

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
NOVEMBER 10, 2014 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  
Lee McCormick  
Steve Gano  
Orlando J. V. Gutierrez  
Miguel A. Garcia  
Fred Vasquez  
Joe Sanchez  
John Gaytan  
Jaime Gutierrez

**STAFF PRESENT:**

Nelia Hernandez, Asst. City Secretary  
Aida Lerma, Deputy City Manager  
J.J. Rodriguez, Deputy City Manager  
Danny Tijerina, Planning Director  
Bobby Salinas, Asst. Planning Director  
Rene Lopez, Jr., Interim Fire Chief  
Gilbert Sanchez, Fire Marshal  
Robert Dominguez, Chief of Police  
Randy Perez, Asst. Finance Director  
Roberto Salinas, Public Works Director  
Juan Pablo Terrazas, City Engineer  
Mario Flores, Interim Golf Course Director  
Joanne Longoria, CDBG Director  
Eduardo Belmarez, Purchasing Director  
Julian Gonzalez, Parks & Rec. Director  
Luduvico Martinez, B & G Club Director  
Noemi Munguia, HR Director  
Jesse Lerma, Civil Service Director  
Roland Rodriguez, I. T. Director  
Luis Contreras, Museum Director  
Mayra Rocha, Library Director  
Jonathan Wehrmeister, Judge  
James Cardoza, Emergency Mngmt.  
Alex Meade, Chief Executive Officer

**1. Call to order**

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:35 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 – Jose R. Perez**

Interim Fire Chief Rene Lopez, Jr. presented the family of Jose R. Perez with a Fireman's hat and proclaimed November 10, 2014 as Firefighter Jose R. Perez day.

Councilman Ruben Plata moved to approve the Proclamation – Jose R. Perez. Motion was seconded by Councilwoman Jessica Ortega-Ochoa and approved unanimously 4-0.

#### **4. Proclamation – Comfort House**

City Secretary Anna Carrillo presented the Proclamation – Comfort House to the Council. Ms. Melissa Paterson received the proclamation and thanked the Council.

Councilman Ruben Plata moved to approve the Proclamation – Comfort House. Motion was seconded by Councilwoman Jessica Ortega-Ochoa and approved unanimously 4-0.

#### **5. 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.

#### **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.

#### **7. Departmental Reports**

Mayor Pro Tem Norie Gonzalez Garza moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

#### **8. Citizens Participation**

None

#### **1.0 Public Hearing**

##### **1.1 Planning & Zoning Recommendations**

- A. Rezoning: The North 5.75 acres of the South 9.75 acres of the East 20 acres of Lot 22-10, West Addition to Sharyland Subdivision & the East 80' of Lot B, Cauthen Commercial Subdivision (aka Central Administration Building), from C-1 (Office Building) to P (Public Zone), Mission CISD  
Adoption of Ordinance #4159 approving 1.1A**

On October 22, 2014 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located on the NW corner of Bryan Road and Bryce Drive. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval of the P zone.

Staff Recommendation: Approval of P zone.

City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Garza moved to approve the rezoning and to adopt Ordinance No. 4159 Rezoning: The North 5.75 acres of the South 9.75 acres of the East 20 acres of Lot 22-10, West Addition to Sharyland Subdivision & the East 80' of Lot B, Cauthen Commercial Subdivision (aka Central Administration Building), from C-1 (Office Building) to P (Public Zone), as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

**ORDINANCE NO. 4159**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF THE NORTH 5.75 ACRES OF THE SOUTH 9.75 ACRES OF THE EAST 20 ACRES OF LOT 22-10, WEST ADDITION TO SHARYLAND SUBDIVISION & THE EAST 80' OF LOT B, CAUTHEN COMMERCIAL SUBDIVISION (AKA CENTRAL ADMINISTRATION BUILDING), FROM C-1 (OFFICE BUILDING) TO P (PUBLIC ZONE)

- B. Rezoning: All of Blocks 226-228 & 246, Mission Original Townsite, and all of Block 1, Blake Addition, including all roadways and alleys located within these boundaries (aka Mission Jr. High), from R-1 (Single Family Residential) to P (Public Zone), Mission CISD  
Adoption of Ordinance # 4160 approving 1.1B**

On October 22, 2014 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located on the SE corner of Miller and Kika De La Garza Loop. There was some public opposition during the P&Z Mtg. Some of the concerns voiced were once the property was rezoned they would be able to do any addition to the school and as it was the school was already over crowded and had traffic issues. The Board unanimously recommended approval of the P zone.

Staff Recommendation: Approval of P zone.

City Manager recommended approval.

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

There were no comments.

Councilman Plata moved to approve the rezoning and to adopt Ordinance No. 4160 Rezoning: all of Blocks 226-228 & 246, Mission Original Townsite, and all of Block 1, Blake Addition, including all roadways and alleys located within these boundaries (aka Mission Jr. High), from R-1 (Single Family Residential) to P (Public Zone), as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**ORDINANCE NO. 4160**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF ALL OF BLOCKS 226-228 & 246, MISSION ORIGINAL TOWNSITE SUBDIVISION, AND ALL OF BLOCK 1, BLAKE ADDITION, INCLUDING ALL ROADWAYS AND ALLEYS LOCATED WITHIN THESE BOUNDARIES (AKA MISSION JR. HIGH SCHOOL), FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO P (PUBLIC ZONE)

**C. Rezoning: A 9.42 acre tract of land, more or less, out of Lot 18-11, West Addition to Sharyland Subdivision, from AO-I (Agricultural Open Interim) to C-3 (General Business), Stephen M. Gano  
Adoption of Ordinance # 4161 approving 1.1C**

On October 22, 2014 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located 100' north of E. 1<sup>st</sup> Street along the east side of Bryan Road. There were some concerns voiced during the P&Z Meeting, which included maintaining the property once development began. The Board unanimously recommended approval of the C-3 zone.

Staff Recommendation: Approval of C-3 zone.

City Manager recommended approval.

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

Applicant Stephen M. Gano was in favor of the request.

Councilman Plata moved to approve the rezoning and to adopt Ordinance No. 4161 Rezoning: A 9.42 acre tract of land, more or less, out of Lot 18-11, West Addition to Sharyland Subdivision, from AO-I (Agricultural Open Interim) to C-3 (General Business), as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**ORDINANCE NO. 4161**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING A 9.42 ACRE TRACT OF LAND, MORE OR LESS, OUT OF  
LOT 18-11, WEST ADDITION TO SHARYLAND SUBDIVISION, FROM AO-I  
(AGRICULTURAL OPEN INTERIM) TO C-3 (GENERAL BUSINESS)

**D. Rezoning: A 20.67 acre tract of land out of Lot 30-3, West Addition to Sharyland Subdivision, from AO-I (Agricultural Open Interim) to R-1 (Single Family Residential), TDB Properties, LTD, c/o Alfonso Quintanilla, P.E.  
Adoption of Ordinance # 4162 approving 1.1D**

On October 22, 2014 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located on the NE corner of Thompson and Los Ebanos 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 Salinas asked if there were any comments for or against the rezoning request.

There were no comments.

Mayor Pro Tem Garza moved to approve the rezoning and to adopt Ordinance No. 4162 Rezoning: A 20.67 acre tract of land out of Lot 30-3, West Addition to Sharyland Subdivision, from AO-I (Agricultural Open Interim) to R-1 (Single Family Residential), TDB Properties, LTD, as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

**ORDINANCE NO. 4162**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING A 20.67 ACRE TRACT OF LAND OUT OF LOT 30-3, WEST ADDITION TO SHARYLAND SUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO R-1 (SINGLE FAMILY RESIDENTIAL)

**E. Rezoning: A 0.94 tract of land out of Lot 92, Mission Acres Subdivision, from AO-I (Agricultural Open Interim) to R-1(Single Family Residential), John Gaytan Adoption of Ordinance # 4163 approving 1.1E**

On October 22, 2014 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located on the NE corner of Blake Street and Washington Avenue. 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 Salinas asked if there were any comments for or against the rezoning request.

There were no comments.

Councilman Plata moved to approve the rezoning and to adopt Ordinance No. 4163 Rezoning: A 0.94 tract of land out of Lot 92, Mission Acres Subdivision, from AO-I (Agricultural Open Interim) to R-1(Single Family Residential), as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**ORDINANCE NO. 4163**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING A 0.94 OF 1 ACRE OUT OF LOT 92, MISSION ACRES, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO R-1 (SINGLE FAMILY RESIDENTIAL)

**F. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Rolie’s Mexican Restaurant, 2105 W. 3 Mile Road, Suite 8, Lot 3, Block 4, Taurus Estates No. 9 Subdivision Phase I, C-3, Anabel Salazar Adoption of Ordinance # 4164 approving 1.1F**

On October 22, 2014 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit. The property was located 370’ east of Moorefield Road along the south side of Mile 3. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff Recommendation: Approval for 1 year.

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

There were no comments.

Councilwoman Ochoa moved to approve the cup and to adopt Ordinance No. 4164 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Rolie’s Mexican Restaurant, 2105 W. 3 Mile Road, Suite 8, Lot 3, Block 4, Taurus Estates No. 9 Subdivision Phase I, C-3), as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

**ORDINANCE NO. 4164**

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 – ROLIE’S MEXICAN RESTAURANT, 2105 W. 3 MILE ROAD, SUITE 8, LOT 3, BLOCK 4, TAURUS ESTATES NO. 9 SUBDIVISION PH. I

**G. Mission Economic Development Corporation Solid Waste Disposal Revenue Bonds (Fair Energy Operations Project) Series 2014**

Public Hearing: A public hearing related to the issuance of one or more series in an aggregate principal amount not to exceed \$100,000,000 by the Issuer, Mission EDC. The proceeds the Series 2014 Bonds would be loaned to Fair Energy Operations – Beaumont, LLC (Fair Energy Beaumont) and Fair Energy Operations – Angleton, LLC (Fair Energy Angleton, and, together with Fair Energy Beaumont, the Borrower) and would be used by the Borrower to provide funds to finance or refinance all or part of the cost of acquiring and constructing certain capital improvements and infrastructure relating to waste-to-energy facilities and/or solid waste facilities including any land, equipment and other property comprising waste-to-energy facilities (including property functionally related and subordinate thereto) that would convert municipal solid waste into usable products located at: (a) Beaumont City Landfill – 5895 Lafin Drive, Beaumont, Texas (the Beaumont Facility) and (b) Seabreeze Environmental Landfill – 10310 FM 523, Angleton, Texas (the Angleton Facility, and together with the Beaumont Facility, the “Series 2014 Project”) and pay the costs of issuance of the Series 2014 Bonds and related financing costs.

The ad was published in the The Monitor on October 23, 2014.

The public hearing was to give citizens the opportunity to be heard.

Staff Recommendation: Public hearing only.

No action was taken on this item since it was only for public hearing.

**2.0 Disposition of Minutes**

**2.1 City Council Meeting – October 27, 2014**

Mayor Pro Tem Garza moved to approve the minutes as presented. Motion was seconded by Councilman Plata and approved unanimously 4-0.

**3.0 Acknowledge Receipt of Minutes**

- 3.1 Mission Redevelopment Authority – July 22, 2014,  
August 26, 2014 and September 30, 2014  
Mission Tax Increment Reinvestment Zone – July 22, 2014,  
August 26, 2014 and September 30, 2014  
Planning and Zoning Commission – September 24, 2014  
and October 8, 2014  
Mission Economic Development Corporation – September 2, 2014  
Mission Economic Development Authority, Inc. – September 2, 2014  
Juvenile Justice and Delinquency Prevention – September 10, 2014**

Councilman Plata moved to acknowledge the receipt of minutes as presented. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

City Attorney David Guerra asked the council to discuss items 4.1, 4.3, & 4.9 during executive session under the “Consultation with Attorney” exception before considering these items in open session.

At 5:16 p.m., Mayor Salinas continued with item 4.2 of the agenda.

**4.0 Approvals and Authorizations**

- 4.1 Preliminary Plat Approval: Old Mission Subdivision, A 2.41 acre tract of land out of Lot 20-4, West Addition to Sharyland Subdivision, C-2,  
Developer: Fruit Mich, Inc.,  
Engineer: Quintanilla, Headley & Associates  
(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)**

On October 22, 2014 the Planning and Zoning Commission convened and approved the Preliminary & Final Plat for Old Mission Subdivision. The proposed subdivision was located at the NW area of Perez Street and Holland Avenue. This 2.09 acre commercial development was the first phase out of a larger tract of land. The remaining 11.5 acre tract would be developed under a separate phase of construction. There was no public opposition during the P&Z Mtg. It was noted that the project engineer requested a variance to retain on-site and have runoff onto Holland Ave. The P&Z board unanimously recommended approval as per Staff’s recommendation but allowed the variance to not have the outfall for the storm drainage at this time.

Staff Recommendation: Approval with the outfall for storm drainage required at this time.

City Manager recommended approval.

Councilman Plata moved to approve the Preliminary Plat Approval: Old Mission Subdivision, A 2.41 acre tract of land out of Lot 20-4, West Addition to Sharyland Subdivision, C-2, Developer: Fruit Mich, Inc., Engineer: Quintanilla, Headley & Associates, as per staff’s recommendation. Motion was seconded by Councilman O’cana and approved unanimously 5-0.

- 4.2 Final Plat Approval: Tres Picos Subdivision, Ph. I, A 4.10 acre tract of land out of Lot A, Park Subdivision, C-3 & R-2,  
Developer: Tres Rios, LLC,  
Engineer: Nain Engineering**

On December 16, 2013 the City Council convened and approved the Preliminary Plat Approval for Tres Picos Subdivision, Ph. I. The property was located approximately 1,000' west of Taylor Road along the north side of Griffin Parkway (the old Mr. Fun's site). The developer desired to record the plat prior to completing the required improvements for the subdivision. The developer had submitted an escrow deposit in the amount of \$105,094.34 to pay for the remaining improvements.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to reject the Preliminary Plat Approval: Old Mission Subdivision, A 2.41 acre tract of land out of Lot 20-4, West Addition to Sharyland Subdivision, C-2, Developer: Fruit Mich, Inc., Engineer: Quintanilla, Headley & Associates, until the whole subdivision is completed Motion was seconded by Councilwoman Ochoa and rejected unanimously 4-0.

**4.3 Approval of Ordinance # 4166 of the City Council of the City of Mission, Texas, amending Chapter 98-Subdivisions of its Code of Ordinances to add Section 98-16 to Article I thereof to adopt a Homestead Exemption Variance provision within the Subdivision Code (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)**

In September of this year, staff received direction by the City Council to explore alternatives/options to provide relief to property owners wishing to construct their Homestead in Mission or its Extra Territorial Jurisdiction (ETJ). The Planning Department had prepared an ordinance amendment to the Subdivision Code providing for a Homestead Exemption Variance Procedure for the Council's consideration in an effort to achieve this goal.

The proposed amendment was presented to the Planning Commission on November 5, 2014. The Planning Commission recommended approval of the Homestead Exemption Variance. Staff noted that the relief provided by this ordinance would not have a detrimental effect on the City.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Ordinance No. 4166 amending Chapter 98-Subdivisions of its Code of Ordinances to add Section 98-16 to Article I thereof to adopt a Homestead Exemption Variance provision within the Subdivision Code, as recommended by staff and legal. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4166**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS,  
AMENDING CHAPTER 98 –SUBDIVISIONS OF ITS CODE OF ORDINANCES TO ADD  
SECTION 98-16 TO ARTIICLE I THEREOF TO ADOPT A HOMESTEAD EXEMPTION  
VARIANCE PROVISION WITHIN THE SUBDIVISION CODE; TO PROVIDE FOR A  
SEVERABILITY PROVISION; AND PROVIDING FOR  
A PUBLICATION PROVISION

**4.4 Confirmation of appointment by City Manager under Civil Service Law Section 143.013 (a)(1) of Interim Fire Chief Rene Lopez, Jr.**



Confirmation was being requested on the appointment by City Manager of Interim Fire Chief Rene Lopez, Jr. as required by Section 143.013(a)(1) of the Texas Local Government Code, in order to confer upon the Interim Fire Chief all statutory authority contained in the civil service statute with regard to employment actions. Section 143.013 (a)(1) required not only appointment by the City Manager, but also confirmation by the City Council.

Staff and City Manager recommended approval.

Councilman Plata moved to approve appointment by City Manager under Civil Service Law Section 143.013 (a)(1) of Interim Fire Chief Rene Lopez, Jr. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**4.5 Authorization to accept the Securing Adolescents Futures with Encouragement and Enforcement (SAFE) grant from the Office of the Governor Criminal Justice Division**

The City of Mission Police Department was requesting authorization to accept the second year of funding for the Securing Adolescents Futures with Encouragement and Enforcement (SAFE) grant from the Office of the Governor Criminal Justice Division. The total grant award was \$61,971.00. The Criminal Justice Division would provide \$55,773.90 to fund for the salary of the SAFE Officer that would be assigned to the Mission Municipal Court to assist juveniles through the completion of their court ordered mandated in an effort to avoid reentering the Criminal Justice System. The City of Mission would be responsible for the difference through a cash match in the amount of \$6,197.10 that would be funded from the State Drug Forfeiture account. Staff was respectfully requesting authorization to accept this second year grant.

Staff Recommendation: Staff was respectfully requesting authorization to accept the Securing Adolescents Futures with Encouragement and Enforcement (SAFE) grant from the Office of the Governor Criminal Justice Division.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to accept the Securing Adolescents Futures with Encouragement and Enforcement (SAFE) grant from the Office of the Governor Criminal Justice Division. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**4.6 Authorization to purchase exercise equipment via a state Approved contract (Buyboard Contract # 413-12)**

The Mission Police Department was requesting authorization to purchase exercise equipment via a state approved contract (Buyboard Contract #413-12). It was the intent of our organization to replace inoperable exercise equipment and purchase new exercise equipment in an effort to continue to promote health and fitness. The current exercise equipment was purchased fourteen (14) years ago in 2000 when the new Mission Public Safety Building was built. Our organization had trained three police officers to utilize the equipment to be purchased in an effort to provide exercise classes to both Mission police personnel and City of Mission personnel. Federal drug forfeiture funds would be utilized to purchase the new exercise equipment in the amount of \$43,673.84.

Staff Recommendation: Authorize the purchase exercise equipment via the state approved contract (Buyboard Contract #413-12).

City Manager recommended approval.

Councilman Plata moved to authorize to purchase exercise equipment via a state approved contract (Buyboard Contract # 413-12. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**4.7 Authorization to purchase via a state approved contract a total of two (2) police units and all the necessary police equipment to equip the two (2) new police units (Buyboard Contract # 430-13)**

The City of Mission Police Department was requesting authorization to purchase two (2) new police units and all the necessary police equipment for the new police units via a state approved contract (Buyboard Contract #430-13). The two (2) police units and any equipment would be purchased through the Mission Police Department's Federal Drug Forfeiture account. The two new units would be assigned to the Criminal Investigations Bureau. The total expenditure for the two units was \$51,594.00.

Staff Recommendation: Staff was respectfully requesting authorization to purchase via a state approved contract, a total of two (2) police units and all the necessary equipment to equip the two (2) new police units.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to purchase via a state approved contract a total of two (2) police units and all the necessary police equipment to equip the two (2) new police units (Buyboard Contract # 430-13). Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**4.8 Budget Amendment – General Fund, MEDC Fund**

Randy Perez, Assistant Finance Director presented the budget amendment BA–2015-03 thru BA-2015-05 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve budget amendment BA–2015-03 thru BA-2015-05 as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**4.9 Bid to seal coat St. Marie and Keralum Ave. (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)**

On July 28, 2014 City Council authorized the solicitation of bids to seal coat St. Marie St. and Keralum Ave. The City of Mission had accepted and opened one (1) bid response for this project. Staff was of the opinion that it was in the best interest of the City and was therefore recommending awarding the bid to said bidder, Valley Stripping Corp. for the reasons that said bid came in within budget, and this was the second time staff solicited bids for the same service.

However, Valley Stripping Corp. failed to submit an executed Conflict of Interest (COI) Questionnaire acceptable to City which Valley Stripping was required to do as per Paragraph 10, “General Terms and Conditions” of the Invitation to Bidders, hence staff further recommended the waiving of this formality or technicality provided that Valley Stripping submitted an executed Conflict of Interest (COI) Questionnaire by 4:00 o’clock pm on Wednesday, November 12, 2014.

Staff Recommendation: Waive Technicality and Award Bid to Valley Stripping Corp.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve bid to seal coat St. Marie and Keralum Ave. as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.10 Approval of Resolution # 1391, A Resolution of the City Council of City of Mission Approving the Issuance of Mission Economic Development Solid Waste Disposal Revenue Bonds (Fair Energy Operations Project) Series 2014**

Lee McCormick, President of Community Development Associates, had facilitated the issuance of Solid Waste Disposal Revenue Bonds by the Mission Economic Development Corporation (Mission EDC) for the purpose of financing and refinancing the Fair Energy Operations Project, Series 2014, under the assistance of Mission EDC’s Private Activity Bond program.

Mr. McCormick was present to answer any questions City Council members would have.

Staff Recommendation: Approval of Resolution.

City Manager recommended approval.

Councilman Plata moved to approve Resolution No. 1391 Approving the Issuance of Mission Economic Development Solid Waste Disposal Revenue Bonds (Fair Energy Operations Project) Series 2014. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**RESOLUTION NO. 1391**

RESOLUTION APPROVING THE ISSUANCE OF MISSION  
ECONOMIC DEVELOPMENT CORPORATION SOLID  
WASTE DISPOSAL REVENUE BONDS  
(FAIR ENERGY OPERATIONS PROJECT) SERIES 2014

**4.11 Approval of Ordinance # 4165 granting a wet designation for 1928 N. Conway, Suite C**

Owner was requesting the above-mentioned property be wet zoned for Beer Retail Dealer’s Off-Premise License and Package Store Permit for Texas Liquor Store.

Staff Recommendation: Approval of Ordinance.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve of Ordinance No. 4165 granting a wet designation for 1928 N. Conway, Suite C. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**ORDINANCE NO. 4165**

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  
1928 N. CONWAY, SUITE C

**4.12 Authorization to Award bid for the purchase of Liquid Aluminum Sulfate for North and South Water Plants**

On September 22, 2014 City Council gave authorization to solicit bids for the purchase of Liquid Aluminum Sulfate. The City of Mission had accepted and opened Four (4) bid responses for this purchase. Staff was recommending awarding bid to Chemtrade Chemicals US, LLC who was lowest responsible bidder meeting all specifications, for an unit price of \$0.0638/Lb. The contract terms would be for one year with two one-year renewal options.

Staff Recommendation: Authorization to award bid to Chemtrade Chemicals US, LLC.

City Manager recommended approval.

Councilman Plata moved to authorize to award bid for the purchase of Liquid Aluminum Sulfate for North and South Water Plants. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**4.13 Authorization to Award bid for the purchase of Copper Sulfate for North and South Water Plants**

On September 22, 2014 City Council gave authorization to solicit bids for the purchase of Copper Sulfate. The City of Mission had accepted and opened Four (4) bid responses for this purchase. Staff was recommending awarding bid to Chemtrade Chemicals US, LLC who was lowest responsible bidder meeting all specifications, for an overall unit price of \$0.4225/Lb. The contract terms would be for one year with two one-year renewal options.

Staff Recommendation: Authorization to award bid Chemtrade Chemicals US, LLC.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to award bid for the purchase of Copper Sulfate for North and South Water Plants. Motion was seconded by Councilman Plata and approved unanimously 4-0.

**4.14 Authorization to award bid for Electrical Repair & Maintenance Services for Water Treatment Plants, Waste Water Treatment Plant, Industrial Pre-Treatment Plant and Water Distribution Department**

On September 22, 2014 City Council gave authorization to solicit bid for Electrical Repair &

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Maintenance Services. The City of Mission had accepted and opened three (3) bid responses for this purchase. Staff was recommending awarding bid to Saenz Brothers Construction, LLC who was lowest responsible bidder meeting all specifications. Electrical Repairs and maintenance would be done on a “as needed basis” The contract terms would be for one year with two one-year renewal options.

Staff Recommendation: Authorization to award bid to Saenz Brothers Construction, LLC.

City Manager recommended approval.

Councilman Plata moved to authorize to award bid for Electrical Repair & Maintenance Services for Water Treatment Plants, Waste Water Treatment Plant, Industrial Pre-Treatment Plant and Water Distribution Department. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

### **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 items 4.1, 4.3, 4.9, and 7.1-A of the agenda.

At 5:33 p.m., Mayor Pro Tem Garza moved to convene into executive session. Motion was seconded by Councilman Plata and approved unanimously 4-0.

Councilman Dr. Armando O’cana joined the meeting.

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

#### **7.1 Consultation with Attorney Sec. 551.071**

##### **A. Existing Professional Engineering Services Contracts**

#### **7.2 The City Council will reconvene in open session to take any actions necessary**

At 6:31 p.m., Councilman Plata moved to reconvene in open session to take action on items 4.1, 4.3, 4.9, and 7.1-A. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

On item 7.1-A, no action was taken.

### **8.0 Adjournment**

At 6:40 p.m., Mayor Pro Tem Garza moved for adjournment. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

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Norberto Salinas, Mayor

ATTEST:

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Anna Carrillo, City Secretary