

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
OCTOBER 28, 2013 4:30 P.M.
MISSION CITY HALL**

PRESENT:

Norberto Salinas, Mayor
Maria Elena Ramirez, Councilwoman
Ruben D. Plata, Councilman
Norie Gonzalez Garza, Mayor Pro Tem
Dr. Armando O'cana, Councilman
David Guerra, City Attorney
Anna Carrillo, City Secretary
Martin Garza, Jr., City Manager

ABSENT:

ALSO PRESENT:

Kathy Olivarez, Progress Times
Jim Brunson, Progress Times
Armando Cantu
Jovita Huerta
Tomas Gutierrez
Anthony Bocanegra
Gary Nelson
Tomas Tijerina

STAFF PRESENT:

Carmen Morales, Administrative Asst.
Aida Lerma, Deputy City Manager
Danny Tijerina, Planning Director
Pat Hernandez, Planning Dept.
Roberto Salinas, Public Works Director
Joanne Longoria, CDBG Director
Rick Saldana, Fire Chief
Gilbert Sanchez, Fire Marshal
Eduardo Belmarez, Purchasing Director
Robert Dominguez, Chief of Police
Janie Flores, Finance Director
Randy Perez, Asst. Finance Director
Julian Gonzalez, Parks & Rec. 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
Jonathan Wehrmeister, Judge

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:38 p.m.

2. Pledge Allegiance and Invocation

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

3. Proclamation Presentation by State Representative, R.D. "Bobby" Guerra District 41

Mayor Salinas was presented a proclamation for his leadership roles in the City of Mission.

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4. Tomas Tijerina – Thanksgiving Table at Renee’s

Tomas Tijerina requested assistance from the City to participate in the 8th Annual Thanksgiving Table at Renee’s. He requested assistance from the Police, Fire and Parks & Recreation Department.

5. Plaque presentation to Mr. Richard Dooley by Shary Municipal Golf Course

A plaque presentation was made to Mr. Richard Dooley for his years of service on the Shary Municipal Golf Course Advisory Board.

6. 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 upcoming events.

7. Departmental Reports

Mayor Pro Tem Norie Gonzalez Garza moved to approve the departmental reports as presented. Motion was seconded by Councilman Ruben D. Plata and approved unanimously 5-0.

8. Citizens Participation

Jim Brunson invited the Mayor and Council to the Open House of the Mission chapel of the Church of Jesus Christ of Latter-Day Saints to be held on Thursday, November 7, 2013 from 6-9 p.m.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

**A. Rezoning: Mission Madero Park Subd., from AO-I (Agricultural Open Interim) to P (Public Zone), City of Mission
Adoption of Ordinance # 4005 approving 1.1A**

On October 9, 2013 the Planning and Zoning Commission convened and approved the rezoning request mentioned above, which was located on the NE corner of Mile 3 South (aka Los Indios Road) and Conway Blvd. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval as per staff’s recommendations.

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 rezoning and to adopt Ordinance No. 4005 Rezoning: Mission Madero Park Subd., from AO-I (Agricultural Open Interim) to P (Public Zone), City of Mission as recommended. Motion was seconded by Councilwoman Maria Elena Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING MISSION MADERO PARK SUBDIVISION, FROM AO-I
(AGRICULTURAL OPEN INTERIM) TO P (PUBLIC ZONE)

- B. Rezoning: A 4.04 acre tract of land out of the West 4.79 acres of the East 5.63 acres of Lot 24, New Caledonia Subd., Unit #1, from AO-I (Agricultural Open Interim) to C-3 (General Business), Armando Cantu
Adoption of Ordinance # 4006 approving 1.1B**

On October 9, 2013 the Planning and Zoning Commission convened and approved the rezoning request mentioned above, which was located approximately 400' west of Moorefield Road along the south side of Mile 3 Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval as per staff's recommendations.

Staff and City Manager recommended approval.

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

There were no comments.

Councilwoman Ramirez moved to approve the rezoning and to adopt Ordinance No. 4006
Rezoning: A 4.04 acre tract of land out of the West 4.79 acres of the East 5.63 acres of Lot 24, New Caledonia Subd., Unit #1, from AO-I (Agricultural Open Interim) to C-3 (General Business) as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

ORDINANCE NO. 4006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING A 4.04 ACRE TRACT OF LAND OUT OF THE WEST 4.79 ACRES
OF THE EAST 5.63 ACRES OF LOT 24, NEW CALEDONIA SUBDIVISION, UNIT #1, FROM
AO-I (AGRICULTURAL OPEN INTERIM) TO C-3 (GENERAL BUSINESS)

- C. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages –
Rancho Real Eventos y Taqueria, 2215 W. 3 Mile Line, being a 4.04 acre tract of land
out of the West 4.79 acres of the East 5.63 acres of Lot 24, New Caledonia Subd., Unit
#1, AO-I (Proposed C-3), Armando Cantu
Adoption of Ordinance # 4007 approving 1.1C
Adoption of Ordinance # 4008 approving Wet Zone**

On October 9, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located approximately 400' west of Moorefield Road along the south side of Mile 3 Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval as per staff's recommendation.

Staff Recommendation: Approval for 1 year.

City Manager recommended approval.

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

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There were no comments.

Mayor Pro Tem Garza moved to approve the CUP and to adopt Ordinance No. 4007 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Rancho Real Eventos y Taqueria, 2215 W. 3 Mile Line, being a 4.04 acre tract of land out of the West 4.79 acres of the East 5.63 acres of Lot 24, New Caledonia Subd., Unit #1, AO-I (Proposed C-3) as recommended. Motion was seconded by Councilman Dr. Armando O’cana and approved unanimously 5-0.

ORDINANCE NO. 4007

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 – RANCHO REAL EVENTOS Y TAQUERIA, 2215 W. MILE 3 ROAD, BEING A 4.04 ACRE TRACT OF LAND OUT OF THE WEST 4.79 ACRES OF THE EAST 5.63 ACRES OF LOT 24, NEW CALEDONIA SUBDIVISION, UNIT #1

Mayor Pro Tem Garza moved to adopt Ordinance No. 4008 granting a wet designation for Rancho Real Eventos y Taqueria, 2215 W. 3 Mile Line as recommended. Motion was seconded by Councilman O’cana and approved unanimously 5-0.

ORDINANCE NO. 4008

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 2215 W. 3 MILE LINE, RANCHO REAL EVENTOS Y TAQUERIA

**D. Conditional Use Permit: To Place a Portable Building for the Sale of Food – T-Rey’s Convenience Store, 2502 W. Business Hwy. 83, Lots 131 & 132, Ala Blanca #4 Subd., C-3 Jovita Huerta
Adoption of Ordinance # _____ approving 1.1D**

At 5:05 p.m., Mayor Pro Tem Garza stepped out of the meeting.

On October 9, 2013 the Planning and Zoning Commission convened to consider the conditional use permit request mentioned above, which was located on the NW corner of Paisano Street and Business Highway 83. There was no public opposition during the P&Z Mtg. The Board unanimously recommended denial as per staff’s recommendation.

Staff and City Manager recommended denial.

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

Mrs. Jovita Huerta was in favor of the request stating that she needed permission to sell from her food stand at this location so she may pay her medical expenses due to her cancer illness.

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Mayor Salinas replied to her that it would not be possible to place her food stand at this location because the addition of another business would have a cluttered effect on the area. Mayor Salinas offered Mrs. Huerta to meet and discuss another possible location where she may place her food stand.

Councilman Plata moved to deny Conditional Use Permit: To Place a Portable Building for the Sale of Food – T-Rey’s Convenience Store, 2502 W. Business Hwy. 83, Lots 131 & 132, Ala Blanca #4 Subd., C-3 as recommended. Motion was seconded by Councilwoman Ramirez and approved 3-1 with Councilman O’cana against.

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At 5:09 p.m., Mayor Pro Tem Garza rejoined the meeting.

**E. Conditional Use Permit: To keep a 7’ x 7’ Portable Building for the Sale of Food – E-Z Mart Convenience Store, 1500 W. Business Hwy, 83, Lot A, Mission Acres Subd., C-3, Juan & Eduardo Guerrero
Adoption of Ordinance # 4009 approving 1.1E**

On October 9, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located on the NW corner of Los Ebanos Road and Business 83. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval as per staff’s recommendation.

Staff Recommendation: Approval for 1 year.

City Manager recommended approval.

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

There were no comments.

Councilwoman Ramirez moved to approve the CUP and to adopt Ordinance No. 4009 Conditional Use Permit: To keep the Portable Building for the Sale of Food – E-Z Mart Convenience Store, 1500 W. Business Hwy, 83, Lot A, Mission Acres Subd., C-3 as recommended. Motion was seconded by Mayor Salinas and approved unanimously 5-0.

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ORDINANCE NO. 4009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO KEEP A 7’ X 8’ PORTABLE BUILDING FOR THE SALE OF FOOD – E-Z MART CONVENIENCE STORE, 1500 W. BUSINESS HIGHWAY 83, LOT A, MISSION ACRES SUBDIVISION

2.0 Disposition of Minutes

2.1 City Council Meeting – October 14, 2013

Mayor Pro Tem Garza moved to approve the minutes as presented. Motion was seconded by Councilman O’cana and approved unanimously 5-0.

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3.0 Acknowledge Receipt of Minutes

3.1 Planning & Zoning Commission – September 25, 2013

Mission Economic Development Corporation

Special Meeting – September 4, 2013

Speer Memorial Library Board - September 17, 2013

Traffic Safety Committee – September 17, 2013

Boys & Girls Club of Mission – August 26, 2013

Mission Historical Museum – July 17, 2013

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

4.0 Approvals and Authorizations

4.1 Preliminary Plat Approval: Lucila Subd., a 1.41 acre Tract of land being a portion of Lot 16-3, W.A.S. Subd., R-1, Developer: Dr. Miguel Nevarez, Engineer: R.E. Garcia & Associates

On October 9, the Mission Planning and Zoning Commission convened and approved the Preliminary Plat Approval for Lucila Subdivision. The property was located on the SW corner of Donna Avenue and Mile 1 South. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval as per staff's recommendation.

Staff Recommendation: Approval subject to: 1) Denial of Variance #1 (Dedicated the additional 10' of ROW) & Variance #3 (escrow the 5' sidewalks along Mile 1 South, and the approval of Variance #2 (approve existing lot sizes); and 2) Provide exclusion from the Water District.

City Manager recommended approval.

Mr. Raul Garcia, from R.E. Garcia & Associates and Dr. Miguel Nevarez were present to answer any questions and gave a thorough explanation of what they wanted to do at this location.

Mr. Danny Tijerina Planning Director mentioned that Mr. Garcia & Dr. Nevarez wanted to know if Council could approve this item as the Preliminary and Final Plat as was approved at the P&Z Mtg. Mayor Salinas replied that the sooner done the better.

Mr. David Guerra City Attorney suggested that this item be approved as the Preliminary Plat as it appeared on the agenda and that they would have to come back and present this item as the Final Plat.

Mayor Salinas stated that this item would be approved as the Preliminary Plat as it appeared on the agenda and schedule another date to present item as the Final Plat.

Councilman Plata moved to approve Preliminary Plat Approval: as recommended by staff, Lucila Subd., a 1.41 acre Tract of land was a portion of Lot 16-3, W.A.S. Subd., R-1. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

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4.2 Final Plat Approval: Santa Lucia Subd., A 9.603 ac. tract of land out of Lot 166, J.H.S. Subd., R-3, Developer: Blanca A. Gutierrez Engineer: Camacho – Hernandez & Associates

On September 9, 2013 the Planning and Zoning Commission convened and approved the Preliminary & Final Plat Approval for Santa Lucia Subdivision. The City Council also approved the Preliminary Plat on September 9, 2013. The property was located on the NW corner of Taylor Road and Colorado Street. There was no public opposition during P&Z 9/9/13 Mtg. The developer wished to acquire the Final Plat approval from the City Council by submitting a Completion Bond to Staff.

Staff Recommendation: Approval subject to: 1) Payment of the Sewer Capital Recovery Fees & Park Fees; 2) Completion Bond approved as to form by Staff and 3) Provided exclusion from the Water District.

City Manager recommended approval.

Councilman Plata moved to approve Final Plat Approval: Santa Lucia Subd., A 9.603 ac. tract of land out of Lot 166, J.H.S. Subd., R-3 as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.3 Write-off uncollectable utility accounts receivable

A summary was provided for staff's review and approval of the amounts to be written off at this time. These amounts were for the three (3) month period of July 2012 through September 2012.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve write-off uncollectable utility accounts receivable as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.4 Approval of Ordinance # 4010 approving the assignment and transfer of the franchise previously granted to ONEOK, Inc.; determining that this Ordinance was passed in accordance with the Texas Open Meetings Act; declaring an effective date; adopting a savings clause; and requiring delivery of this Ordinance to the Company

ONEOK, Inc. was requesting the assignment and transfer of its Franchise agreement to ONE Gas, Inc., subject to the requirement that ONE Gas, Inc. sign the acceptance of this ordinance, which shall indicate that ONE Gas, Inc. assumed of all of ONEOK's rights, title and interests in or to the Franchise and all rights and privileges granted thereunder, to be effective upon the closing of the transaction by which ONE Gas, Inc. acquired certain assets and liabilities of ONEOK, including those relating to the Franchise and the franchise ordinance identified herein and assumed the obligations thereunder.

Staff Recommendation: Approval as presented

City Manager recommended approval.

Councilwoman Ramirez moved to approve Ordinance No. 4010 approving the assignment and transfer of the franchise previously granted to ONEOK, Inc.; determining that this Ordinance was

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passed in accordance with the Texas Open Meetings Act; declaring an effective date; adopting a savings clause; and requiring delivery of this Ordinance to the Company as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4010

AN ORDINANCE APPROVING THE ASSIGNMENT AND TRANSFER OF THE FRANCHISE PREVIOUSLY GRANTED TO ONEOK, INC., DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; ADOPTING A SAVINGS CLAUSE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY.

4.5 Approval of Resolution # 1362 supporting the State of Texas in its efforts to promote and pass Proposition 6, on the November 5, 2013 State of Texas Ballot

Proposition Six was for the transfer of \$2.2 billion from the State's rainy day fund to be used for water projects across the state that would enhance water conservation and water reuse. These funds would be administered through the Texas Water Development Board and would be available to entities that submitted projects that were on the State's Regional Plan. The funds would be available beginning in March 2015.

Staff Recommendation: Approval as presented.

City Manager recommended approval.

Councilman Plata moved to approve Resolution No. 1362 supporting the State of Texas in its efforts to promote and pass Proposition 6, on the November 5, 2013 State of Texas Ballot as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

RESOLUTION NO. 1362

A RESOLUTION SUPPORTING THE STATE OF TEXAS IN ITS EFFORTS TO PROMOTE AND PASS PROPOSITION 6, ON THE NOVEMBER 5, 2013 STATE OF TEXAS BALLOT

4.6 Authorization to Purchase via State Approved Contract Personal Protective Gear for the Fire Dept.

Mission Fire Department was seeking authorization to purchase via state approved contract for (15) fifteen sets of fire fighter personal protective gear. Buy Board Contract 363-10. This gear would replace 15 older sets of gear that were at maximum service life.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve authorization to Purchase via State Approved Contract Personal Protective Gear for the Fire Dept. as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

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4.7 Authorization to enter into a Lease Agreement with G & K Services for firefighter uniforms

Mission Fire Department was seeking authorization to enter into a Lease Agreement with G & K Services for firefighter uniforms. This agreement would be for three (3) twelve (12) month terms. The uniforms were of nomex material.

Each firefighter would be issued Four (4) shirts and pants, the Administration and Prevention staff would be issued Five (5) shirts and pants.

This lease agreement was via a state approved contract Buy Board Bid No. 416-12 in the amount of \$ 15,740.00.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve authorization to enter into a Lease Agreement with G & K Services for firefighter uniforms as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.8 Re-schedule 1st Regular City Council Meeting in November from Monday, November 11 to Tuesday, November 12, 2013

The office of the City Manager was requesting that the 1st meeting in November be re-scheduled from Monday, November 11 to Tuesday, November 12 due to City Hall being closed on November 11 for Veteran's Day Holiday.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve Re-schedule 1st Regular City Council Meeting in November from Monday, November 11 to Tuesday, November 12, 2013 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.9 Approval of Ordinance # 4011 amending Ordinance 3380 prohibiting electioneering within certain areas to include Mission Boys and Girls Club Gym at Bannworth Park

Request was being made to amend Ordinance 3380 approved by the City Council on July 28th, 2008. The provided ordinance would prohibit electioneering in the parking areas associated with Mission Boys and Girls Club Gym at Bannworth Park. This location was replacing the voting site for Celestino Ramirez Fire Station.

Staff and City Manager recommended approval of Ordinance.

Councilman Plata moved to approve Ordinance No. 4011 amending Ordinance 3380 prohibiting electioneering within certain areas to include Mission Boys and Girls Club Gym at Bannworth Park as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
AMENDING ORDINANCE 3380 PROHIBITING ELECTIONEERING WITHIN CERTAIN
AREAS TO INCLUDE MISSION BOYS AND GIRLS CLUB GYM AT BANNWORTH PARK
AND PROVIDING FOR COMPLIANCE AND SETTING A FINE FOR VIOLATION THEREOF

4.10 Authorization to solicit bids for Meter Connect Supplies for Public Works Department

Staff was seeking authorization to solicit bids for the purchase of Meter Connect Supplies. Meter Connect Supplies were needed by the Public Works Department for new water meter connections and repairs by the water distribution division.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve authorization to solicit bids for Meter Connect Supplies for Public Works Department as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.11 Authorization to solicit bids for Cold Water Meters for the Public Works Department

Staff was seeking authorization to solicit bids for the purchase of Cold Water Meters. Meters were needed by the Public Works Department for the installation and replacement of water meters by the Water Distribution Division.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve authorization to solicit bids for Cold Water Meters for the Public Works Department as recommended. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

4.12 Authorization to solicit bids for Repair and Maintenance of Pumps and Mixers for Public Works Department

Staff was seeking authorization to solicit bids for Repair and Maintenance Services of Pumps and Mixers located at the Water Treatment Plants. Services were needed in order to have pumps and mixers operating continuously.

Staff and City Manager recommended approval.

Councilman Plata moved to approve authorization to solicit bids for Repair and Maintenance of Pumps and Mixers for Public Works Department as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

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4.13 Authorization to solicit bids for Waterline Maintenance Supplies for Public Works Department

Staff was seeking authorization to solicit bids for the purchase of Waterline Maintenance Supplies. Waterline Maintenance Supplies were needed by the Public Works Department for daily maintenance of water distribution system.

Staff and City Manager recommended approval.

Councilman Plata moved to approve authorization to solicit bids for Waterline Maintenance Supplies for Public Works Department as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.14 Authorization to solicit bids for Drainage Improvements at Commerce Drive

Bid entailed the Replacement of approximately 800 LF of an existing 36” corrugated drainage Pipe to a Reinforce Concrete Pipe at Commerce Drive. Existing Storm pipe collapsed causing roadway failure and Storm Drainage flow restriction.

Staff and City Manager recommended approval.

Councilman Plata moved to approve authorization to solicit bids for Drainage Improvements at Commerce Drive as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

At 5:35 p.m., Mayor Salinas stepped out of the meeting

4.15 Tax Collections Report – September, 2013

Mayor Pro Tem Garza presided over the item.

Randy Perez, Assistant Finance Director presented the Tax Collections Report for September, 2013 for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Tax Collections Report for September, 2013 as recommended. Motion was seconded by Councilman O’cana and approved unanimously 4-0.

4.16 Budget Amendments: Hotel/Motel Fund

Mr. Perez presented the budget amendment BA–2014-01 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman O’cana moved to approve budget amendment BA–2014-01 as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

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4.17 Acceptance of Quarterly Report of Investments for the Quarter ending September 30, 2013 and Interest Earned for Twelve Months Ending September 30, 2013

Acceptance of quarterly report required by the Public Funds Investment Act Section 2256.023 of the Texas Government Code on the total investments for the quarter ending September 30, 2013. The total investments purchased were \$3,788,539.92 and the amount of maturing investments was \$4,236,270.64 leaving a total of \$24,995,620.85 in outstanding investments for the quarter ending September 30, 2013. The total interest earned on all funds year to date was \$110,683.50.

Staff and City Manager recommended approval.

Councilman Plata moved to approve acceptance of Quarterly Report of Investments for the Quarter ending September 30, 2013 and Interest Earned for Twelve Months Ending September 30, 2013 as recommended. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

4.18 Authorization to solicit bids for Pest Control Services

Staff was seeking authorization to solicit bids for Pest Control Services, which would include labor, materials, and equipment required for preventative pest control service in numerous City of Mission Buildings. This was being requested in an effort to secure fair and reasonable pricing.

Staff and City Manager recommended approval.

Councilman Plata moved to approve authorization to solicit bids for Pest Control Services as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

4.19 Authorization to solicit bids or purchase via a state approved contract, a total of three (3) police units and all the necessary police equipment to equip the three (3) new police units

The City of Mission Police Department was requesting authorization to purchase three (3) new police units and all the necessary police equipment for the three (3) police vehicles via the solicitation of bids or through a state approved contract. The three (3) police units would be purchased through the Mission Police Department 2012 Stonegarden grant funds to include the equipment for two (2) of the new police units. Our organization would be utilizing our Federal Sharing Account to fund the equipment for the third new police unit. A total of \$127,887.30 would be utilized from the 2012 Stonegarden Grant and \$30,000.00 from our federal drug forfeiture account.

Staff and City Manager recommended approval.

Councilman Plata moved to approve authorization to solicit bids or purchase via a state approved contract, a total of three (3) police units and all the necessary police equipment to equip the three (3) new police units as recommended. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

4.20 Authorization to accept the FY 2013 Bulletproof Vest Partnership Grant from the Office of Justice Programs' Bureau of Justice Assistance

The Mission Police Department was requesting authorization to accept the FY 2013 Bulletproof Vest Partnership Grant from the Office of Justice Programs' Bureau of Justice Assistance. The grant would allow our organization the opportunity to purchase bulletproof vests for our police officers for half of the sale price. The Bureau of Justice Assistance would provide \$12,049.47 for the purchase of the vests through the grant and the City of Mission Police Department would provide a cash match of another \$12,049.47. The total amount of \$24,098.94 would allow staff the opportunity to purchase at total of forty (40) bulletproof vests. The cash match amount of \$12,049.47 would be obtained from the police departments' federal sharing account. Staff was seeking a favorable recommendation.

City Manager recommended approval.

Councilman Plata moved to approve authorization to accept the FY 2013 Bulletproof Vest Partnership Grant from the Office of Justice Programs' Bureau of Justice Assistance as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

4.21 Approval of Ordinance # 4012 providing for a No Left Turn Intersection from the far northern exit of the John H. Shary Elementary School onto Glasscock Rd. between the hours of 7:15 a.m. to 8:15 a.m. and 3:15 p.m. to 4:15 p.m. on the days that Sharyland I.S.D. has school in session

The City of Mission Police Department received a request for approval of an ordinance providing for a No Left Turn Intersection from the far northern exit of the John H. Shary Elementary School onto Glasscock Road between the hours of 7:15 a.m. to 8:15 a.m. and 3:15 p.m. to 4:15 p.m. on the days that Sharyland I.S.D. had school in session. Sharyland I.S.D. and the Mission Police Department had received several complaints from concerned citizens in regards to vehicular traffic being backed up at the drop-off / pick-up area of the school as traffic attempted to turn left onto Glasscock Road. The placement of the No Left Turn sign would alleviate the back-up traffic at the drop-off / pick-up area. On October 15, 2013 the Traffic Safety Committee met and approved the request for the No Left Turn signage onto Glasscock Road. It was the recommendation of the Traffic Safety Committee to adopt this ordinance. The request was being forwarded to staff for review and consideration.

Staff and City Manager recommended approval of Ordinance.

Councilman O'cana moved to approve Ordinance No. 4012 providing for a No Left Turn Intersection from the far northern exit of the John H. Shary Elementary School onto Glasscock Rd. between the hours of 7:15 a.m. to 8:15 a.m. and 3:15 p.m. to 4:15 p.m. on the days that Sharyland I.S.D. had school in session as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 4012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, PROVIDING FOR A NO LEFT TURN INTERSECTION FROM THE FAR NORTHERN EXIT OF THE JOHN H. SHARY ELEMENTARY SCHOOL PARKING LOT ONTO GLASSCOCK ROAD BETWEEN THE HOURS OF 7:15 A.M. TO 8:15 A.M. AND 3:15 P.M. TO 4:15 P.M. ON THE DAYS THAT SHARYLAND I.S.D. HAS SCHOOL IN SESSION; PROVIDING FOR INSTALLATION OF SAID TRAFFIC CONTROL DEVICES AND PROPER SIGNAGE THEREOF AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF PURSUANT TO THE TEXAS TRANSPORTATION CODE AND THE TRAFFIC ORDINANCES OF THE CITY OF MISSION;

4.22 Repeal of Resolution # 1357 and approval of Resolution # 1363 A Resolution by the City Council of the City of Mission requesting financial participation from the Texas Water Development Board; authorizing the filing of an application for financial participation; designating the Mayor of the City of Mission as the authorized representative of the City of Mission; and making certain findings in connection therewith

At the City Council meeting of August 26, 2013 the City Council passed Resolution 1357 requesting financial participation from the Texas Water Development Board (TWDB). Staff was recently notified by the TWDB, that the amount available for this request was \$569,000, which would be reflected on the amended application. TWDB was requesting approval of a new resolution reflecting this amount.

Staff Recommendation: Staff recommended the repeal of Resolution 1357 and the approval of a new resolution authorizing Melden and Hunt to proceed with the filing of the application requesting financial participation from the TWDB, and designated the Mayor as the City's authorized representative.

City Manager recommended approval.

Councilman O'cana moved to approve repeal of Resolution No. 1357 and Resolution No. 1363 a resolution by the City Council of the City of Mission requesting financial participation from the Texas Water Development Board; authorizing the filing of an application for financial participation; designating the Mayor of the City of Mission as the authorized representative of the City of Mission; and making certain findings in connection therewith as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

RESOLUTION NO. 1363

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD; AUTHORIZING THE FILING OF AN APPLICATION FOR ASSISTANCE; DESIGNATING THE MAYOR OF THE CITY OF MISSION AS THE AUTHORIZED REPRESENTATIVE OF THE CITY OF MISSION; AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH.

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4.23 Approval of Resolution # 1364 of the City Council of the City of Mission, Texas naming the skate park at CWV Park along South Mayberry Road the Rolando Barrera Skate Park

At the October 16, 2013 meeting of the Mission Parks and Recreation Advisory Board, the board passed a motion to name the skate park at CWV Park, the Rolando Barrera Skate Park. Motion was made by Tim Brown and seconded by Chris Voss to recommend this action to City Council and motion carried.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve Resolution No. 1364 of the City Council of the City of Mission, Texas naming the skate park at CWV Park along South Mayberry Road the Rolando Barrera Skate Park as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

RESOLUTION NO. 1364

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
NAMING THE SKATE PARK AT CWV PARK ALONG SOUTH MAYBERRY ROAD,
THE ROLANDO BARRERA SKATE PARK

4.24 Approval of Resolution # 1365 of the City Council of the City of Mission, Texas, naming the park at Madero along South Conway the Norberto "Beto" Salinas Park

On September, 2013 Madero area residents submitted a request to city staff requesting the naming of Madero Park for "Norberto "Beto" Salinas. At the October 16, 2013 meeting of the Mission Parks and Recreation Advisory Board, the Board passed a motion to recommend to the Mission City Council that it name Madero Park, the Norberto "Beto" Salinas Park. Karina Garza made the motion to recommend to the Mission City Council that said park be so named, which motion was seconded by Chris Voss and motion carried.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Resolution No. 1365 of the City Council of the City of Mission, Texas, naming the park at Madero along South Conway the Norberto "Beto" Salinas Park as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

RESOLUTION NO. 1365

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
NAMING THE PARK AT MADERO ALONG SOUTH CONWAY
THE NORBERTO "BETO" SALINAS PARK

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4.25 Authorization to Solicit bids for Bunker Sand

Staff was seeking authorization to solicit bids for Golf Course Bunker Sand, which would include putting sand into bunkers on Holes 1 through 9. This was being requested in an effort to secure fair and reasonable pricing.

Staff and City Manager recommended approval.

Councilman Plata moved to approve authorization to solicit bids for Bunker Sand as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

4.26 Authorization to engage Halff Associates, Inc. for Professional Electrical Engineering for the Conway Streetscape Lighting

Staff was seeking authorization to engage Halff Associates, Inc. to conduct Electrical Engineering services for the Conway Streetscape Project. Halff Associates would be specifying electrical points of connection for new lighting and outlets; plans for trenching, saw cutting, and boring; and perform block by block lighting photometric analysis to identify most optimum locations for light poles. Provided was an official proposal from Halff Associates with a Total Professional Fee.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve authorization to engage Halff Associates, Inc. for Professional Electrical Engineering for the Conway Streetscape Lighting as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

Invitation was made to the Council and the Public to attend a Family Festival on October 31, 2013 at the Mission Historical Museum.

6.2 Mayor's Comments

None

At 5:48 p.m., Mayor Pro Tem Garza stepped out of the meeting and Mayor Salinas rejoined the meeting.

At 5:49 p.m., Councilman O'cana moved to convene into executive session. Motion was seconded by Councilman Plata and approved unanimously 4-0.

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

7.1 Personnel matters Sec. 551.074

A. Approval of Professional Services Contract for Carlos Ortegon

7.2 Consultation with Attorney Sec. 551.071

A. City of Mission v Alejandro Gonzalez

B. City of Mission vs BFI Waste Services of Texas, LP, dba Republic Services of Rio Grande Valley

C. Claim of Allan D. Boyd

D. Texas Attorney General Open Records Decision No. 2013-17375

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

At 6:36 p.m., Councilman O'cana moved to reconvene in open session. Motion was seconded by Councilman Plata and approved unanimously 4-0.

On item 7.1-A, Councilman Plata moved to approve consent to enter into a Professional Services Contract with Attorney Carlos Ortegon for a period of one year commencing on October 1, 2013 and ending on September 30, 2014 in an amount not to exceed \$3,333.33 per month. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

On item 7.2-A, no action was taken.

On item 7.2-B, no action was taken.

On item 7.2-C, no action was taken.

On item 7.2-D, no action was taken.

8.0 Adjournment

At 6:38 p.m., Councilman Plata moved for adjournment. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary