

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
FEBRUARY 10, 2014 4:30 P.M.
MISSION CITY HALL**

PRESENT:

Norberto Salinas, Mayor
Maria Elena Ramirez, Councilwoman
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:

Ruben D. Plata, Councilman

ALSO PRESENT:

Mr. & Mrs. Romulo Martinez
Rosa Zapata
Beth Barnes
Jim Barnes
Joe B. Garza
Rick Rivera
Nieves Reyes, Jr.
Cindy Reyes
AL Beltran
Alejandro Espinosa
Alex Meade
Richard Perez
Kathy Olivarez, Progress Times

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Aida Lerma, Deputy City Manager
Elizabeth Hernandez, Executive Secretary
Danny Tijerina, Planning Director
Bobby Salinas, Asst. Planning Director
Rick Saldana, Fire Chief
Gilbert Sanchez, Fire Marshal
Robert Dominguez, Chief of Police
Janie Flores, Finance Director
Randy Perez, Asst. Finance Director
Roberto Salinas, Public Works Director
Paul Schaefer, Golf Course Director
Eduardo Belmarez, Purchasing Director
Julian Gonzalez, Parks & Rec. Director
Robert Hinojosa, Risk Manager
Jesse Lerma, Civil Service Director
Roland Rodriguez, I. T. Director
Luis Contreras, Museum Director
Mayra Rocha, Library Director
Jonathan Wehrmeister, Judge
Angie Vela, Finance Dept.
Humberto Garcia, Media Relations Officer
Charlie Longoria, Media Relations Dept.

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:40 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 – Children's Advocacy Center

City Secretary Anna Carrillo read the proclamation for Children's Advocacy Center.

Councilman Dr. Armando O'cana moved to approve the proclamation as presented. Motion was seconded by Councilwoman Maria Elena Ramirez and approved unanimously 3-0.

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Ms. Tina Martin, Chairman of the Board of the Children's Advocacy Center received the proclamation and thanked the Council and Chief of Police Roberto Dominguez for all of their support.

4. 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. He also advised Mayor and Council on upcoming events.

5. Departmental Reports

Councilman O'cana moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Ramirez and approved unanimously 3-0.

6. Citizens Participation

At 4:51 p.m., Mayor Pro Tem Norie Gonzalez Garza joined the meeting.

Jim Barnes thanked the Mission Police Department and the City of Mission for being a supporter of an event that was held in support of constitutional rights especially the 2nd Amendment.

Chief of Police Dominguez was glad the Mission Police Department was able to team up with this group of residents and was able to assist them at this event.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

A. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Buffalo Wings and Rings, 907 S. Shary Rd, Lot 2A, Colorado Subd., C-3, Alejandro Espinosa, Adoption of Ordinance # 4056 approving 1.1A

On January 22, 2014 the Planning and Zoning Commission convened and approved the conditional use permit request mentioned above, which was located on the NE corner of Shary Road and Colorado Street. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval for 3 years.

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 O'cana moved to approve the CUP as recommended by staff and to adopt Ordinance No 4056 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Buffalo Wings and Rings, 907 S. Shary Rd, Lot 2A, Colorado Subd., C-3. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

ORDINANCE NO. 4056

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 – BUFFALO WINGS AND RINGS, 907 S. SHARY ROAD, LOT 2A, COLORADO SUBDIVISION

**B. Rezoning: Lots 2, 3 & 4, Glenwood Subd., from R-1 (Single Family Residential) to C-3 (General Business), Texas Regional Bank, c/o Michael Scaief
Adoption of Ordinance # 4057 approving 1.1B**

On January 22, 2014 the Planning and Zoning Commission convened and recommended approval of a C-3 zone. The property was located approximately 180' west of Shary Road along the south side of Griffin Parkway. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval of C-3.

Staff Recommendation: Approval of C-3.

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 as recommended by staff and to adopt Ordinance No 4057 Rezoning: Lots 2, 3 & 4, Glenwood Subd., from R-1 (Single Family Residential) to C-3 (General Business). Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

ORDINANCE NO. 4057

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING LOTS 2, 3 & 4, GLENWOOD SUBDIVISION, FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-3 (GENERAL BUSINESS)

C. Mission Economic Development Corporation Industrial Revenue Bonds (Western Emulsions, Inc., Project)

Public Hearing: A Public hearing related to the issuance of one or more series of industrial development revenue bonds in an aggregate principal amount not to exceed \$3,650,000, by the MEDC for Western Emulsions, Inc. The project was to finance and refinance the acquisition, construction, improvement and equipping of a facility for the Manufacture of asphalt emulsion products used in the repair, preservation and recycling of pavement, all located on parcel of approximately 6.6 acres at the northeast corner of the intersection of Wendland Road and Wilsonart Drive, in Temple, Texas.

An ad was published in The Monitor on January 24, 2014.

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

Staff Recommendation: Public Hearing Only.

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Mayor Salinas asked if there were any comments for or against this public hearing.

There were no comments.

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

D. Public Hearing in accordance with the Code of Ordinances of the City of Mission – Chapter 118 – Section 32-2 (d) TaxiCab Permit for Mission City Taxi

Cindy Reyes owner of Mission City Taxi filed an application for a Taxicab permit. A notice through publication in accordance with the Taxi Cab ordinance had been published regarding this Public Hearing for the purpose of allowing all holders of taxicab permits or any citizens shall thereupon be entitled to file any complaints or protests that the parties see fit. The applicant was responsible for establishing a need for the additional taxicab service in the City of Mission.

As per Ordinance # 3313 the number permitted taxicabs was four (4). Currently the City of Mission has no registered Taxicab Companies.

Staff Recommendation: Public Hearing Only.

Mayor Salinas asked if there were any comments for or against this public hearing.

There were no comments.

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

2.0 Disposition of Minutes

2.1 City Council Meeting – January 27, 2014

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

3.0 Acknowledge Receipt of Minutes

3.1 Mission Historical Museum – December 16, 2013

Speer Memorial Library Board – December 17, 2013

Planning & Zoning Commission – January 8, 2014

Juvenile Justice & Delinquency Prevention – November 13, 2013

Citizens Advisory Committee – December 10, 2013

Councilman O’cana moved to acknowledge the receipt of minutes as presented. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

4.0 Approvals and Authorizations

4.1 Discussion and Action for an Extraterritorial Jurisdiction Agreement with the City of Peñitas

On April 22, 2013, Planning informed the City Council that the City of Peñitas wished to enter into an ETJ agreement with the City of Mission.

The City of Mission and City of Peñitas met and came up with a proposed ETJ agreement between the two cities.

On January 22, 2014, the City of Peñitas reviewed and approved the proposed ETJ agreement.

The proposed ETJ agreement defined the common boundary lines between the City of Mission and the City of Peñitas in order to establish clear lines of demarcation for the most efficient development and delivery of services to the citizens in the area in question.

Staff Recommendation: Approval of the ETJ agreement.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Extraterritorial Jurisdiction Agreement with the City of Penitas. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

4.2 Request for One Open Cut by Mission CISD in relation to their parking lot improvements for the Mission High School – Girls Softball Field

MCISD had provided plans to construct a new parking lot for the Mission High School – Girls Softball Field. The parking lot would be located in the NE area of Cummings Ave. and Kika de La Garza Loop. The plans included a proposed drainage line that would tap into an existing 30” line located on the west side of Cummings on Eagle Dr. Javier Hinojosa Engineering was proposing to connect to the 30” line by providing an open cut on Cummings Ave.

The cut would be at the Cummings/Eagle Dr. intersection. The back-to-back pavement overlay would follow the street’s flow line plus 25’ on either side of the actual cut. This meant that there would be approx. a 35’ x 50’ overlay on the Cummings/Eagle Dr. cut.

Staff did not object to the open cut since the overlay would be professionally completed & inspected; further, it would result in a more viable drainage system for the High School parking lot, and improve the quality of service to the general area.

Staff Recommendation: Approval subject to the pavement overlay complying with typical city standards inclusive of the 1-year warranty (by the contractor).

City Manager recommended approval.

Mayor Salinas recommended that the City overlay the whole street from Cummings Ave. all the way down to 18th St. and also all the way down to Kika de la Garza Loop.

Councilman O’cana moved to approve the request for One Open Cut by Mission CISD in relation to their parking lot improvements for the Mission High School – Girls Softball Field as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

4.3 Authorization to issue a permit to operate a Taxicab Service in the City of Mission to Mission City Taxi

Authorization was being requested to issue a permit to operate a Taxicab Service in the City of Mission to Mission City Taxi.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to authorize to issue a permit to operate a Taxicab Service in the City of Mission to Mission City Taxi. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

4.4 Approval of Resolution No. 1373 authorizing the Mission Police Dept.to submit the Mission Police Department’s SAFEE – Supporting Adolescent Futures with Encouragement & Enforcement Grant to the Office of the Governor’s Criminal Justice Division

On Wednesday, February 05, 2014 the Juvenile Justice and Delinquency Prevention Advisory Board met and reviewed the submission of Operation SAFEE – Supporting Adolescent Futures with Encouragement & Enforcement Grant and approved the submission of the grant. Therefore, the Mission Police Department was requesting authorization to submit the Mission Police Department’s Operation SAFEE Grant to the Office of the Governors’ Criminal Justice Division. The grant application request was for the funding of a full time police officer to track all juvenile cases heard by Mission Municipal Court Judges in an effort to assure that all juveniles appearing before the judges comply with judge’s order. The total amount of the grant request was \$61,971.00. There was no cash match required for this grant.

Staff Recommendation: Authorize the submission of the Mission Police Department’s Operation SAFEE – Supporting Adolescent Futures with Encouragement & Enforcement Grant to the Office of the Governor’s Criminal Justice Division.

City Manager recommended approval.

Councilman O’cana moved to approve Resolution No 1373 authorizing the Mission Police Dept.to submit the Mission Police Department’s SAFEE – Supporting Adolescent Futures with Encouragement & Enforcement Grant to the Office of the Governor’s Criminal Justice Division. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

RESOLUTION NO. 1373

AUTHORIZING THE MISSION POLICE DEPT. TO SUBMIT THE MISSION POLICE DEPARTMENT’S SAFEE – SUPPORTING ADOLESCENT FUTURES WITH ENCOURAGEMENT & ENFORCEMENT GRANT TO THE OFFICE OF THE GOVERNOR’S CRIMINAL JUSTICE DIVISION

4.5 Approval of Resolution # 1374, A Resolution of the City Council of City of Mission approving the issuance of Industrial Development Revenue Bonds by the Mission Economic Development Corporation to Finance and Refinance a Manufacturing Project for Western Emulsions, Inc.

Lee McCormick, President of Community Development Associates, had facilitated the issuance of Industrial Development Revenue Bonds by the Mission Economic Development Corporation (Mission EDC) for the purpose of financing and refinancing a manufacturing project for Western Emulsions, Inc., under the assistance of Mission EDC’s Private Activity Bond program.

Staff Recommendation: Approval of Resolution.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Resolution No 1374 approving the issuance of Industrial Development Revenue Bonds by the Mission Economic Development Corporation to Finance and Refinance a Manufacturing Project for Western Emulsions, Inc. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

RESOLUTION NO. 1374

RESOLUTION OF THE CITY COUNCIL OF CITY OF MISSION APPROVING
THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS BY
THE MISSION ECONOMIC DEVELOPMENT CORPORATION TO FINANCE
AND REFINANCE A MANUFACTURING PROJECT FOR WESTERN
EMULSIONS, INC.

4.6 Acceptance of the Comprehensive Annual Financial Report (CAFR) for Fiscal Year ended 9/30/13

Finance Director, Janie Flores requested acceptance of the Comprehensive Annual Financial Report (CAFR) for Fiscal Year ending 09/30/13.

Mr. Ruben Moreno, representative with Long Chilton, LLP presented and answered questions from the Council in reference to the Audit.

Staff and City Manager recommended approval.

Councilman O'cana moved to accept the Comprehensive Annual Financial Report (CAFR) for Fiscal Year ending 09/30/13 as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

4.7 Discussion and action to approve and remit to the Sharyland Water Supply Corp., (SWSC) the attached Ballot/Proxy form

The SWSC was requesting the City of Mission, as a qualifying member of the corporation, to submit a ballot/proxy by the date indicated. This ballot/proxy was for the filling, by election, of three Director positions, and to vote on by-law changes. This item was to authorize the Mayor to vote the ballot or to execute the proxy. The meeting date was scheduled for February 26, 2014.

Staff Recommendation: Approval as presented.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve and remit to the Sharyland Water Supply Corp., (SWSC) the Ballot/Proxy form. Motion was seconded by Councilwoman Ramirez and approved 3-1 with Councilman O'cana against since he didn't believe a Proxy Vote should be given, but in favor of Mayor's Salinas' duty to vote.

4.8 Approval of Interlocal Agreement between the City of Mission and Texas A&M University-Kingsville

The City of Mission was currently a member of the Lower Rio Grande Valley Storm water Task Force via an Interlocal Agreement between the City of Mission and Texas A&M University-Kingsville (TAMUK). Current Interlocal Agreement would expire by the end February 2014. This

agreement entailed continuous participation in the regional task force which aided the City of Mission with compliance of TCEQ and federal (EPA) laws and regulations. Agreement included a maximum of one calendar year extension, after the date of expiration of the fixed term.

Staff Recommendation: Approval of Interlocal Agreement.

City Manager recommended approval.

Councilwoman Ramirez moved to approve Interlocal Agreement between the City of Mission and Texas A&M University-Kingsville. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

4.9 Approval of Amendment #1 to Advance Funding Agreement between the State of Texas and the City of Mission for the Mile 2 North from Moorefield Road to Inspiration Road Project

Amendment #1 was being requested to the Local Transportation Project Advance Funding Agreement between the State of Texas and the City for the Mile 2 North from Moorefield Road to Inspiration Road Reconstruction and Widening Project. The Advance Funding Agreement was approved on June 25, 2012.

This amendment added Category 7 Metropolitan Mobility and Rehabilitation funds for Right of Way and construction for the project.

Staff Recommendation: Approval of Amendment #1.

City Manager recommended approval.

Councilman O'cana moved to approve Amendment #1 to Advance Funding Agreement between the State of Texas and the City of Mission for the Mile 2 North from Moorefield Road to Inspiration Road Project. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

4.10 Authorization to execute First-One year renewal option or solicit bids for Ready Mix Concrete for Streets and Parks & Recreation Departments

Staff was seeking authorization to execute first-one year renewal Ready Mix Concrete for Streets, and Parks & Recreations Departments. Ready Mix Concrete would be used for daily operations to include the placement of sidewalks, curb, gutters, inlets, and manholes located throughout various locations within the City. This agreement would extend Bid No. 13-127-01-24 from February 15, 2014 thru February 14, 2015. Contract would increase by 5%, \$74.00 to \$78.00 per CY.

Staff Recommendation: Authorization to extend contract for the first-one year renewal option with (CAPA).

City Manager recommended approval.

Councilwoman Ramirez moved to authorize to execute First-One year renewal option for Ready Mix Concrete for Streets and Parks & Recreation Departments as recommended by staff. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

4.11 Authorization to award bid for the overlay of various streets throughout the City of Mission

On January 13, 2014 City Council gave authorization to solicit bids for the Overlay project of various streets throughout the City of Mission. The City of Mission had accepted and opened ten (10) bid responses for this project. Staff along with Javier Hinojosa Engineering was recommending awarding to Foremost Paving, Inc., who was lowest responsible bidder meeting all specifications in the amount of \$357,053.00.

Staff Recommendation: Award Bid to Foremost Paving, Inc.

City Manager recommended approval.

Councilwoman Ramirez moved to authorize to award bid for the overlay of various streets throughout the City of Mission. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

4.12 Authorization to solicit bids for the construction of shade Canopies at the CVW swimming pool located on South Mayberry

Staff was seeking authorization to solicit bids for the construction of shade canopies at the CWV swimming pool located on South Mayberry.

Staff Recommendation: Authorization to solicit bids.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to solicit bids for the construction of shade Canopies at the CVW swimming pool located on South Mayberry. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

City Manager Garza mentioned the Ribbon Cutting ceremony that was held for the Mission Boys and Girls Gym and the Natatorium at Bannworth Park and invited the public to the International Blind Tennis Tournament and Exhibition match.

6.2 Mayor's Comments

None

7.0 Adjournment

At 5:34 p.m., Councilman O'cana moved for adjournment. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary