Service Centers via Buy Board for the Sanitation Department, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.12 Authorize staff to reimburse developer of Santa Lucia Subdivision for a portion of all costs incurred by developer in the construction of the lift station serving said subdivision and other areas in proximity thereto

Santa Lucia Subdivision was a 168 unit apartment complex located on the NW Corner of Taylor & Colorado St. Developer submitted letter with request to the City of Mission requesting City Participation referencing the additional public use due to Lift Station Capacity. Due to additional capacity of lift station and area of serviceability, the City of Mission would reimburse developer 50% of Overall cost to construct Lift Station. Total Cost participation by the City would be \$84,250.00 of \$168,500.00 Overall Cost.

Staff Recommendation: Approval of Reimbursement.

City Manager recommended approval.

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Councilman O'cana moved to authorize staff to reimburse developer of Santa Lucia Subdivision for a portion of all costs incurred by developer in the construction of the lift station serving said subdivision and other areas in proximity thereto, as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

At 5.43 p.m., Councilman Plata rejoined the meeting.

4.13 Authorization to Purchase Equipment via State Approved Contract for the Public Works Department

Staff was seeking authorization to purchase via state approved cooperative contracts for Capital Outlay Equipment for Water Distribution and Drainage Department.

Staff Recommendation: Authorization to purchase via state approved contracts 424-13, 430-13 and HT 60-14.

City Manager recommended approval.

Councilwoman Ochoa moved to authorize to purchase equipment via State Approved Contract for the Public Works Department, as recommended. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

4.14 Approval of purchase Micro-Solve and Odor-Solve for Lift Station and Wastewater Treatment Plant from a sole source vendor

Staff was recommending the purchase of Micro-Solve and Odor-Solve from Evergreen Southwest, a sole source vendor. Pursuant to Texas Local Government Code Section 252.022 General Exemptions (7) a procurement of items that were available from only one source, including: (A) items that were available from only one source because of patents, copyrights, secret processes, or natural monopolies and (D) captive replacement parts or components for equipment;

These chemicals would be used for Lifts station throughout the City, including the Waste Water Treatment plant. There was a letter from the manufacturer, Bio-Tech Industries Inc., granting the rights for distribution by Evergreen Southwest to sell and market the products and an official quote for the acquisition for both chemicals. The product acts on grease by liquefying the solids into a condition that prevents the grease from building up on the walls, thus improving the overall efficiency of the waste flow. It's a non-water-soluble-based solution containing a proven combination of de-mulsifiers, corrosion inhibitors, and organic compounds. Such a product was not available from any other vendor.

Staff Recommendation: Purchase of Micro-Solve and Odor-Solve from a sole source vendor .

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the purchase Micro-Solve and Odor-Solve for Lift Station and Wastewater Treatment Plant from a sole source vendor, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.15 Award bid for the purchase of Meter Connect Supplies for The Public Works Department

On September 24, 2014, City Council authorized staff to solicit bids for the purchase of Meter Connect Supplies. The City of Mission had accepted and opened three (3) bid responses for Meter Connect Supplies. Staff recommended awarding to HD Supply Waterworks who was the lowest responsible bidder meeting specifications. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one year base term.

Ferguson was the apparent low bidder but failed to provide pricing for all line items as stipulated on provision #9 "Evaluation and Basis for Award," hence bid was not responsive and therefore rejected.

Staff Recommendation: Award Bid.

City Manager recommended approval.

Councilman Plata moved to approve to award bid for the purchase of Meter Connect Supplies for The Public Works Department, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.16 Award bid for the purchase of Waterline Maintenance Supply for the Public Works Department

On September 24, 2014 City Council authorized staff to solicit bids for the purchase of Waterline Maintenance Supply. The City of Mission had accepted and opened two (2) bid responses for Waterline Maintenance Supply. Staff recommended awarding to Ferguson Waterworks who was the lowest responsible bidder meeting all specifications. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one year base term.

Staff Recommendation: Award Bid.

City Manager recommended approval.

Councilman Plata moved to approve to award bid for the purchase of Waterline Maintenance Supply for the Public Works Department, as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

At 5:49 p.m., Councilman O'cana stepped out of the meeting.

4.17 Award bid for the purchase of Cold Meters for Public Works Department

On September 24, 2014, City Council authorized staff to solicit bids for the purchase of Cold Water Meters. The City of Mission had accepted and opened two (2) bid responses for Cold Water Meters. Staff recommended awarding to Badger Meter, Inc. who was the lowest responsible bidder meeting specifications. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one year base term.

Staff Recommendation: Award Bid

City Manager recommended approval.

Councilman Plata moved to approve to award bid for the purchase of Cold Meters for Public Works Department, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.18 Award bid for the purchase of Hot & Cold Mix Asphalt for the Public Works Department

City Council authorized staff to solicit bids for the purchase of Hot and Cold Mix for the Public Works Departments. The City of Mission had accepted and opened four (4) bid responses. Staff recommended awarding Hot Mix and Cold Mix with delivery to IOC Company, LLC and the alternate Hot Mix without delivery to Upper Valley Materials LLC (CAPA) who were the lowest responsible bidders meeting all specifications. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one year base term.

Staff Recommendation: Award Hot and Cold Mix with delivery to IOC Company and Hot mix without delivery to Upper Valley Materials LLC (CAPA).

City Manager recommended approval.

Councilman Plata moved to approve to award bid for the purchase of Hot & Cold Mix Asphalt for the Public Works Department, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.19 Approval of Resolution # 1395 of the City Council of The City of Mission, Texas authorizing the submittal to the Texas Department of Transportation by the Mission Police Department of an Agreement for the Temporary Closure of State Right-of-Way for the Texas Citrus Fiesta Parade and authorizing the issuance of a Public Permit therefor and the execution of said agreement

The City of Mission Police Department was requesting approval of a resolution for the purpose of submitting an Agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the Texas Citrus Fiesta Parade. The agreement was required by the Texas Department of Transportation for the closure of Conway Avenue between the 2 ½ Mile Line and U.S. Expressway 83 and the 100 and 200 blocks of West Tom Landry and West Business 83. Our organization along with other city departments would be responsible for securing the parade route to ensure the safety of both motorists and pedestrians alike.

Staff Recommendation: Approval of Resolution No. 1395 authorizing the Mission Police Department to submit an agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the Texas Citrus Fiesta Parade.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Resolution No. 1395 of the City Council of The City of Mission, Texas authorizing the submittal to the Texas Department of Transportation by the Mission Police Department of an Agreement for the Temporary Closure of State Right-of-Way

for the Texas Citrus Fiesta Parade and authorizing the issuance of a Public Permit therefor and the execution of said agreement, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

RESOLUTION NO. 1395

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS,
AUTHORIZING THE SUBMITTAL TO THE TEXAS DEPARTMENT OF
TRANSPORTATION BY THE MISSION POLICE DEPARTMENT OF AN AGREEMENT
FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY FOR THE TEXAS
CITRUS FIESTA PARADE AND AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT
THEREOF; AND THE EXECUTION OF SAID AGREEMENT

At 5:54 p.m. Councilman O'cana rejoined the meeting.

4.20 Authorization to purchase video cameras for the Mission Police Department through a state approved contract (DIR-SSD-1723)

The City of Mission Police Department was requesting authorization to purchase a total of five (5) video cameras via a state approved contract (DIR-SDD-1564). The department currently had a number of video cameras throughout the city as a deterrent to crime and to provide security for the residents. Staff was in need of replacing five of the older cameras that were first placed into use at different locations. The total amount of the expenditure would be \$32,199.96. This expenditure would be paid through our State Drug Forfeiture account.

Staff Recommendation: Staff was respectfully requesting authorization to purchase a total of five (5) video cameras through a state approved contract.

City Manager recommended approval.

Councilman O'cana moved to authorize to purchase video cameras for the Mission Police Department through a state approved contract (DIR-SSD-1723). Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.21 Board Appointments – Building Board of Adjustments, Citizen Advisory Committee, Civil Service Commission, Mission Economic Development Authority, Mission Historic Preservation Commission, Parks and Recreation Board, Shary Golf Course Advisory Board, Speer Memorial Library Board, Tax Increment Reinvestment Board (TIRZ), Traffic Safety Committee, Youth Advocacy Advisory Board, Zoning Board of Adjustments, Juvenile Justice and Delinquency Prevention Advisory Board

Attached is the list of Board and Committee Appointments along with the recommendation by Mayor Norberto Salinas.

