

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
DECEMBER 16, 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:

Daniela Diaz, The Monitor
Kathy Olivarez, Progress Times
Richard Perez
Daniel Silva
Fred Kurth
Florestella Martinez
Gilberto Espino
Roberto Delgado
Rogelio De Hoyos
Stewart Skloss
Dianaly De Hoyos
David Garza
Eric Benavidez
Teofilo Aguillon
Adrian Villarreal
Arnoldo Villarreal
Tomas Tijerina
Ricky Longoria
Carl Davis
Rev. Greg Kuczmanski
Berta Filut
Bill Filut
Carlos Acosta
Jesus Prado
Ester Salinas

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Aida Lerma, Deputy City Manager
Guillermo Seguin, Deputy City Manager
Danny Tijerina, Planning Director
Pat Martinez, Planning Department
Roberto Salinas, Public Works Director
Paul Schaefer, Golf Course 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
Luis Contreras, Museum Director
Mayra Rocha, Library Director
Elizabeth Hernandez, Executive Secretary
Jonathan Wehrmeister, Judge
Humberto Garcia, Media Relation Officer

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:47 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. Tomas Tijerina - Thanksgiving Table at Renee's

Tomas Tijerina thanked Mayor Salinas and the City Council and reported on a successful 8th Annual Thanksgiving Table at Renee's event where over 2,400 plates were served.

4. Presentation of 20, 25, 30 & 35 Year Service Award Recipients

City Council and City Manager Garza, presented certificates to City Employees with 20, 25, 30 & 35 years of service.

5. Proclamation – MCISD School Board Recognition Month

City Secretary Anna Carrillo read the proclamation.

Superintendent Ricardo Lopez, Public Relations Director Craig Verley and School Board Member Raymond Longoria received the proclamation and thanked the Council for the recognition and their support.

Councilman Dr. Armando O'cana moved to approve the Proclamation – MCISD School Board Recognition Month. Motion was seconded by Councilman Ruben Plata and approved unanimously 5-0.

6. Proclamation – LJISD School Board Recognition Month

Mrs. Carrillo read the proclamation.

Public Relations Director Blanca Cantu received the proclamation and thanked the Council for the recognition and their support.

Councilman O'cana moved to approve the Proclamation – LJISD School Board Recognition Month. Motion was seconded by Councilman Plata and approved unanimously 5-0.

7. Proclamation – SISD School Board Recognition Month

Mrs. Carrillo read the proclamation.

Superintendent Dr. Virginia Richter and School Board Member Ricky Longoria received the proclamation and thanked the Council for the recognition and their support.

Councilman O'cana moved to approve the Proclamation – SISD School Board Recognition Month. Motion was seconded by Councilman Plata and approved unanimously 5-0.

8. 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.

9. Departmental Reports

Mayor Pro Tem Norie Gonzalez Garza moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Maria Elena Ramirez and approved unanimously 5-0.

10. Citizens Participation

None

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

- A. Rezoning: A 1.17 acre tract of land out of Lot 28-7, West Addition to Sharyland Subd., from R-1 (Single Family Residential) to C-2 (Neighborhood Commercial), Edith Moreno
Adoption of Ordinance # 4021 approving 1.1A**

On November 13, 2013 the Planning and Zoning Commission convened and recommended approval of a C-2 zone. The property was located on the SW corner of Francisco and 2 Mile Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval of a C-2.

Staff Recommendation: Approval of C-2.

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 4021 Rezoning: A 1.17 acre tract of land out of Lot 28-7, West Addition to Sharyland Subd., from R-1 (Single Family Residential) to C-2 (Neighborhood Commercial). Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING A 1.17 ACRE TRACT OF LAND OUT OF LOT 28-7,
WEST ADDITION TO SHARYLAND SUBDIVISION, FROM R-1 (SINGLE FAMILY
RESIDENTIAL) TO C-2 (NEIGHBORHOOD COMMERCIAL)

- B. Rezoning: A 2.34 acre tract of land out of Lot A, Park Subd., from AO-I (Agricultural Open Interim) to C-3 (General Business), Martin Rodriguez
Adoption of Ordinance # 4022 approving 1.1B**

On December 11, 2013 the Planning and Zoning Commission convened and recommended approval of a C-3 zone. The property was located approximately 1,000' west of Taylor Road along the north side of Griffin Parkway (the old Mr. Fun's site). There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval of C-3.

Staff Recommendation: Approval of C-3.

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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 4022 Rezoning: A 2.34 acre tract of land out of Lot A, Park Subd., from AO-I (Agricultural Open Interim) to C-3 (General Business). Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING A 2.34 ACRE TRACT OF LAND OUT OF LOT A, PARK SUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO C-3 (GENERAL BUSINESS)

C. Rezoning: 4.12 acre tract of land out of Lot A, Park Subd., from AO-I (Agricultural Open Interim) to R-2 (Duplex-Fourplex Residential), Martin Rodriguez Adoption of Ordinance # 4023 approving 1.1C

On December 11, 2013 the Planning and Zoning Commission convened and recommended approval of an R-2 zone. The property was located approximately 1,000' west of Taylor Road along the north side of Griffin Parkway (the old Mr. Fun's site). There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval of R-2.

Staff Recommendation: Approval of R-2.

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 4023 Rezoning: 4.12 acre tract of land out of Lot A, Park Subd., from AO-I (Agricultural Open Interim) to R-2 (Duplex-Fourplex Residential). Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING A 4.12 ACRE TRACT OF LAND OUT OF LOT A, PARK SUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO R-2 (DUPLEX-FOURPLEX RESIDENTIAL)

D. Rezoning: A 4.60 acre tract of land out of Lot 261, John H. Shary Subd., and also out of abandoned Canal Right-of-Way, from AO-I (Agricultural Open Interim) to R-1A (Large Lot Single Family), Meza Homes, Inc. Adoption of Ordinance # 4024 approving 1.1D

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On December 11, 2013 the Planning and Zoning Commission convened and recommended approval of an R-1A zone. The property is located ½ mile north of Griffin Parkway along the east side of Stewart Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval of an R-1A zone.

Staff Recommendation: Approval of R-1A.

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 4024 Rezoning: A 4.60 acre tract of land out of Lot 261, John H. Shary Subd., and also out of abandoned Canal Right-of-Way, from AO-I (Agricultural Open Interim) to R-1A (Large Lot Single Family). Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING A 4.60 ACRE TRACT OF LAND OUT OF LOT 261, JOHN
H. SHARY SUBDIVISION, AND ALSO OUT OF ABANDONED CANAL RIGHT OF WAY,
FROM AO-I (AGRICULTURAL OPEN INTERIM) TO R-1A (LARGE LOT SINGLE FAMILY)

**E. Rezoning: Lots 19 & 20, Block 6, Northwest Addition, from R-3 (Multi-Family Residential) to C-2 (Neighborhood Commercial), Teofilo Aguillon
Adoption of Ordinance # 4025 approving 1.1E**

On December 11, 2013 the Planning and Zoning Commission convened and recommended approval of a C-2 zone. The property was located on the SW corner of Perkins and 20th Street. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval of a C-2.

Staff Recommendation: Approval of C-2.

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 4025 Rezoning: Lots 19 & 20, Block 6, Northwest Addition, from R-3 (Multi-Family Residential) to C-2 (Neighborhood Commercial). Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING LOTS 19 & 20, BLOCK 6, NORTHWEST ADDITION, FROM R-3
(MULTI-FAMILY RESIDENTIAL) TO C-2 (NEIGHBORHOOD COMMERCIAL)

**F. Conditional Use Permit: Texas Citrus Fiesta Carnival, 7.4 acres out of Lot 25-6, West Addition to Sharyland Subd., & Lot 1, North Star Plaza Subd., January 12, 2014 through January 27, 2014, AO-I & C-3, Texas Citrus Fiesta (c/o Berta H. Filut)
Adoption of Ordinance # 4026 approving 1.1F**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located on 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 as per Staff's recommendation.

Staff Recommendation: Approval subject to: 1) installation of a perimeter fence/debris stop; 2) installation of "No Parking" signs along Conway and Griffin Parkway; and 3) Meet noise, insurance, and any other related requirements.

City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Garza moved to approve the CUP and to adopt Ordinance No 4026 Conditional Use Permit: Texas Citrus Fiesta Carnival, 7.4 acres out of Lot 25-6, West Addition to Sharyland Subd., & Lot 1, North Star Plaza Subd., January 12, 2014 through January 27, 2014, AO-I & C-3. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4026

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 SUBDIVISION,
FROM JANUARY 12, 2014 THROUGH JANUARY 27, 2014,

**G. Conditional Use Permit: Texas Citrus Fiesta Fun Fair, Downtown Area, (S. Conway/La Lomita Plaza), January 25, 2014, C-3, Texas Citrus Fiesta (c/o Berta H. Filut)
Adoption of Ordinance # 4027 approving 1.1G**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located at La Lomita Plaza (Leo Pena Park). 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) waiver of the 300' separation; 2) must comply with Health and Fire Codes; and 3) Meet noise, amusement and Entertainment, and any other related codes.

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 4027 Conditional Use Permit: Texas Citrus Fiesta Fun Fair, Downtown Area, (S. Conway/La Lomita Plaza), January 25, 2014, C-3. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4027

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR TEXAS CITRUS FIESTA FUN
FAIR, DOWNTOWN AREA (S. CONWAY/LA LOMITA PLAZA), JANUARY 25, 2014

**H. Conditional Use Permit: To Place a Portable Structure for the Sale of Food - Fiesta Grocery, 208 N. Inspiration Rd., Lot 1, Madrigal Subd., C-2, Valdemar Cantu
Adoption of Ordinance # 4028 approving 1.1H**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located 130' north of W. 2nd Street along the east side of Inspiration Road within the Fiesta Grocery. 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.

Councilman Plata moved to approve the CUP and to adopt Ordinance No 4028 Conditional Use Permit: To Place a Portable Structure for the Sale of Food - Fiesta Grocery, 208 N. Inspiration Rd., Lot 1, Madrigal Subd., C-2. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT TO PLACE A PORTABLE STRUCTURE FOR
THE SALE OF FOOD - FIESTA GROCERY, 208 N. INSPIRATION ROAD, LOT 1,
MADRIGAL SUBDIVISION

**I. Conditional Use Permit Renewal: To keep an 11'x 64' Portable Building for Use as a Sales Office, 1519 E. Expwy 83, Lot 4, Henry Saenz Subd., C-4, Jose H. Acosta
Adoption of Ordinance # 4029 approving 1.1I**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located 600' west of Stewart Road along the north side of the Expressway 83 Frontage Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval as per Staff's recommendation.

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Staff Recommendation: Approval for 3 years.

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 and to adopt Ordinance No 4029 Conditional Use Permit Renewal: To keep an 11' x 64' Portable Building for Use as a Sales Office, 1519 E. Expwy 83, Lot 4, Henry Saenz Subd., C-4. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4029

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT TO KEEP AN 11' X 64' PORTABLE
BUILDING FOR USE AS A SALES OFFICE, 1519 E. EXPRESSWAY 83, LOT 4,
HENRY SAENZ SUBDIVISION**

**J. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic
Beverages – El Costeño Restaurant, 1522 E. Expwy 83, Suites 108 & 109,
Lot 3, Stewart Plaza Subd., C-3, Muelle Del Pacifico, LLC
Adoption of Ordinance # 4030 approving 1.1J**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located on the SW corner of Stewart Road and Expressway 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.

Mayor Pro Tem Garza moved to approve the CUP and to adopt Ordinance No 4030 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – El Costeño Restaurant, 1522 E. Expwy 83, Suites 108 & 109, Lot 3, Stewart Plaza Subd., C-3. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

ORDINANCE NO. 4030

**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 – EL COSTEÑO RESTAURANT,
1522 E. EXPRESSWAY 83, SUITES 108 & 109, LOT 3, STEWART PLAZA SUBDIVISION**

**K. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Tacos La Silla Restaurant, 808 W. Expwy 83, Lots 5 & 6, Block 4, Erdahl Subd., C-3, Tacos La Silla, LLC
Adoption of Ordinance # 4031 approving 1.1K**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located 100' from Holland Road along the north side of Expressway 83. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval for life of use.

Staff Recommendation: Approval for Life of Use.

City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Garza moved to approve the CUP and to adopt Ordinance No 4031 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Tacos La Silla Restaurant, 808 W. Expwy 83, Lots 5 & 6, Block 4, Erdahl Subd., C-3. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4031

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 – TACOS LA SILLA
RESTAURANT, 808 W. EXPRESSWAY 83, LOTS 5 & 6, BLOCK 4, ERDAHL
SUBDIVISION

**L. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Buda's Sushi Bar & Night Club, 1522 W. Expwy 83, Ste. 113, Lot 4, Stewart Plaza Subd., C-3, Sora, LLC
Adoption of Ordinance # 4032 approving 1.1L**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located on the SW corner of Stewart Road and Expressway 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.

Councilman Plata moved to approve the CUP and to adopt Ordinance No 4032 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Buda’s Sushi Bar & Night Club, 1522 W. Expwy 83, Ste. 113, Lot 4, Stewart Plaza Subd., C-3,. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4032

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 – BUDA’S SUSHI BAR & NIGHT CLUB,
1522 E. EXPRESSWAY 83, STE. 113, LOT 4, STEWART PLAZA SUBDIVISION

**M. Conditional Use Permit Renewal: Drive-Thru Service Window – Pollito Grilled Chicken Restaurant, 2701 E. Griffin Parkway, Lot 14, Adams Crossing Subd., Pollito Grilled Chicken, LLC
Adoption of Ordinance # 4033 approving 1.1M**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located 800’ west of Taylor Road along the north side of Griffin Parkway within an existing commercial plaza. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval as per Staff’s recommendation.

Staff Recommendation: Approval for Life of use.

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 and to adopt Ordinance No 4033 Conditional Use Permit Renewal: Drive-Thru Service Window – Pollito Grilled Chicken Restaurant, 2701 E. Griffin Parkway, Lot 14, Adams Crossing Subd. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4033

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU SERVICE
WINDOW – POLLITO GRILLED CHICKEN RESTAURANT, 2701 E. GRIFFIN
PARKWAY, SUITE 14, LOT 14, ADAMS CROSSING SUBDIVISION

**N. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcohol – Pollito Grilled Chicken Restaurant, 2701 E. Griffin Parkway, Suite 14, Lot 14, Adams Crossing Subd., Pollito Grilled Chicken, LLC
Adoption of Ordinance # 4034 approving 1.1N**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located 800’ west of Taylor Road along

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the north side of Griffin Parkway within an existing commercial plaza. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval as per Staff's recommendation.

Staff Recommendation: Approval for Life of use.

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 and to adopt Ordinance No 4034 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcohol – Pollito Grilled Chicken Restaurant, 2701 E. Griffin Parkway, Suite 14, Lot 14, Adams Crossing Subd. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

ORDINANCE NO. 4034

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR THE SALE & ON-SITE
CONSUMPTION OF ALCOHOL – POLLITO GRILLED CHICKEN RESTAURANT
2701 E. GRIFFIN PARKWAY, SUITE 14, LOT 14, ADAMS CROSSING SUBDIVISION

- O. Conditional Use Permit Renewal: Drive-Thru Service Window – Taqueria La Mexicana, 305 W. Griffin Parkway, Lot 1-E, Mission Park Plaza Subd., Taqueria La Mexicana, Inc.
Adoption of Ordinance # 4035 approving 1.10**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located 650' west of Conway along the south side of Griffin Parkway. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval as per Staff's recommendation.

Staff Recommendation: Approval for Life of use.

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 and to adopt Ordinance No 4035 Conditional Use Permit Renewal: Drive-Thru Service Window – Taqueria La Mexicana, 305 W. Griffin Parkway, Lot 1-E, Mission Park Plaza Subd. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

ORDINANCE NO. 4035

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU SERVICE
WINDOW – TAQUERIA LA MEXICANA, 305 W. GRIFFIN PARKWAY, LOT 1-E,
MISSION PARK PLAZA SUBDIVISION

**P. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Taqueria La Mexicana, 305 W. Griffin Parkway, Lot 1-E, Mission Park Plaza Subd., C-3, Taqueria La Mexicana, Inc.
Adoption of Ordinance # 4036 approving 1.1P**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located 650' west of Conway along the south side of Griffin Parkway. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval as per Staff's recommendation.

Staff Recommendation: Approval for Life of use.

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 and to adopt Ordinance No 4036 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Taqueria La Mexicana, 305 W. Griffin Parkway, Lot 1-E, Mission Park Plaza Subd., C-3. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4036

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 BEVEREAGES – TAQUERIA LA MEXICANA,
305 W. GRIFFIN PARKWAY, LOT 1-E, MISSION PARK PLAZA SUBDIVISION

**Q. Conditional Use Permit Renewal: To keep 2 Mobile Homes for Ranch & Security Purposes, 3301 N. Glasscock Rd., 6.08 acre out of Lot 291, John H. Shary Subd., AO-I, Kirk & Jeri Clark
Adoption of Ordinance # 4037 approving 1.1Q**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located approximately ¼ mile north of N. 2 Mile Road along the east side of Stewart 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 5 years.

City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Garza moved to approve the CUP and to adopt Ordinance No 4037 Conditional Use Permit Renewal: To keep 2 Mobile Homes for Ranch & Security Purposes, 3301 N. Glasscock Rd., 6.08 acre out of Lot 291, John H. Shary Subd., AO-I. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4037

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO KEEP A MOBILE HOME FOR RANCH & SECURITY PURPOSES, 3301 N. GLASSCOCK ROAD, 6.08 ACRES OUT OF LOT 291, JOHN H. SHARY SUBDIVISION

**R. Conditional Use Permit Renewal: Drive-Thru Convenience Store 1705 W. Griffin Parkway, Lot 2, Barrera Subd. & Lot 74, Las Misiones Subd., C-3, Florestella Martinez
Adoption of Ordinance # 4038 approving 1.1R**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located on the SW corner of Kirk Avenue and Griffin Parkway. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval as per Staff's recommendation.

Staff Recommendation: Approval for 3 years.

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 4038 Conditional Use Permit Renewal: Drive-Thru Convenience Store 1705 W. Griffin Parkway, Lot 2, Barrera Subd. & Lot 74, Las Misiones Subd. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4038

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU CONVENIENCE STORE, 1705 W. GRIFFIN PARKWAY, LOT 2, BARRERA SUBDIVISION & LOT 74, LAS MISIONES SUBDIVISION

**S. Conditional Use Permit Renewal: To Place a Hotdog Cart, 1705 W. Griffin Parkway, Lot 2, Barrera Subd. & Lot 74, Las Misiones Subd., C-3 Florestella Martinez,
Adoption of Ordinance # 4039 approving 1.1S**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located on the SW corner of Kirk Avenue and Griffin Parkway. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval as per Staff's recommendation.

Staff Recommendation: Approval for 3 years.

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 and to adopt Ordinance No 4039 Conditional Use Permit Renewal: To Place a Hotdog Cart, 1705 W. Griffin Parkway, Lot 2, Barrera Subd. & Lot 74, Las Misiones Subd., C-3. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4039

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT TO PLACE A HOTDOG CART,
1705 W. GRIFFIN PARKWAY, LOT 2, BARRERA SUBDIVISION &
LOT 74, LAS MISIONES SUBDIVISION

- T. Conditional Use Permit Renewal: Portable Building – Sale of Water, 1901 W. 3 Mile Rd., Lot 11, Block 4, Taurus Estates #9 Phase I, C-3, Gilberto Espinosa (Watermill Express)
Adoption of Ordinance # 4040 approving 1.1T**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located on the SW corner of Inspiration Road and 3 Mile Road (the Leo's Drive-In Convenience Store). There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval as per Staff's recommendation.

Staff Recommendation: Approval for life of use.

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 and to adopt Ordinance No 4040 Conditional Use Permit Renewal: Portable Building – Sale of Water, 1901 W. 3 Mile Rd., Lot 11, Block 4, Taurus Estates #9 Phase I, C-3. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

ORDINANCE NO. 4040

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR A PORTABLE BUILDING – SALE
OF WATER, 1901 W. 3 MILE ROAD, LOT 11, BLOCK 4, TAURUS ESTATES #9 PH. I

- U. Conditional Use Permit Renewal: Manufacturing & Re-packaging of Peanuts, Chicharrones, etc. in a C-4 Zone, 715 N. Glasscock Rd., Suite 5, Lot 5, 83 International Business Plaza, C-4, Sazon Latino
Adoption of Ordinance # 4041 approving 1.1U**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located within a warehouse plaza 765' south of U.S. Business 83 and west along "C" Street. There was no public opposition during the

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P&Z Mtg. The Board unanimously recommended approval for 3 years.

Staff Recommendation: Approval for life of use.

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 4041 Conditional Use Permit Renewal: Manufacturing & Re-packaging of Peanuts, Chicharrones, etc. in a C-4 Zone, 715 N. Glasscock Rd., Suite 5, Lot 5, 83 International Business Plaza, C-4. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

ORDINANCE NO. 4041

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR MANUFACTURING &
RE-PACKAGING OF PEANUTS, CHICHARRONES, ETC. IN A C-4 ZONE,
715 N. GLASSCOCK ROAD, SUITE 5, LOT 5, 83 INTERNATIONAL
BUSINESS PLAZA SUBDIVISION

**V. Conditional Use Permit Renewal: To Keep a Second Residence to Maximize Health Care & General Assistance to Stricken Parents, 406 W. 22nd Street, Lot D, Northside Subd. No. 2, R-1, David Garza
Adoption of Ordinance # 4042 approving 1.1V**

On December 11, 2013 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located at the NE corner of Peace Avenue and W. 22nd Street. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval as per Staff's recommendation.

Staff Recommendation: Approval for 5 years.

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 and to adopt Ordinance No 4042 Conditional Use Permit Renewal: To Keep a Second Residence to Maximize Health Care & General Assistance to Stricken Parents, 406 W. 22nd Street, Lot D, Northside Subd. No. 2, R-1. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4042

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT TO KEEP A SECOND RESIDENCE TO
MAXIMIZE HEALTH CARE & GENERAL ASSISTANCE TO STRICKEN PARENTS,
406 W. 22ND STREET, LOT D, NORTHSIDE SUBDIVISION NO. 2

2.0 Disposition of Minutes

2.1 City Council Meeting – November 25, 2013

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

3.0 Acknowledge Receipt of Minutes

3.1 Mission Historical Museum – July 27, 2013

Zoning Board of Adjustments – September 18, 2013 and November 13, 2013

Speer Memorial Library Board – October 15, 2013

Mission Economic Development Corporation Special Meeting – October 24, 2013

Boys & Girls Club – November 13, 2013

Citizens Advisory Committee – October 22, 2013

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

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

4.0 Approvals and Authorizations

4.1 Preliminary Plat Approval: Tres Picos Subd., Ph. I, A 4.10 acre tract of land out of Lot A, Park Subd., AO-I (C-3 & R-2 proposed)

Developer: Tres Rios, LLC,

Engineer: Nain Engineering

On December 11, 2013 the Planning and Zoning Commission 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 Board unanimously recommended approval as per Staff's recommendation.

Staff Recommendation: Approval subject to: 1) no objection to private street variance, subject to meeting private street policy, 2) Must pay capital sewer recovery and park fees, and 3) Must comply with all other format findings.

City Manager recommended approval.

Councilman Plata moved to approve Preliminary Plat Approval: Tres Picos Subd., Ph. I, A 4.10 acre tract of land out of Lot A, Park Subd., AO-I (C-3 & R-2 proposed) Developer: Tres Rios, LLC, Engineer: Nain Engineering. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

4.2 Adoption of Ordinance # 4043 Amending Section 86-155(b)(2)c of the Sign Code – Changeable Copy Sign 'Maximum Size and Height'

During the last City Council meeting, Staff had a variance request for a sign proposal (by Burns Motors) to remove an existing ground pole sign in order to replace it with a changeable copy sign of the same size.

During the meeting, staff was directed by Dr. Ocana to research the current size allowed for changeable copy signs along the Expressway Corridor in order to refine and amend this portion of the code. The following amendment should be helpful to the business community & transient public:

- c. Changeable Copy Sign:
 - 1. Minimum Setback: Five feet from the property line.
 - 2. Maximum Size: ~~210~~ 484 square feet.
 - 3. Maximum Height: ~~50~~ 60 feet.

These changes would afford business owners the opportunity to install a changeable copy sign that would be similar to what they may currently have as an existing ground pole sign, similar to the Burns Motors sign.

Staff Recommendation: Staff recommended approval.

City Manager recommended approval.

Councilman O'cana moved to approve adoption of Ordinance No. 4043 Amending Section 86-155(b)(2)c of the Sign Code – Changeable Copy Sign ‘Maximum Size and Height’. Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 4043

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS,
AMENDING SEC. 86-155(b)(2)c OF ITS CODE OF ORDINANCES INCREASING THE
MAXIMUM SIZE AND HEIGHT OF CHANGEABLE COPY SIGNS LOCATED ON
PROPERTIES ALONG THE EXPRESSWAY CORRIDOR, AND PROVIDING FOR ITS
PUBLICATION

4.3 Adoption of Ordinance # 4044 Amending Certain Sections of Appendix A of the Code of Ordinances regarding the Regulatory Size of Non-Living Accessory Structures within Residential Zones on Total Square Footage Area and Height (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)

The approval of this ordinance amendment would allow non-living accessory structures to be larger than currently permitted. The current ordinance permitted a maximum of 800 square foot and 15’ height for carport or garage. This amendment would permit such accessory structures to be more proportional in relationship to the primary residence.

Staff and City Manager recommended approval.

City Attorney David Guerra informed the council that this item was incident to a lawsuit that had been settled, so he advised council to discuss this item during executive session under the “Consultation with Attorney” exception before considering this item in open session.

At 5:54 p.m. Mayor Pro Tem Garza requested to continue on to item 4.4 of the agenda.

Mayor Pro Tem Garza moved to approve adoption of Ordinance No 4044 Amending Certain Sections of Appendix A of the Code of Ordinances regarding the Regulatory Size of Non-Living Accessory Structures within Residential Zones on Total Square Footage Area and Height'. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4044

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AMENDING SECTIONS 1.37-2(d), 1.371-2(d), 1.372-2(d) AND 1.38-2(h) OF APPENDIX A OF ITS CODE OF ORDINANCES TO CHANGE THE MAXIMUM ALLOWABLE SIZE OF NON-LIVING ACCESSORY STRUCTURES WITHIN RESIDENTIAL ZONES BASED ON TOTAL SQUARE FOOTAGE AREA AND HEIGHT OF THE PRIMARY STRUCTURE, AND PROVIDING FOR ITS PUBLICATION

Mayor Salinas continued onto item 7.1-A of the agenda.

4.4 Request by St. Paul Catholic Church to construct an enclosed foyer/entryway ten inches into road right-of-way along Francisco Ave.

St. Paul was requesting authorization to enclose the area leading to the main entrance of the church. As per the City Attorney's direction, the front setback infringement was presented to the Zoning Board of Adjustments and Appeals (ZBA) on December 4, 2013 wherein the board unanimously approved the variance.

Staff did not object to this unique request based on the following reasons: 1) the proposal did not impede pedestrian nor vehicular traffic, 2) the church owned all of Block 192, Mission Original Townsite, and 3) Francisco Avenue had sixty feet of right-of-way and was paved thirty-five feet back to back which left twelve and a half feet on each side of the road.

Staff Recommendation: Staff recommend approval subject to the execution and recording of a hold harmless agreement.

City Manager recommended approval.

Councilwoman Ramirez moved to approve the request by St. Paul Catholic Church to construct an enclosed foyer/entryway ten inches into road right-of-way along Francisco Ave. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.5 Authorization for Mayor to submit Rio Grande Valley Walk of Fame Nominee

The City of Hidalgo was requesting for the City of Mission to submit a name from our community leaders to be inducted to the Rio Grande Valley Walk of Fame.

The induction ceremony was to take place during the BorderFest Festivities.

Staff Recommendation: Authorization for Mayor to submit nomination.

City Manager recommended approval.

Councilman Plata moved to authorize for Mayor to submit Rio Grande Valley Walk of Fame Nominee. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

4.6 Approval of Memorandum of Understanding with South Texas College in regard to the use of the Shary Municipal Golf Course

The City of Mission and South Texas College had developed a memorandum of understanding where the parties agreed to the following:

- CITY agreed to:
 - Provide playing privileges to said College for the 2014 School year (January 1, 2014 to May 31st, 2014 on days that the Shary Municipal Golf Course was regularly open.
- South Texas College agreed to:
 - Pay the City of Mission the sum of \$125.00 for playing privileges per college player.

Staff Recommendation: Approval of Memorandum of Understanding.

City Manager recommended approval.

Councilman O'cana moved to approve Memorandum of Understanding with South Texas College in regard to the use of the Shary Municipal Golf Course. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.7 Award bid for the purchase of bunker sand for Shary Municipal Golf Course

On October 28th, 2013, City Council authorized staff to solicit for bids for approximately 600 tons of bunker sand staff was seeking authorization to purchase approximately 600 tons of bunker sand to recondition sand bunkers on Shary Municipal Golf Course. Staff received one (1) responsive bid from Osburn Materials of Pleasanton, Texas which met all requirements. Staff was seeking approval for acceptance of bid at \$9.50 per ton.

Staff Recommendation: Authorization to purchase bunker sand from Osburn Materials Inc.

City Manager recommended approval.

Councilman O'cana moved to approve to award bid for the purchase of bunker sand for Shary Municipal Golf Course. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.8 Tax Collections Report – October, 2013

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

Staff and City Manager recommended approval.

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

4.9 Award bid for the purchase of Pest Control Services for City of Mission Buildings

On October 28, 2013, City Council authorized staff to solicit bids for Pest Control Services, which included labor, materials and equipment required for preventive pest control service for numerous

city buildings. The City of Mission had accepted and opened one (1) bid response for Pest Control Services. Staff recommended awarding bid to Excellent Pest Control, LLC who submitted fair and reasonable pricing based on historical costs and met all the Terms & Conditions and Specifications.

Staff Recommendation: Authorization to award Pest Control Services to Excellent Pest Control LLC.

City Manager recommended approval.

Councilman O'cana moved to approve to award bid for the purchase of Pest Control Services for City of Mission Buildings. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

4.10 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 Wastewater Department, Water Distribution and Streets/Drainage Department. Staff was seeking authorization to purchase the equipment via state approved cooperative:

Staff Recommendation: Authorization to purchase via state approved Buy Board contracts 430-13, 358-10 424-13, and 345-10.

City Manager recommended approval.

Councilwoman Ramirez moved to authorize to purchase equipment via State Approved Contract for the Public Works Department. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

4.11 Authorization to Execute Second-One Year Renewal Option for Liquid Aluminum Sulfate for North and South Water Plants

In 2011, the City of Mission entered into agreement with General Chemical Performance Products, LLC for the purchase of Liquid Aluminum Sulfate. The contract terms were for one year with two one-year renewal options based on 5% increase in price. The price would remain the same. Staff was seeking authorization to extend contract for second-one year renewal option with General Chemical Products, LLC. This agreement would extend Bid No 11-372-10-17 from October 28, 2013 through October 27, 2014.

Staff Recommendation: Authorization to extend contract for second-one year renewal option to General Chemical Performance Products, LLC

City Manager recommended approval.

Councilman O'cana moved to authorize to Execute Second-One Year Renewal Option for Liquid Aluminum Sulfate for North and South Water Plants. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

4.12 Authorization to Execute Second-One Year Renewal Option for Copper Sulfate for North and South Water Plants

In 2011, the City of Mission entered into agreement with Altivia Corporation for the purchase of Copper Sulfate. Altivia Corporation was acquired by Brenntag Southwest, Inc. on December 31, 2012 and had agreed to keep pricing the same with a zero increase. The contract terms were for one year with two one-year renewal options based on 10% increase in price. Staff was seeking authorization to extend contract for second-one year renewal option with Brenntag Southwest, Inc. This agreement would extend Bid No 11-372-10-17 from October 1, 2013 through September 30, 2014.

Staff Recommendation: Authorization to extend contract for second-one year renewal option with Brenntag Southwest, Inc.

City Manager recommended approval.

Councilman O'cana moved to authorize to Execute Second-One Year Renewal Option for Copper Sulfate for North and South Water Plants. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

4.13 Approval of Change Order No. 1 for Moorefield 15" Sanitary Sewer line Project with HL Projects & Construction

Change Order No. 1 was a request for the City of Mission to increase base bid from \$360,625.20 to \$365,809.00, a \$5,183.80 increase in cost. An unknown water line from a separate utility district was encountered and the conflict needed to be address in order to install the 15" Sewer Line at grade in accordance with TCEQ regulations. Change Order was under the 25% (at 1.44%) from original contract cost set by the Texas Governmental Code.

Staff Recommendation: Accept Change Order No. 1

City Manager recommended approval.

Councilman O'cana moved to approve Change Order No. 1 for Moorefield 15" Sanitary Sewer line Project with HL Projects & Construction. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

4.14 Authorization to solicit bids for Gorman Rupp Pumps for Waste Water Treatment Plant

Staff was seeking authorization to solicit bids for the purchase of Gorman Rupp Pumps. Gorman Rupp Pumps were needed by the Public Works Department to replace the main pumps at the lift stations. It would be more cost effective to replace than to repair the current pumps.

Staff Recommendation: Authorization to solicit for bids.

City Manager recommended approval.

Councilwoman Ramirez moved to authorize to solicit bids for Gorman Rupp Pumps for Waste Water Treatment Plant. Motion was seconded by Councilman Plata and approved unanimously 4-0.

At 6:04 p.m. Mayor Salinas rejoined the meeting.

4.15 Authorizing Mayor to submit letter of support on behalf of the City of Mission to the Rio Grande Regional Water Authority (RGRWA) for a Strategic Water Management Plan

The RGRWA, along with Black & Veatch, was pursuing grant applications from the Texas Water Development Board and other funding agencies to offset some of the costs of this effort. The City of Mission intended to support coordination efforts by providing information, staff involvement and executive leadership to help successfully complete and guide this project. It was understood that additional supplementary funds to support the effort would be evaluated and quantified in the near future for consideration by all stakeholders.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize Mayor to submit letter of support on behalf of the City of Mission to the Rio Grande Regional Water Authority (RGRWA) for a Strategic Water Management Plan. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

4.16 Authorization to enter into a Standard Software Maintenance Agreement with New World Systems Corporation

The City of Mission Police Department was requesting authorization to enter into a Standard Software Maintenance Agreement with New World Systems Cooperation for a period of five (5) years. New World Systems had been the software provider for all the records management systems to include computer aided dispatch, jail, mug shots, bar coding, records management, field reporting etc. since 1991. New World Systems provided service to all of the software modules and included any upgrades to the current operating system. The five (5) year contract would be beneficial to the organization with cost saving to the city instead of the engaging in the yearly contract. Costs for year one and two would be \$95,000.00 a year and years three to five would be a total of \$98,000.00 a year. New World Systems is a sole source vendor in that services or features from another provider would not be compatible with the Police Department's system.

Staff Recommendation: Staff was respectfully requesting authorization to enter into a Standard Software Maintenance Agreement with New World Systems Corporation for a period of five years.

City Manager recommended approval.

Councilman O'cana moved to authorize to enter into a Standard Software Maintenance Agreement with New World Systems Corporation. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.17 Authorization to submit the 2014 Local Border Security Program Grant application to the Texas Homeland Security State Administrative Agency (LBSP-14)

The Mission Police Department was requesting authorization to submit the 2014 Local Border Security Program Grant application to the Texas Homeland Security State Administrative Agency (LBSP-14). The Mission Police Department was applying for \$263,136.01 in overtime funds and fuel costs. The grant funds if awarded would be utilized to provide overtime funds to Mission Police Officers for the purpose of increasing police patrols throughout the city and to assist with

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criminal investigations into the detection of crime. A portion of the grand funds would also cover fuel costs associated with the utilization of marked Mission Police patrol units. The operation would be in effect from January through August of 2014.

Staff Recommendation: Staff was respectfully requesting authorization to submit the 2014 Local Border Security Program Grant application to Texas Homeland Security State Administrative Agency (LBSP-14).

City Manager recommended approval.

Councilwoman Ramirez moved to authorize to submit the 2014 Local Border Security Program Grant application to the Texas Homeland Security State Administrative Agency (LBSP-14). Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.18 Board Appointments – Ambulance Board, Citizen Advisory Committee, Civil Service Commission, Mission Historic Preservation, Parks & Recreation Board, Planning & Zoning Commission, 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

For review was the list of Board and Committee Appointments to expire December 31, 2013, along with the recommendation of Mayor Salinas.

**BOARDS AND COMMITTEES
TERMS EXPIRING DECEMBER 31, 2013**

	Willing to Continue	Expiration Date
AMBULANCE BOARD		
➤ Mario Lizcano	Yes	December 31, 2013
➤ Javier Iruegas	Yes	December 31, 2013
➤ Tim Brown	Yes	December 31, 2013

MAYOR’S RECOMMENDATION: Re-Appoint Mario Lizcano, Javier Iruegas and Tim Brown

CITIZENS ADVISORY COMMITTEE

➤ Irma Fernik	(NW)	Yes	December 31, 2013
➤ Rosie B. Lopez	(SE)	Yes	December 31, 2013
➤ Hector Leal	(NE)	Yes	December 31, 2013
➤ Lupe Ozuna	(SW)	Yes	December 31, 2013
➤ Severo Rodriguez	(SE)	Yes	December 31, 2013
➤ Roel Rivera	(SW)	Yes	December 31, 2013
➤ VACANT	(NW)		December 31, 2014

MAYOR’S RECOMMENDATION: Re-Appoint Irma Fernik, Rosie Lopez, Hector Leal, Lupe Ozuna, Severo Rodriguez and Roel Rivera. Appoint Connie Garza for the vacant NW position.

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CIVIL SERVICE COMMISSION

- Ruben Femat December 31, 2013

MAYOR'S RECOMMENDATION: Re-Appoint Ruben Femat

MISSION HISTORIC PRESERVATION COMMISSION

- Ricardo Martinez Yes December 31, 2013
- Steve Martinez Yes December 31, 2013
- Hollis Rutledge Yes December 31, 2013
- Kathy Olivarez Yes December 31, 2013

MAYOR'S RECOMMENDATION: Re-Appoint Ricardo Martinez, Steve Martinez, Hollis Rutledge and Kathy Olivarez

PARKS AND RECREATION BOARD

- Carina Garza Yes December 31, 2013
- Tim Brown Yes December 31, 2013
- VACANT December 31, 2014

MAYOR'S RECOMMENDATION: Re-Appoint Carina Garza, Tim Brown and appoint Rolando Reyna for the vacant position

PLANNING & ZONING COMMISSION

- Ned Sheats Yes December 31, 2013
- Mario Garza Yes December 31, 2013

MAYOR'S RECOMMENDATION: Re-Appoint Ned Sheats and Mario Garza

SHARY GOLF COURSE ADVISORY BOARD

- Rudy Garcia Yes December 31, 2013
- Polo de Leon Yes December 31, 2013
- Richard Dooley RESIGNED December 31, 2014

MAYOR'S RECOMMENDATION: Re-Appoint Rudy Garcia and Polo de Leon and appoint Isaac Martinez to replace Richard Dooley who resigned

SPEER MEMORIAL LIBRARY BOARD

- Cynthia Leon Yes December 31, 2013
- Elizabeth Garza Yes December 31, 2013
- Sheila Valles-Pankratz Yes December 31, 2013

MAYOR'S RECOMMENDATION: Re-Appoint Cynthia Leon, Elizabeth Garza and Sheila Valles-Pankratz

TAX INCREMENT REINVESTMENT BOARD (TIRZ)

➤ Eunice Sanchez	Yes	December 31, 2013
➤ David Crook	Yes	December 31, 2013
➤ Joel A. Gonzalez	Yes	December 31, 2013
➤ Hector Leal	No	December 31, 2013

MAYOR'S RECOMMENDATION: Re-Appoint Eunice Sanchez, David Crook and Joel Gonzalez. Appoint Al Beltran to replace Hector Leal.

TRAFFIC SAFETY COMMITTEE

➤ Sylvia Cruz	Yes	December 31, 2013
➤ Apolonio Cardoza	Yes	December 31, 2013
➤ Howard Snyders	Yes	December 31, 2013

MAYOR'S RECOMMENDATION: Re-Appoint Sylvia Cruz, Apolonio Cardoza and Howard Snyders

YOUTH ADVOCACY ADVISORY BOARD

➤ Dr. Noel Garza	RESIGNED	December 31, 2013
➤ Veronica Vela	Yes	December 31, 2013
➤ Deborah Cordova	Yes	December 31, 2013
➤ Estella Saenz	Yes	December 31, 2013
➤ Norma Cruz	Yes	December 31, 2013
➤ Carl Davis	RESIGNED	December 31, 2013
➤ Tom Rivera	Yes	December 31, 2013

MAYOR'S RECOMMENDATION: Re-Appoint Veronica Vela, Deborah Cordova, Estella Saenz, Norma Cruz and Tom Rivera. Appoint Carlo Garza to replace Carl Davis and Reynaldo Gonzalez, Jr. to replace Dr. Noel Garza.

ZONING BOARD OF ADJUSTMENTS

➤ Jaime Acevedo		December 31, 2013
➤ Jorge Garcia	RESIGNED	December 31, 2013

Alternates

➤ Sam Rodio		December 31, 2013
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MAYOR'S RECOMMENDATION: Re-Appoint Jaime Acevedo and appoint Sam Rodio as a member to replace Jorge Garcia.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ADVISORY BOARD
MUNICIPAL COURT JUDGES

Jonathan Whermeister, term to expire December 31, 2013

LAW ENFORCEMENT

Chief Martin Garza, term to expire December 31, 2013

FIRE DEPARTMENT
Chief Ricardo Saldana, term to expire December 31, 2013
PARKS AND RECREATION DEPARTMENT
Julian Gonzalez, term to expire December 31, 2013

MAYOR'S RECOMMENDATION: Re-Appoint Jonathan Whermeister, Chief Ricardo Saldana and Julian Gonzalez and appoint Chief Roberto Dominguez to the Law Enforcement position.

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

City Manager recommended approval.

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

4.19 Award bid for Commerce Drive Drainage Improvements

City Council authorized staff to solicit bids for Drainage Improvements at Commerce Drive. The City of Mission had accepted and opened thirteen (13) bid responses for the drainage improvements. Staff was recommending awarding to RDH Site and Concrete whose total base bid was \$193,058 and was the lowest responsive and responsible bidder meeting all specifications. MEDC would reimburse the engineering fees and construction cost of this project.

Staff Recommendation: Award bid to RDH Site and Concrete in the amount of \$193,058.

City Manager recommended approval.

Councilman Plata moved to approve to award bid for Commerce Drive Drainage Improvements. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

City Attorney Guerra advised the council to discuss this item and items 4.21 and 4.22 during executive session under the "Consultation with Attorney" exception before considering these items in open session.

Mayor Salinas agreed and asked council to go into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001 under "Consultation with Attorney" for items 4.3, 4.20, 4.21, 4.22, 7.1-A, 7.1-B, and 7.1-C of the agenda.

At 6:14 p.m., Councilman O'cana moved to convene into executive session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.20 Authorization to hire Channin Engineering for the reroofing project for Mission Public Safety Building

Staff was requesting authorization to hire Channin Engineering for the reroofing project for Mission Police Department. Channin Engineering would be working with staff to develop re-construction specifications and recommended a roofing system for this project.

Staff and City Manager recommended approval.

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Councilman Plata moved to authorize to hire Channin Engineering for the reroofing project for Mission Public Safety Building. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.21 Authorization to solicit bids for the reroofing of the Mission Public Safety Building

Staff was seeking authorization to solicit bids for the reroofing of the Mission Police Department roof.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to solicit bids for the reroofing of the Mission Public Safety Building. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.22 Budget Amendments: PD – Federal Sharing Fund, Municipal Court Technology Fund

Assistant Finance Director Perez presented the budget amendments BA–2014-28 thru BA–2014-31 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve budget amendments BA–2014-28 thru BA–2014-31 which included budget reclassifications of \$600,000 from the Federal Sharing Fund to repair the Public Safety Building roof as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

None

6.2 Mayor's Comments

None

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

7.1 Consultation with Attorney Sec. 551.071

- A. Claims regarding Public Safety Building and issues incident there to**
- B. Agua Special Utility District proposed construction of a wastewater treatment plant and collection system in the City of Mission**
- C. City of Mission vs BFI Waste Services of Texas, LP, dba Republic Services of Rio Grande Valley**

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

At 8:00 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

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Mayor Salinas continue onto item 4.3 of the agenda.

On item 7.1-A, Councilman Plata moved to authorize the Mayor and City Manager to negotiate and settle any and all claims the City had against Williamson Construction Company in regards to the construction of the Public Safety Building and execute a settlement agreement in regards there to. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

On item 7.1-B, no action was taken.

On item 7.1-C, no action was taken.

Mayor Salinas continued onto item 4.20 of the agenda.

8.0 Adjournment

At 8:08 p.m., Mayor Pro Tem Garza moved for adjournment. Motion was seconded by Councilman Plata and approved unanimously 5-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary