

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
DECEMBER 19, 2011 4:30 P.M.  
MISSION CITY HALL**

**PRESENT:**

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

**ABSENT:**

Norberto Salinas, Mayor

**ALSO PRESENT:**

Kathy Olivarez, Progress Times  
Gail Burkhardt, The Monitor  
Alex Meade  
Maxi Lou Link  
Richard Perez  
Arturo Lerma

**STAFF PRESENT:**

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

**1. Call to order**

With a quorum being present, Mayor Pro Tem Leo Olivarez called the meeting to order at 4:30 p.m.

**2. Pledge Allegiance and Invocation**

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

**3. Departmental Reports**

Councilwoman Norie Gonzalez Garza moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Maria Elena Ramirez and approved unanimously 4-0.

**4. Presentation by Boy Scout Troop 83a**

Arturo Lerma presented appreciation plaques to Dolly Elizondo, Sergio Zavala and Julio Cerda for their dedication and support to Boy Scout Troop 83.

**5. Report from the Greater Mission Chamber of Commerce**

Matt Ruszczak, CEO of the Greater Mission Chamber of Commerce reported on chamber events that had recently taken place and on upcoming events.

**6. Citizen Participation – Francis Ciancarelli remarks Fire & Police Departments**

Francis Ciancarelli thanked the police department for their great presentation they gave to the Sharyland Plantation Delegates and for making the arrangements for the tours of PD's South Station and FD's Station # 5.

**7. Citizens Participation**

None

**1.0 Public Hearing**

**1.1 Planning & Zoning Recommendations**

None

**2.0 Disposition of Minutes**

**2.1 City Council Meeting – November 28, 2011  
and Special City Council Meeting – December 7, 2011**

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

**3.0 Acknowledge Receipt of Minutes**

**3.1 Mission Redevelopment Authority – October 25, 2011  
Mission Tax Increment Reinvestment Zone – October 25, 2011**

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

**4.0 Approvals and Authorizations**

**4.1 Award bid for the purchase of Fire Rescue Tools (Jaws of Life) for Fire Department**

On August 22, 2011, City Council authorized staff to solicit bids for the purchase of Fire Rescue Tools (Jaws of Life). The City of Mission had accepted and opened two (2) bid responses for Fire Rescue Tools (Jaws of Life). Staff recommended awarding bid in the amount of \$37,122.81 to Municipal Emergency Services, Inc. who was lowest responsible bidder meeting specifications.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve to award bid for the purchase of Fire Rescue Tools (Jaws of Life) for Fire Department. Motion was seconded by Councilman Plata and approved unanimously 4-0.

#### 4.2 Approval of AmeriCorps Youth Harvest Operational Site Agreement

This was an agreement that allowed Speer Memorial Library to serve as an operational site to host AmeriCorps Youth Harvest students in tutoring and mentoring community members.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve AmeriCorps Youth Harvest Operational Site Agreement. Motion was seconded by Councilwoman Garza and approved unanimously 4-0.

#### 4.3 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 Border Fest Festivities which was the first weekend in March.

Staff and City Manager recommended approval.

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

#### 4.4 Board Appointments – Ambulance Board, Building Board of Adjustments, Citizens Advisory Committee, Civil Service Commission, Mission Historic Preservation Commission, 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

For review was the list of Board and Committee Appointments to expire December 31, 2012, along with the recommendation of Mayor Salinas.

#### BOARD AND COMMITTEE APPOINTMENTS

##### AMBULANCE BOARD

- Mario Lizcano
- Javier Iruegas
- Mr. Ignacio Pecina

##### Expiration

December 31, 2011  
December 31, 2011  
December 31, 2011

MAYOR'S RECOMMENDATION: Re-Appoint Mario Lizcano and Javier Ireguas and appoint Tim Brown to replace Ignacio Pecina.

##### BUILDING BOARD OF ADJUSTMENTS

- Carl Davis
- Michael Davis

December 31, 2011  
December 31, 2011

MAYOR'S RECOMMENDATION: Re-Appoint Carl Davis and Michael Davis

CITIZENS ADVISORY COMMITTEE

- Irma Fernik (NW) December 31, 2011
- Rosie B. Lopez (SE) December 31, 2011
- Hector Leal (NE) December 31, 2011
- Lupe Ozuna (SW) December 31, 2011
- Severo Rodriguez (SE) December 31, 2011
- Roel Rivera (SW) (Replace) December 31, 2011

MAYOR'S RECOMMENDATION: Re-Appoint Irma Fernik, Rosie B. Lopez, Hector Leal, Lupe Ozuna, Severo Rodriguez

CIVIL SERVICE COMMISSION

- Jerry Saenz December 31, 2011

MAYOR'S RECOMMENDATION: Re-Appoint Jerry Saenz

MISSION HISTORIC PRESERVATION COMMISSION

- Julie Saenz December 31, 2011
- Rebecca Crook December 31, 2011

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

PARKS AND RECREATION BOARD

- Rolando Barrera December 31, 2011
- Cris Voss December 31, 2011
- Demetrio Gaona December 31, 2011

MAYOR'S RECOMMENDATION: Re-Appoint Rolando Barrera and Cris Voss and appoint Henry Rodriguez to replace Demetrio Gaona

PLANNING & ZONING COMMISSION

- Ned Sheats December 31, 2011
- Marisela G. Marin December 31, 2011
- Rene A. Flores December 31, 2011
- Jose Guadalupe Vela (DECEASED) December 31, 2012

MAYOR'S RECOMMENDATION: Re-Appoint Ned Sheats, Marisela G. Marin, Rene A. Flores. Appoint Diana Yzaguirre to fill the vacancy of Jose Guadalupe Vela term to expire December 31, 2012

SHARY GOLF COURSE ADVISORY BOARD

- Charles Zey (MOVED) December 31, 2011
- Richard Dooley December 31, 2011
- Luis Ortega December 31, 2011

MAYOR'S RECOMMENDATION: Re-Appoint Richard Dooley and appoint Carl Davis to replace Charles Zey who moved and appoint Mariano Garcia to replace Luis Ortega

SPEER MEMORIAL LIBRARY BOARD

- Michael Manuel December 31, 2011
- Beth Blanton December 31, 2011
- Jeanette Garza December 31, 2011

MAYOR'S RECOMMENDATION: Re-Appoint Michael Manuel, Beth Blanton and Jeanette Garza

TAX INCREMENT REINVESTMENT BOARD (TIRZ)

- Eunice Sanchez December 31, 2011
- David Crook December 31, 2011
- Joel A. Gonzalez December 31, 2011
- Hector Leal December 31, 2011

MAYOR'S RECOMMENDATION: Re-Appoint Eunice Sanchez, David Crook, Joel A. Gonzalez and Hector Leal

TRAFFIC SAFETY COMMITTEE

- Luis Dovalina December 31, 2011
- Asst. Chief Martin Garza December 31, 2011
- Arturo Molina December 31, 2011

MAYOR'S RECOMMENDATION: Re-Appoint Luis Dovalina, Asst Chief Martin Garza and Arturo Molina

YOUTH ADVOCACY ADVISORY BOARD

- Dr. Noel Garza December 31, 2011
- Omar de Leon December 31, 2011
- Deborah Cordova December 31, 2011
- Estella Saenz December 31, 2011
- Mona Parras December 31, 2011
- Carl Davis December 31, 2011
- Richard Hernandez December 31, 2011
- Rick Acevedo (MOVED) December 31, 2012

MAYOR'S RECOMMENDATION: Re-Appoint Dr. Noel Garza, Omar de Leon, Deborah Cordova, Estela Saenz and Carl Davis. Appoint Jose Luis Flores to replace Mona Parras, appoint Tom Rivera to replace Richard Hernandez. Appoint Raul Pena to fill the vacancy of Rick Acevedo term expiring December 31, 2012.

ZONING BOARD OF ADJUSTMENTS

- Ned Sheats December 31, 2011
- Jorge Garcia December 31, 2011

Alternates

- Jon D. Lown December 31, 2011

MAYOR'S RECOMMENDATION: Re-Appoint George Garcia and Jon D. Lown. Appoint Daniel Tijerina who currently serves as an alternate to replace Ned Sheats

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve the Board Appointments as presented with the exception that Mr. Abiel Flores replaces Ned Sheats on Planning and Zoning and recommended the appointment of Gus Martinez to Parks and Recreation Board. Motion was seconded by Councilman Plata and approved unanimously 4-0.

**4.5 Approval of Ordinance # 3721 granting a wet designation for 307 W. Griffin Pkwy, Dollar General Store #12194**

Staff was requesting the above mentioned property be wet zoned for Wine and Beer Retailer's Off-Premise Permit.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Ordinance No. 3721 granting a wet designation for 307 W. Griffin Pkwy, Dollar General Store #12194. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

**ORDINANCE NO. 3721**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AMENDING ORDINANCE NO.780 DESIGNATING PLACES WHERE BEER AND OTHER ALCOHOLIC BEVERAGES MAY BE SOLD WITHIN THE CORPORATE LIMITS OF THE CITY OF MISSION TO INCLUDE THE PREMISES LOCATED AT 307 W. GRIFFIN PARKWAY, DOLLAR GENERAL STORE # 12194

**4.6 October 2011 Financial Statements**

Mrs. Flores presented and recommended approval of the Financial Statements for October, 2011.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve the October 2011 Financial Statements as presented. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

**4.7 Approval of Ordinance # 3722 providing for the approval of agreement between the State of Texas and the City of Mission for the continued existence, use, operation and maintenance of Highway Traffic Signals**

Proposed traffic signal agreement was for the City of Mission to assume operation and maintenance of existing traffic signals now that the population was in excess of 50,000. Under the terms of this agreement the city pays for electrical power, operation and maintenance of all the non-freeway locations. The City of Mission had coordinated traffic signal upgrades and needed repairs with TxDOT through this year.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve Ordinance No. 3722 providing for the approval of agreement between the State of Texas and the City of Mission for the continued existence, use, operation and maintenance of Highway Traffic Signals. Motion was seconded by Councilman Plata and approved unanimously 4-0.

**ORDINANCE NO. 3722**

AN ORDINANCE PROVIDING FOR THE APPROVAL OF THE AGREEMENT DATED BETWEEN THE STATE OF TEXAS AND THE CITY OF MISSION, FOR THE CONTINUED EXISTENCE, USE, OPERATION, AND MAINTENANCE OF HIGHWAY TRAFFIC SIGNALS(S) AT THE LOCATION (S) SHOWN ON EXHIBIT 1, ATTACHED HERETO AND MADE A PART HEREOF, IN THE CITY OF MISSION; PROVIDING FOR THE EXECUTION OF SAID AGREEMENT, AND DECLARING AN EMERGENCY

**4.8 Authorization to execute First-One Year Renewal Option for Sludge Management Services for Public Works Dept.**

In February 2011, the City of Mission entered into a contract with Terra Renewal West, L.L.C. for the purchase Sludge Management Services. The contract terms were for one year with two one-year renewal options based on 3% increase in price. The price would remain the same for the first one-year renewal. Staff was seeking authorization to extend contract with Terra Renewal West, L.L.C. This agreement would extend Bid No 11-090-12-28 from February 1, 2012 through January 31, 2013.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to execute First-One Year Renewal Option for Sludge Management Services for Public Works Dept. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

**4.9 Authorization to reject and re-solicit bids for Ready Mix Concrete for Streets and Parks & Recreation Depts.**

On November 14, 2011, City Council authorized staff to solicit bids for the purchase of Ready Mix Concrete for daily operations to include the placement of sidewalks, curb, gutters, inlets, and manholes located throughout various locations within the City. The City of Mission had accepted and opened one (1) bid response from Spence Concrete Company. Staff was seeking authorization to reject and re-solicit bids since Spence Concrete Company was found non-responsive for not submitting a bid bond or cashier's check for 5% of the total amount of the bid.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize to reject and re-solicit bids for Ready Mix Concrete for Streets and Parks & Recreation Depts. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

**4.10 Authorization for the lease to Purchase via State Approved Contract for John Deere 2500E E-Cut Hybrid Riding Greens Mower**

On November 14, 2011 City Council authorized staff to solicit bids or purchase a Greens Mower via State Approved Contract for the Golf Course-Maintenance Division. Staff was seeking authorization for the lease to purchase a John Deere 2500E E-Cut Hybrid Riding Greens Mower-Diesel via state approved contract BuyBoard 373-11 in the amount of \$30,435.87. Item had been budgeted for.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize for the lease to Purchase via State Approved Contract for John Deere 2500E E-Cut Hybrid Riding Greens Mower. Motion was seconded by Councilman Plata and approved unanimously 4-0.

**4.11 Approval of Resolution # 1303 authorizing the Mission Police Dept. to submit an agreement for the temporary closure of State Right-of-way to the Texas Department of Transportation for the Texas Citrus Fiesta Parade**

**RESOLUTION NO. 1303**

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

**4.12 Approval of Change Order No. 1 for Northwest Park (Hollis Rutledge Sr.) Baseball Fields Fencing Project**

Additional gates and fence installed would increase the total amount of the contract with Hurricane Fence Co. by \$1,768 (5% of Original Contract Amount).

Change Order #1 would increase original contract amount from \$33,445.00 to \$35,213.00. Change order WAS less than the 25% cap allowed by the Texas Local Government Code.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve of Change Order No. 1 for Northwest Park (Hollis Rutledge Sr.) Baseball Fields Fencing Project. Motion was seconded by Councilman Plata and approved unanimously 4-0.

**4.13 Award bid for the construction of Northwest Park (Hollis Rutledge Sr.) Pavilion**

On February 14, 2011, City Council authorized staff to solicit bids for the construction of the Northwest Park (Hollis Rutledge Sr.) Pavilion. The City of Mission had accepted and opened seven (7) bid responses for the construction of the Northwest Park Pavilion. Staff recommended awarding bid in the amount of \$73,700.00 to Lamar Construction who was the lowest responsible bidder meeting all the Terms & Conditions and Specifications.

Staff and City Manager recommended approval.

Councilman Plata moved to approve to award bid for the construction of Northwest Park (Hollis Rutledge Sr.) Pavilion. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

**4.14 Award bid for the Catholic War Veterans Skate Park Improvements**

On February 22, 2010, City Council authorized staff to solicit bids for the Catholic War Veterans Skate Park Improvements. The City of Mission had accepted and opened six (6) bid responses for the improvements of the Skate Park. Staff recommended awarding bid in the amount of \$89,777.00 to Del Sol Homes who is the lowest responsible bidder meeting all the Terms &



## **Minutes, 12/19/11 Pg. 9**

Conditions and Specifications.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve to award bid for the Catholic War Veterans Skate Park Improvements. Motion was seconded by Councilman Plata and approved unanimously 4-0.

### **5.0 Unfinished Business**

None

### **6.0 Routine Matters**

#### **6.1 City Manager's Comments**

Thanked Chief Leo Longoria for all of his hard work and dedication during the past 25 years.

#### **6.2 Mayor's Comments**

Mayor Pro Tem Olivarez thanked the employees for their hard work and wished everyone Happy Holidays and a Happy New Year.

At 4:55 p.m., Councilman Plata stepped out of the meeting.

At 4:57 p.m., Councilwoman Garza moved to convene into executive session. Motion was seconded by Councilwoman Ramirez and approved unanimously 3-0.

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

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

**A. State of Texas vs Residence and lot described as all of Lot 37, Buena Vista Subd., Unit 1, McAllen, Hidalgo County Texas et al, and other matters related thereto**

**B. Donation to The Pharr Literacy Center Project, Inc.**

#### **7.2 Deliberation regarding real property Sec. 551.072**

**A. Acquisition of property being a 1.90 Acre, Lot 17-9, West Addition to Sharyland**

#### **7.3 Personnel matters Sec. 551.074**

**A. City Manager's Employment Agreement**

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

At 5:22 p.m., Councilwoman Ramirez moved to reconvene in open session. Motion was seconded by Councilwoman Garza and approved unanimously 4-0.

On item 7.1-A, Councilwoman Garza moved to consent to City Attorney hiring Bob Galligan of Jones, Galligan, Key, & Lozano to represent the city regarding this matter. Motion was seconded by Councilman Plata and approved unanimously 4-0

On item 7.1-B, no action was taken.

On item 7.2-A, Councilwoman Garza moved to authorized City manager to purchase said property in the amount of \$175,000.00. Motion was seconded by Councilman Plata and approved unanimously 4-0.

**Minutes, 12/19/11 Pg. 10**

On item 7.3-A, no action was taken.

**8.0 Adjournment**

At 5:23 p.m., Councilwoman Garza moved for adjournment. Motion was seconded by Councilman Plata and approved unanimously 4-0.

---

Norberto Salinas, Mayor

ATTEST:

---

Anna Carrillo, City Secretary