BUILDING BOARD OF ADJUSTMENTS

ALTERNATES

➤ Abiel Flores

December 31, 2014

MAYOR'S RECOMMENDATION: Re-Appoint Abiel Flores.

CITIZENS ADVISORY COMMITTEE

- Carlos Lopez (NE) December 31, 2014
- Pablo Guerra (SW) Unable to Serve December 31, 2014
- Connie Garza (NW) December 31, 2014
- Oton Guerrero (NE) December 31, 2014
- Melida Guzman (SE) December 31, 2014

MAYOR'S RECOMMENDATION: Re-Appoint Carlos Lopez, Connie Garza, Melida Guzman, Oton Guerrero and Appoint Lauren Irma Rave to the SW Position.

CIVIL SERVICE COMMISSION

- Jerry Saenz December 31, 2014

MAYOR'S RECOMMENDATION: Re-Appoint Jerry Saenz.

MISSION ECONOMIC DEVELOPMENT AUTHORITY

- S. David Deanda Jr. December 31, 2014
- Catherine Garcia December 31, 2014
- Tim McVey December 31, 2014
- Jody Alan Tittle December 31, 2014
- Alt. Member for Mayor Position (Councilman Ruben Plata) December 31, 2014

MAYOR'S RECOMMENDATION: Re-Appoint S. David Deanda, Jr., Catherine Garcia, Tim McVey, Jody Alan Tittle and Councilman Ruben Plata Alternate Member for Mayor Position.

MISSION HISTORIC PRESERVATION COMMISSION

- Julie Saenz December 31, 2014
- Rebecca Crook December 31, 2014

MAYOR'S RECOMMENDATION: Re-appoint Julie Saenz and Rebecca Crook.

PARKS AND RECREATION BOARD

- Rolando Reyna III December 31, 2014
- Cris Voss December 31, 2014
- Gustavo Martinez December 31, 2014

MAYOR'S RECOMMENDATION: Re-appoint Rolando Reyna, III, Cris Voss and Gustavo Martinez.

SHARY GOLF COURSE ADVISORY BOARD

- Carl Davis December 31, 2014
- Isaac Martinez December 31, 2014
- Mariano Garcia December 31, 2014

MAYOR'S RECOMMENDATION: Re-Appoint Carl Davis, Isaac Martinez and Mariano Garcia.

SPEER MEMORIAL LIBRARY BOARD

- Michael Manuel December 31, 2014
- Beth Blanton December 31, 2014
- Jeanette Garza Unable to Serve December 31, 2014

MAYOR'S RECOMMENDATION: Re- Appoint Michael Manuel, Beth Blanton. Appoint Yolanda Martinez to replace the vacant position.

TAX INCREMENT REINVESTMENT BOARD (TIRZ)

- Richard Hernandez December 31, 2014
- Leonardo Lopez December 31, 2014

MAYOR'S RECOMMENDATION: Re- Appoint Richard Hernandez and Leonardo Lopez.

TRAFFIC SAFETY COMMITTEE

- Luis Dovalina December 31, 2014
- Martin Garza December 31, 2014
- Arturo Molina Unable to Serve December 31, 2014

MAYOR'S RECOMMENDATION: Re-Appoint Luis Dovalina and Martin Garza, Jr. Appoint Rene de la Cruz to replace the vacant position.

YOUTH ADVOCACY ADVISORY BOARD

- Raul Pena Unable to Serve December 31, 2014
- Sonia Trevino December 31, 2014
- Tom Rivera Resigned December 31, 2015

MAYOR'S RECOMMENDATION: Re-Appoint Sonia Trevino. Appoint Jonathan O'cana to replace Raul Pena and Albert Pena to Replace Tom Rivera.

ZONING BOARD OF ADJUSTMENTS

- Raul Sesin December 31, 2014
- Ned Sheats December 31, 2014
- Kathy Olivarez December 31, 2014

ALTERNATE

- Mike Friedrichs December 31, 2014

MAYOR'S RECOMMENDATION: Re-Appoint Raul Sesin, Ned Sheats, Kathy Olivarez and Mike Friedrichs

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ADVISORY BOARD

- Charlie Leal December 31, 2014
- Ana Lisa Flores Unable to Serve December 31, 2014
- Alda T. Benavidez December 31, 2014
- Ricardo Saldana (Fire Dept. Position) Resigned December 31, 2016

MAYOR'S RECOMMENDATION: Re- Appoint Charlie Leal, and Alda T. Benavidez. Appoint Interim Fire Chief Rene Lopez to the Fire Department Position and appoint Cynthia Wilson for the MCISD Position

Staff Recommendation: To approve Board and Committee Appointments as recommended by Mayor Norberto Salinas.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Board Appointments as presented. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0,

Councilman O'cana mentioned for the record that he was voting in all the board appointments except in the Youth Advocacy Advisory Board which was the board that his son Johnathan O'cana was serving.

4.22 Authorization to Declare the Following City Owned Properties Surplus: Lot 24 in Block 2, and City of Mission Park in Block 4, both depicted as such in map of Erdahl Subdivision recorded in Volume 14, Page 5, Map Records of Hidalgo County, Texas and 1.49 acres, more or less, out of 10.36 acres, more or less, in Lot 24-7, West Addition to Sharyland Subdivision, Hidalgo County, Texas

At the meeting of December 15, 2014, the City Council discussed in Executive Session the sale of the properties in question and authorized the City Manager and City Attorney to proceed. As with the sale of any City owned property, it was necessary to formally declare the property surplus before the City finalizes the sale and transfer by Warranty Deed. The property was vacant.

Staff Recommendation: To declare the subject properties surplus and proceed with their sale as previously authorized by the City Council.

City Manager recommended approval.

Mayor Pro Tem Garza moved to declare the following city owned properties surplus: Lot 24 in Block 2, and City of Mission Park in Block 4, both depicted as such in map of Erdahl Subdivision recorded in Volume 14, Page 5, Map Records of Hidalgo County, Texas and 1.49 acres, more or less, out of 10.36 acres, more or less, in Lot 24-7, West Addition to Sharyland Subdivision, Hidalgo County, Texas, as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.23 Write-off uncollectable utility accounts receivable for the third quarter of 2013

For review and approval was a summary of the uncollected funds on utility accounts to be written off at that time. These amounts were for the three (3) month period of July 2013 through September 2013.

Staff Recommendation: Staff recommended the approval of the bad debt write-off as presented.

City Manager recommended approval.

Councilman Plata moved to approve to write-off uncollectable utility accounts receivable for the third quarter of 2013, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.24 First Reading of Ordinance Granting to AEP-Texas Central Company, a Non-Exclusive Franchise to Construct, Maintain and Operate Lines and Appurtenances and Appliances for Conducting Electricity in, Over, Under and Through the Streets, Avenues, Alleys and Public Places of the City of Mission, Texas

At the City Council meeting of December 15, 2014 the subject Ordinance was reviewed on first reading, however, the legal counsel for AEP-Texas Central Co. requested some revisions to the Ordinance's verbiage. The City Attorney had reviewed the changes and provided supplemental modifications that met with AEP-Texas' approval. The following was the original background provided on this matter: On December 20, 2004, the City of Mission granted AEP-Texas Central Company a non-exclusive franchise to construct, maintain and operate power lines and related infrastructure for the purposes of conducting electricity in, over, under and through the City streets, avenues, alleys and public places within the city's corporate limits. The franchise agreement was set to expire on December 31, 2014. As contemplated in the current franchise agreement, AEP-Texas had expressed its interest to renew the agreement with the City for a period of ten (10) years.

It was further noted that City Charter provisions stipulated that, "all ordinances granting, amending, renewing, or extending franchises for public utilities shall be read at two (2) separate

regular meetings of the City Council, and shall not be finally passed until thirty (30) days after the first reading; and no such ordinance shall take effect until thirty (30) days after its final passage; and the full text of such ordinances shall be published once within fifteen (15) days following the first reading in a newspaper of general circulation within the City of Mission, and the expense of such publication shall be borne by the proponent of the franchise.” The second and final reading of the Ordinance was scheduled for February 23, 2015.

Staff Recommendation: Hold first reading of the subject Ordinance in accordance with the City Charter.

No action was taken since this was the 1st reading only.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager’s Comments

None

6.2 Mayor’s Comments

None

Mayor Salinas asked council to go into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001 for item 4.4 of the agenda.

At 6:03 p.m., Councilman O’cana moved to convene into executive session. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

At 6:34 p.m., Councilman Plata moved to reconvene in open session to take action on item 4.4. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

7.0 Adjournment

At 6:37 p.m., Councilman Plata moved for adjournment. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary