

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
FEBRUARY 23, 2015 4:30 P.M.  
MISSION CITY HALL**

**PRESENT:**

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

**ABSENT:**

**ALSO PRESENT:**

Jim & Beth Barnes  
Joe Sanchez  
Nicholas Halper  
Ivan Garcia  
Nora Arguelles  
Andrea Balboa  
Tomas Gutierrez  
Arnoldo Cadena  
Orlando JV Gutierrez  
Nancy Rodriguez  
Juan Eliseo Gonzalez Jr.

**STAFF PRESENT:**

Carmen Morales, Administrative Asst.  
Aida Lerma, Deputy City Manager  
Danny Tijerina, Planning Director  
Jose Angel Garza, Asst. Planning Director  
Roberto Salinas, Public Works Director  
Mario Flores, Golf Director  
Joanne Longoria, CDBG Director  
Rene Lopez, Fire Chief  
Gilbert Sanchez, Fire Marshal  
Eduardo Belmarez, Purchasing Director  
Robert Dominguez, Chief of Police  
Joel Laralde, Asst. Chief of Police  
Randy Perez, Interim Finance 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  
Belinda Garza, Library  
Jonathan Wehrmeister, Judge  
Juan Pablo Terrazas, City Engineer  
Alex Meade, MEDC Chief Exec. Officer

**1. Call to order**

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:32 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. Report from the Greater Mission Chamber of Commerce

George Myers, CEO of the Greater Mission Chamber of Commerce gave the council a report on tourism. Mr. Myers also reported on the chamber events that had recently taken place and on a successful Mega Winter Texan event. He also advised Mayor and Council on upcoming events to include Mission Day in Austin to be held March 4-5, 2015.

### 4. Departmental Reports

Councilman Ruben Plata moved to approve the departmental reports as presented. Motion was seconded by Councilman Dr. Armando O'cana and approved unanimously 4-0.

### 5. Citizens Participation

None

At 4:40 p.m. Councilwoman Jessica Ortega-Ochoa joined the meeting.

#### 1.0 Public Hearing

##### 1.1 Planning & Zoning Recommendations

- A. Rezoning: The Easternmost 60' of the South ½ of Block 8, Citriana Heights, from C-2 (Neighborhood Commercial) to C-3 (General Business), Arnolito Cadena Adoption of Ordinance # 4194 approving 1.1A**

On February 11, 2015 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located at the NW corner of Del Mar Street and Ebano Avenue. There was no public opposition during the P&Z Mtg. The Board unanimously recommended denial of the C-3 zone. A 4/5ths favorable vote was required to 'approve' the rezoning.

Staff and City Manager recommended denial of C-3 zone.

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

Mr. Arnolito Cadena the applicant in favor of the request was present to answer any questions the council had and stated that he needed this rezoning to be approved from a C-2 to C-3 so he may use this location as a car lot.

Mayor Pro Tem Norie Gonzalez Garza moved to approve the rezoning and to adopt Ordinance No 4194 Rezoning: The Easternmost 60' of the South ½ of Block 8, Citriana Heights, from C-2 (Neighborhood Commercial) to C-3 (General Business) as recommended. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

### **ORDINANCE NO. 4194**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING THE EASTERNMOST 60' OF THE SOUTH ½ OF BLOCK 8,  
CITRIANA HEIGHTS, FROM C-2 (NEIGHBORHOOD COMMERCIAL) TO C-3 (GENERAL  
BUSINESS)

**B. Conditional Use Permit: Home Occupation – Licensed Child Daycare, 4204 San Roman, Lot 26, Paseo Lindo Phase 2 Subdivision, PUD Nora Arguelles Adoption of Ordinance # 4195 approving 1.1B**

On February 11, 2015 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit. The subject site was located approximately 400' east of Santa Engracia along the Southside of San Roman. There was some opposition voiced during the P&Z Mtg. The concerns voiced were in regards to the traffic generated by the daycare. The Board unanimously recommended approval.

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 O'cana moved to approve the cup and to adopt Ordinance No 4195 Conditional Use Permit: Home Occupation – Licensed Child Daycare, 4204 San Roman, Lot 26, Paseo Lindo Phase 2 Subdivision, PUD as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4195**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION – LICENSED  
CHILD DAYCARE AT 4204 SAN ROMAN, LOT 26, PASEO LINDO PHASE 2  
SUBDIVISION

**C. Conditional Use Permit: To Place an ATM Drive-Thru Lane, 2416 E. Expressway 83, Lot 1B, Sharyland Place Subdivision, C-3, Services in Motion Adoption of Ordinance # 4196 approving 1.1C**

On February 11, 2015 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit. The property was located approximately ¼ mile east of Shary Road on the south side of U.S. 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.

Councilman Plata moved to approve the cup and to adopt Ordinance No 4196 Conditional Use Permit: To Place an ATM Drive-Thru Lane, 2416 E. Expressway 83, Lot 1B, Sharyland Place Subdivision, C-3 as recommended. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

**ORDINANCE NO. 4196**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT TO PLACE AN ATM DRIVE-THRU LANE,  
2416 E. EXPRESSWAY 83, LOT 1B, SHARYLAND PLACE SUBDIVISION

**2.0 Disposition of Minutes**

**2.1 City Council Meeting – February 09, 2015**

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

**3.0 Acknowledge Receipt of Minutes**

**3.1 Parks and Recreation Board Meeting – January 14, 2015**

**Zoning Board of Adjustments – October 15, 2014**

**Planning and Zoning Commission – January 28, 2015**

**Mission Historical Museum – January 19, 2015**

**Mission Economic Development Corporation – January 20, 2015**

**Mission Boys & Girls Club – January 21, 2015**

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

**4.0 Approvals and Authorizations**

**4.1 Preliminary Plat Approval: Santa Lucia Development Subdivision, A 5.399 acre tract of land being part or portion of Lot 166, John H. Shary Subdivision, R-3 & C-3, Developer: Blanca Ramirez Ayala, Engineer: Rio Delta Engineering**

On February 11, 2015 the Planning and Zoning Commission convened and approved the Preliminary and Final Plat for Santa Lucia Development Subdivision. The proposed subdivision was located on the NW corner of Taylor Road and Colorado Road. The P&Z board unanimously recommended approval as per Staff’s recommendation.

Staff and City Manager recommended approval.

Mayor Pro tem Garza moved to approve the Preliminary Plat Approval: Santa Lucia Development Subdivision, A 5.399 acre tract of land being part or portion of Lot 166, John H. Shary Subdivision, R-3 & C-3, Developer: Blanca Ramirez Ayala, Engineer: Rio Delta Engineering as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

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

On December 16, 2013 the City Council convened and approved the Preliminary Plat Approval for Tres Picos Subdivision, Ph. I. The property was located approximately 1,000’ west of Taylor Road along the north side of Griffin Parkway (the old Mr. Fun’s site). The developer had completed the infrastructure improvements, and was requesting final plat approval in order to record the plat.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the Final Plat Approval: Tres Picos Subdivision, Ph. I, A 4.10 acre tract of land out of Lot A, Park Subdivision, C-3 & R-2, Developer: Tres Rios, LLC Engineer: Nain Engineering as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

At 5:01 p.m., Mayor Salinas requested a five minute break.

At 5:06 p.m., Mayor Salinas and Council returned to the meeting and proceeded with item 4.3 of the agenda.

**4.3 Approval of Ord. # 4197 granting a wet designation for 308 N. Conway, Suite 5, Traviata Wine & Liquor**

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

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Ordinance No. 4197 granting a wet designation for 308 N. Conway, Suite 5 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 4197**

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 308 N. CONWAY, SUITE 5

**4.4 Re-schedule 1st Regular City Council Meeting in March from Monday, March 9, 2015 to Thursday, March 12, 2015**

The office of the City Manager was requesting the 1st meeting in March be re-scheduled from Monday, March 9 to Thursday, March 12 at 4:30 p.m. due to the Mayor and a Councilmember being out of town on official city business.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve to re-schedule 1st Regular City Council Meeting in March from Monday, March 9, 2015 to Thursday, March 12, 2015 as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.5 Tax Collections Report – January, 2015**

Randy Perez, Interim Finance Director presented the Tax Collections Report for January, 2015 for approval.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the Tax Collections Report for January, 2015 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

#### **4.6 January 2015 Financial Statements**

Mr. Perez presented the January 2015 Financial Statements for approval.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the January 2015 Financial Statements as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

#### **4.7 Authorization to award bid for Chain Link Fence at First Street Park**

On December 15, 2014 City Council gave authorization to solicit bids for chain link fence at First Street Park. The City of Mission had accepted and opened four (4) bid responses for this project. Staff was recommending awarding bid to Excellent Fence who was lowest responsible bidder meeting all specifications in the amount \$18,936.06.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve authorization to award bid for Chain Link Fence at First Street Park as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.8 Award bid for Roadside Mowing and Litter Removal Services**

On January 12, 2015, City Council authorized staff to solicit bids for Roadside Mowing and Litter Removal Services, which included labor, materials and equipment required for service. The City of Mission had accepted and opened three (3) bid responses for Roadside Mowing and Litter Removal Services. Staff recommended awarding bid to Gulf Coast Contractors Inc. who submitted fair and reasonable pricing based on costs analysis and met all the Terms & Conditions and Specifications.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to approve to award bid for Roadside Mowing and Litter Removal Services as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

#### **4.9 Authorization to engage Halff Associates for Professional Electrical Design Services for 1<sup>st</sup> Street Park**

Staff was seeking authorization to engage Halff Associates for Electrical Engineering services for the 1<sup>st</sup> Street Park. Halff Associates would develop specifications and plans for electrical design and construction administration. There was an official proposal from Halff Associates for a lump sum professional fee of \$7,500.

City Manager recommended approval.

Councilman Plata moved to approve authorization to engage Halff Associates for Professional Electrical Design Services for 1<sup>st</sup> Street Park as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.10 Authorization to award bids for the purchase of Flexbase Commercial Caliche for Public Works Department**

On January 12, 2015, City Council authorized staff to solicit bids for the purchase of Flexbase Commercial Caliche for Streets and Water Distribution Division under Public Works Department. The City of Mission had accepted and opened three (3) bid responses for this material. Staff recommended awarding to IOC Company, who was the lowest responsible bidder meeting specifications. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one year base term. (\$8.88/ton)

Staff and City Manager recommended approval.

Councilman O’cana moved to approve authorization to award bids for the purchase of Flexbase Commercial Caliche for Public Works Department as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.11 Authorization to award bids for the purchase of Ready Mix Concrete for Public Works and Parks & Recreation Departments**

On January 12, 2015, City Council authorized staff to solicit bids for the purchase of Ready Mix Concrete for Public Works and Parks & Recreation Department. The City of Mission had accepted and opened one (1) bid response for this material. Staff recommended awarding to CAPA/Magic Valley Concrete, who was the lowest responsible bidder meeting specifications. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one year base term (\$98.00/CY).

Staff and City Manager recommended approval.

Councilman Plata moved to approve authorization to award bids for the purchase of Ready Mix Concrete for Public Works and Parks & Recreation Departments as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

**4.12 Authorization to Execute Payment for Emergency purchase of High Service Pump No. 1 at the North Water Treatment Plant**

In accordance with Local Government Code, General Exceptions, Paragraph 252.022 (a)(1)(2) “a procurement made because of a public calamity that required the immediate appropriation of money to relieve the necessity of the municipality’s residents or to preserve the property of the municipality” and “a procurement necessary to preserve or protect the public health or safety of the municipality’s residents”, hence staff was seeking authorization as an “Emergency Purchase” to execute payment of New High Service pump No. 1 for the North Water Treatment plant to Dynamic Pump Systems, LLC. High Service Pump No. 1 experienced an un-repairable mechanical failure resulting in potentially low water pressure through our distribution system.

Staff and City Manager recommended approval.

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Councilman Plata moved to approve authorization to execute payment for Emergency purchase of High Service Pump No. 1 at the North Water Treatment Plant as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

### **4.13 Authorization to solicit bids for landscaping project at 1<sup>st</sup> Street Park**

The City of Mission was currently working on the improvements at 1<sup>st</sup> Street Park and trees and plants were needed for landscaping this project.

Items to be purchased included:

12 shade trees, 275 bougainvilleas and 5 palms

The Parks department would be doing the planting of the items.

Staff Recommendation: Approval to solicit bids for landscaping project

City Manager recommended approval.

Councilman Plata moved to approve authorization to solicit bids for landscaping project at 1<sup>st</sup> Street Park, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

### **4.14 Budget Amendments – CDBG Fund**

Mr. Perez presented the budget amendment BA–2015-37 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve budget amendment BA–2015-37 as recommended. Motion was seconded by Mayor Pro Tem Garza and approved 4-1 with Councilman O’cana against.

## **5.0 Unfinished Business**

None

## **6.0 Routine Matters**

### **6.1 City Manager’s Comments**

City Manager Garza thanked the Chamber of Commerce, Mission Historical Museum, and Golf Course Departments for their contributions to a successful Mega Winter Texan Fiesta.

Councilman O’Cana also thanked all of the departments.

### **6.2 Mayor’s Comments**

Mayor Salinas thanked the Chamber of Commerce for all of their hard work in putting together a successful Mega Winter Texan Fiesta.

Mayor Salinas asked council to go into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001.



At 5:27 p.m., Councilman O'cana moved to convene into executive session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

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

**7.1 Personnel Matters Sec. 551.074**

**A. Approval of Professional Services Contract for Mark Sossi, P.C.**

**B. Approval of Professional Services Contract for Carlos Ortegon**

**7.2 Consultation with Attorney Sec. 551.071**

**Deliberation regarding real property Sec. 551.072**

**A. Sale of property described as Lot 24 in Block 2, of Erdahl Subdivision recorded in Volume 14, Page 5, Map Records of Hidalgo County, Texas.**

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

At 5:42 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

On item 7.1-A, Councilman Plata moved to authorize Mayor to execute Professional Services Contract with Attorney Mark Sossi, P.C. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

On item 7.1-B, Councilman Plata moved to authorize Mayor to execute Professional Services Contract with Attorney Carlos Ortegon. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

On item 7.2-A, Mayor Pro Tem Garza moved to deny the request by Gar-Sal Properties to withdraw their bid for Lot 24 in Block 2, of Erdahl Subdivision. Motion was seconded by Councilwoman Ochoa to approve the denial unanimously 5-0.

**8.0 Adjournment**

At 5:43 p.m., Councilman O'cana moved for adjournment. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

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Norberto Salinas, Mayor

ATTEST:

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Anna Carrillo, City Secretary