

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
APRIL 14, 2014 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:

Kathy Olivarez, Progress Times
Margarita Nino
Sheila M. Valles
Mike Manuel
Jim Barnes
Opal Billman
Francisco Martinez
Stewart Skloss
Eleazar Zavala
Solid Rock Const.
Ester Salinas
Jorge Flores
Al Beltran
E. Madrigal

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Aida Lerma, Deputy City Manager
J.J. Rodriguez, Deputy City Manager
Elizabeth Hernandez, Executive Secretary
Danny Tijerina, Planning Director
Alex Hernandez, Planning Dept.
Rick Saldana, Fire Chief
Gilbert Sanchez, Fire Marshal
Robert Dominguez, Chief of Police
Janie Flores, Finance Director
Roberto Salinas, Public Works Director
Joanne Longoria, CDBG Director
Eduardo Belmarez, Purchasing 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
Humberto Garcia, Media Relations Officer
James Cardoza, Emergency Coordinator

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:37 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. Introduction of J.J. Rodriguez, Deputy City Manager

City Manager Garza introduced Mr. J.J. Rodriguez, Deputy City Manager to the Mayor, Council and citizens.

4. Proclamation – Safe Digging Month in Mission

City Secretary Anna Carrillo read the proclamation Safe Digging Month in Mission.

Councilman Ruben Plata moved to approve the proclamation as presented. Motion was seconded by Councilwoman Maria Elena Ramirez and approved unanimously 3-0.

5. Proclamation – Public Safety Telecommunicators Week

Chief of Police Roberto Dominguez read the proclamation and recognized Lieutenant Gabriel Zuniga, Sergeant Gracie Guerrero, Supervisor Sara Salinas and Telecommunicator Vanessa Perez.

Councilwoman Ramirez moved to approve the proclamation as presented. Motion was seconded by Councilman Plata and approved unanimously 3-0.

6. Proclamation – National Library Week

Library Director Mayra Rocha read the proclamation and recognized Board Member Michael Manuel and Board President Sheila Valles-Pankratz who thanked the Mayor and the Council for all of their support.

Councilman Plata moved to approve the proclamation as presented. Motion was seconded by Councilwoman Ramirez and approved unanimously 3-0.

7. Proclamation – Fair Housing Month & NCDA Week

CDBG Director Joanne Longoria read the proclamation and recognized Board Member Roel Rivera.

Councilwoman Ramirez moved to approve the proclamation as presented. Motion was seconded by Councilman Plata and approved unanimously 3-0.

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. He also advised Mayor and Council on upcoming events.

9. Departmental Reports

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

10. Citizens Participation

Opal Billman, 301 N. Shary Rd. spoke about false imprisonment.

Ester Salinas, 715 Miller spoke about a historical marker for Tom Landry and other members of the community and the 30-30 baseball park.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

A. Rezoning: Lot 1, Mission CISD Castro Elementary Subd., from R-1 (Single Family Residential) to P (Public Zone), Mission CISD Adoption of Ordinance # 4085 approving 1.1A

On March 26, 2014 the Planning and Zoning Commission convened and recommended approval of a P zone. The property was located 340' north of Expressway 83 along the west side of Mayberry Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval of P zone.

Staff Recommendation: Approval of P zone.

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 4085 Rezoning: Lot 1, Mission CISD Castro Elementary Subd., from R-1 (Single Family Residential) to P (Public Zone). Motion was seconded by Councilwoman Ramirez and approved unanimously 3-0.

ORDINANCE NO. 4085

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING LOT 1, MISSION CISD CASTRO ELEMENTARY SUBDIVISION, FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO P (PUBLIC ZONE)

B. Rezoning: A 2.36 acre tract of land being the south most 335.31' x 308.79' out of Lot A, B.L. Millers Resubdivision, from AO-I (Agricultural Open Interim) to C-3 (General Business), Erlin Madrigal Adoption of Ordinance # 4086 approving 1.1B

On March 26, 2014 the Planning and Zoning Commission convened and recommended approval of a P zone. The property was located on the NE corner of Moorefield Road and Griffin Parkway. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval of C-3 zone.

Staff Recommendation: Approval of C-3 zone.

City Manager recommended approval.

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

There were no comments.

Councilman Plata moved to approve the rezoning and to adopt Ordinance No 4086 Rezoning: A 2.36 acre tract of land being the south most 335.31' x 308.79' out of Lot A, B.L. Millers Resubdivision, from AO-I (Agricultural Open Interim) to C-3 (General Business). Motion was seconded by Councilwoman Ramirez and approved unanimously 3-0.

ORDINANCE NO. 4086

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING A 2.36 ACRE TRACT OF LAND BEING THE SOUTH MOST 335.31' X 308.79' OUT OF LOT A, B.L. MILLERS RESUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO C-3 (GENERAL BUSINESS)

- C. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Mis Antojos Restaurant, 1505 N. Conway, Lots 7 & 8, Block 243, Mission Original Townsite Subd., C-3, Margarita Niño**
Adoption of Ordinance # 4087 approving 1.1C
Adoption of Ordinance # 4088 approving Wet Zone

On March 26, 2014 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 W. 15th Street. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval for 1 year.

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 4087 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Mis Antojos Restaurant, 1505 N. Conway, Lots 7 & 8, Block 243, Mission Original Townsite Subd., C-3 as recommended by staff. Motion was seconded by Councilwoman Ramirez and approved unanimously 3-0.

ORDINANCE NO. 4087

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 – MIS ANTOJOS RESTAURANT, 1505 N. CONWAY, LOTS 7 & 8, BLOCK 243, MISSION ORIGINAL TOWNSITE SUBDIVISION

Councilman Plata moved to approve Ordinance No. 4088 granting a wet designation for 1505 N. Conway, Lots 7 & 8, Block 243, Mission Original Townsite Subd., C-3. Motion was seconded by Councilwoman Ramirez and approved unanimously 3-0.

ORDINANCE NO. 4088

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 1505 N. CONWAY, LOTS 7 & 8, BLOCK 243, MISSION ORIGINAL TOWNSITE SUBDIVISION, C-3

**D. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Russo’s New York Pizzeria, 201 S. Shary Road, Ste. 100, Lot 6, Block A, Shary – Taylor Expressway Commercial Subd., C-4, Russo’s New York Pizzeria
Adoption of Ordinance # 4089 approving 1.1D**

On March 26, 2014 the Planning and Zoning Commission convened and approved the conditional use permit renewal request mentioned above, which was located within an existing commercial plaza located near the NE corner of U.S. Expressway 83 and Shary Road. 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 Plata moved to approve the cup and to adopt Ordinance No 4089 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Russo’s New York Pizzeria, 201 S. Shary Road, Ste. 100, Lot 6, Block A, Shary – Taylor Expressway Commercial Subd., C-4 as recommended by staff. Motion was seconded by Councilwoman Ramirez and approved unanimously 3-0.

ORDINANCE NO. 4089

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 – RUSSO’S NEW YORK PIZZERIA, 201 S. SHARY ROAD, SUITE 100, LOT 6, BLOCK A, SHARY-TAYLOR EXPRESSWAY COMMERCIAL SUBDIVISION

**E. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Los Pescadores Restaurant, 601 E. 9th Street, Suite A, Lots 4-8, Block 165, Mission Original Townsite Subd., C-3, Eleazar Zavala
Adoption of Ordinance # 4090 approving 1.1E**

On March 26, 2014 the Planning and Zoning Commission convened and approved the conditional use permit renewal request mentioned above, which was located on the NE area of Business 83 and St. Marie. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval for 2 years.

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.

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Councilman Plata moved to approve the cup and to adopt Ordinance No 4090 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Los Pescadores Restaurant, 601 E. 9th Street, Suite A, Lots 4-8, Block 165, Mission Original Townsite Subd., C-3 as recommended by staff. Motion was seconded by Councilwoman Ramirez and approved unanimously 3-0.

ORDINANCE NO. 4090

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 – LOS PESCADORES RESTAURANT, 601 E. 9TH STREET, SUITE A, LOTS 4-8, BLOCK 165, MISSION ORIGINAL TOWNSITE SUBDIVISION

At 5:11 p.m. Mayor Pro Tem Norie Gonzalez Garza joined the meeting.

**F. Conditional Use Permit: To Place a Portable Building for the Sale of Food – Zarah Investments, 808 S. Shary Road, Lot 5A, Cimarron Crossing Subd., Ph. II, C-3, Zarah Investments
Adoption of Ordinance # 4091 approving 1.1F**

On March 26, 2014 the Planning and Zoning Commission convened to consider the conditional use permit request mentioned above, which was located 500' south of Expressway 83 along the west side of Shary Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended denial.

Staff Recommendation: Approval for 1 year.

City Manager recommended approval.

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

Zarah Investments representatives Ray Thomas and Debora Cordova were in favor of the request. Mr. Thomas clarified to Council the concerns that were brought up at the P&Z meeting.

Ester Salinas spoke against the request and said it was not fair to approve this since other similar requests had been denied in the past.

Jim Barnes voiced his concern regarding the parking and drainage.

Councilman Plata moved to approve the cup and to adopt Ordinance No 4091 Conditional Use Permit: To Place a Portable Building for the Sale of Food – Zarah Investments, 808 S. Shary Road, Lot 5A, Cimarron Crossing Subd., Ph. II, C-3 as recommended by staff. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

ORDINANCE NO. 4091

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO PLACE A PORTABLE BUILDING FOR THE SALE OF FOOD – ZARAH INVESTMENTS, 808 S. SHARY ROAD, LOT 5A, CIMARRON CROSSING SUBDIVISION, PH. II

2.0 Disposition of Minutes

2.1 City Council Meeting – March 24, 2014

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

3.0 Acknowledge Receipt of Minutes

3.1 Ambulance Board – November 25, 2013

MEDC Special Meeting – January 16, 2014 and February 20, 2014

Mission TIRZ – January 28, 2014 and February 25, 2014

Mission Redevelopment Authority – January 28, 2014 and February 25, 2014

Parks and Recreation Board – February 12, 2014

Speer Memorial Library Board – February 18, 2014

Planning and Zoning Commission – March 12, 2014

Juvenile Justice and Delinquency Prevention – February 5, 2014

Traffic Safety Committee – January 21, 2014

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

4.0 Approvals and Authorizations

4.1 Preliminary Plat Approval: Hartfield Estates Subd., A 10.95 acre tract of land out of Lot 261, John H. Shary Subd., R-1A, Developer: Hart Land & Cattle, L.L.C., Engineer; SJS Engineering

On March 26, 2014 the Planning and Zoning Commission convened and approved the Preliminary & Final Plat for Hartfield Estates Subdivision. The property was located approximately ¼ 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 as per Staff's recommendation

Staff Recommendation: Approval subject to: 1) Approve variance request to have subdivision be private & gated, 2) Must comply with City's Private Street Ordinance, 3) Must pay Park, Capital Sewer Recovery and Reimbursement fees to the City of Mission; 4) Must provide the escrow for the Stewart St. widening and the 5' sidewalks; 3) Must widen their portion of the drainage ditch to the east; 5) Must provide proof of Exclusion from the Water District; and 6) Comply with all other format findings.

City Manager recommended approval.

Councilman Plata moved to approve Preliminary Plat Approval: Hartfield Estates Subd., A 10.95 acre tract of land out of Lot 261, John H. Shary Subd., R-1A, Developer: Hart Land & Cattle, L.L.C., Engineer; SJS Engineering as recommended by staff. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

4.2 Approval of Agreement between Agua Special Utility District and the City of Mission

The City of Mission installed sewer facilities at proximities of Moorefield Road and FM 495. The City desired to provide retail sewer service to property located inside Agua SUD's Sewer CCN. Agua SUD agreed that Mission may provide retail sewer service, until such time as Agua SUD transitions customer to Agua SUD sewer service.

Staff Recommendation: Approval of Agreement.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve agreement between Agua Special Utility District and the City of Mission. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

4.3 Approval of Resolution # _____ of the City of Mission to provide Street Lighting Improvements as City Finances may permit

The City of Mission was located in Hidalgo County, Texas and was concerned about all of its citizens. The City recognized that the safety of its citizens was mutually dependent on the safety of the entire City, especially when it came to criminal behavior.

Furthermore, the safety of the City's residents would be enhanced by having street lights in all residential areas, with special attention to the areas popularly known as "Colonias".

Through this Resolution, the City of Mission was taking proactive steps to improve the infrastructure within the City and its Extra-Territorial Jurisdiction (ETJ). The City of Mission hereby committed to installing street lights in all residential areas of the city, without street lights, within the next 10 years as funding was available.

Staff Recommendation: Approval of Resolution.

City Manager recommended approval.

Mayor Salinas emphasized that the City of Mission did have lighting in all its subdivisions. He advised staff that the city couldn't spend city tax payer's funds to install lighting in areas that were not inside city limits.

Item died for lack of motion.

At 5:27 p.m. Councilman Dr. Armando O'cana joined the meeting.

4.4 Request by Texas Regional Bank to have City Council authorize City Manager to issue building permit on a subdivision pending recording being TRB Mission Subdivision

Staff had received a request to build a new 4,092 sq.ft. bank building at a value of \$900,000 at the SE corner of Glenwood and Griffin Parkway prior to the recording of 'TRB Mission Subdivision'. The preliminary re-plat was approved by City Council on March 24th and the final re-plat was forthcoming. Texas Regional Bank desired to have their contractor acquire the permit so they could commence on the construction while the Letter of Credit was finalized. Before the building was occupied, the re-plat would need to be recorded.

Mission had worked well with such other developers and had done so several times successfully, e.g., Home Depot and the commercial complex at Matamoros & Bryan, & staff expected the same positive results with this building.

Staff Recommendation: No objection subject to no occupancy prior to re-plat being recorded.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve request by Texas Regional Bank to have City Council authorize City Manager to issue building permit on a subdivision pending recording being TRB Mission Subdivision as recommended by staff. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.5 Authorize change in location of April 28, 2014 City Council Meeting to Mission Chamber of Commerce Building

Staff was requesting to change the location of the April 28, 2014 City Council meeting to the Mission Chamber of Commerce Conference room located at 202 W. Tom Landry due to early voting taking place at Council Chambers on this date.

Staff Recommendation: Authorize change of location of April 28, 2014 City Council meeting.

City Manager recommended approval.

Councilman O'cana moved to authorize change in location of April 28, 2014 City Council Meeting to Mission Chamber of Commerce Building. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.6 Approval of Interlocal Agreement between City of Mission and Sharyland Independent School District to Conduct joint elections in accordance with Texas Education Code Section 11.0581

The interlocal agreement was in accordance with Texas Education Code Section 11.0581 which stated that the voters of the joint election shall be served by a common place.

Staff Recommendation: Approval of Interlocal

City Manager recommended approval.

Councilwoman Ramirez moved to approve Interlocal Agreement between City of Mission and Sharyland Independent School District to conduct joint elections in accordance with Texas Education Code Section 11.0581. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.7 Authorization to issue Permit to Ambulance Provider Applicant

On April 01, 2014 the City of Mission Ambulance Board met to review (1) Ambulance Company permit applicant to conduct business in the City of Mission, Carrousel EMS was approved by the Ambulance Board as they have met all the required specifications for permit issuance as per city ordinance.

Staff Recommendation: Authorization to issue permit.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to issue Permit to Ambulance Provider Applicant. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

4.8 Approval of Ordinance # 4092 of the City Council of the City of Mission, Texas, amending the following Sections of Divisions I and II of Article III captioned “Emergency Medical Vehicles” of it Code of Ordinances: Sections 30-161, 30-162, 30-163, 30-181, 30-182, 30-183, 30-184, 30-186 and 30-187

On April 01, 2014 the City of Mission Ambulance Board met to review, amend and approve changes to Sections of Article III Emergency Medical Services with legal counsel recommendations.

Staff Recommendation: Authorization.

City Manager recommended approval.

Councilman Plata moved to approve of Ordinance No. 4092 of the City Council of the City of Mission, Texas, amending the following Sections of Divisions I and II of Article III captioned “Emergency Medical Vehicles” of it Code of Ordinances: Sections 30-161, 30-162, 30-163, 30-181, 30-182, 30-183, 30-184, 30-186 and 30-187. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4092

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MSSION, TEXAS, AMENDING THE FOLLOWING SECTIONS OF DIVISIONS I AND II OF ARTICLE III CAPTIONED “EMERGENCY MEDICAL VEHICLES” OF IT CODE OF ORDINANCES: SECTIONS 30-161, 30-162, 30-163, 30-181, 30-182, 30-183, 30-184, 30-186 AND 30-187

4.9 Authorization to hire Chanin Engineering for the structure & design of the shade canopies at the CWV swimming pool located on South Mayberry

Staff was requesting authorization to hire Chanin Engineering for the structure & design of the shade canopies at the CWV swimming pool located on South Mayberry.

Staff Recommendation: Approval.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to hire Chanin Engineering for the structure & design of the shade canopies at the CWV swimming pool located on South Mayberry. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.10 Authorization to engage C.T. Brannon, Corp. for a feasibility study on the North Side Swimming Pool Facility

Staff was seeking authorization to engage C.T. Brannon, Corp. for a feasibility study on the North Side Swimming Pool Facility located at 1500 North Nicholson Avenue, Mission, Texas 78572 for the amount of \$12,850.00, and to authorize City Manager to negotiate and execute agreement incident there to. Fifty percent of costs were to be reimbursed by Mission CISD.

Staff Recommendation: Approval.

City Manager recommended approval.

Councilman Plata moved to authorize to engage C.T. Brannon, Corp. for a feasibility study on the North Side Swimming Pool Facility. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.11 Approval of Annual Hidalgo County Library System Interlocal Agreement

Hidalgo County requests that staff approve an annual interlocal with them.

This was the basic agreement that allowed the County to continue to pay funds on behalf of and disburse funds to the library for contractual services and library materials.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Annual Hidalgo County Library System Interlocal Agreement. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.12 Acceptance of `Quarterly Report of Investments for the Quarter ending March 31, 2014 and Interest Earned for Six Months ending March 31, 2014

Finance Director, Mrs. Janie Flores presented and recommended approval of the Quarterly Report of Investments for the Quarter ending March 31, 2014 and Interest Earned for Six Months ending March 31, 2014

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the Quarterly Report of Investments for the Quarter ending March 31, 2014 and Interest earned for Six Months ending March 31, 2014 as presented. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.13 Budget Amendments: General Fund, Solid Waste Fund, Debt Service Fund, Capital Projects Fund and Designated Purpose Fund, Municipal Court Building Security Fund

Mrs. Flores presented the budget amendments BA-2014-50 thru BA-2014-58 to the City Council for approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve budget amendments BA-2014-50 thru BA-2014-58. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

4.14 Authorization to solicit proposals for Employee Insurance Benefits

In 2011, the City of Mission solicited proposals for Employee Insurance Benefits. The terms of the contract were for three years, with two one-year renewal options, which have been exhausted. Staff was seeking authorization to solicit proposals for Employee Insurance Benefits as follows:

- Group Health Insurance (Self-Funded)
- Section 125 (Cafeteria Plan)
- Stop Loss Insurance

- Group Life Insurance and AD&D (Accidental Death and Dismemberment)
- Supplemental Voluntary Products – Voluntary Life Insurance, Long-Term Disability, Dental, Vision, Accident, Cancer, Short-Term Disability, Hospital Confinement and Critical Illness.

Staff Recommendation: Authorization to solicit proposals.

City Manager recommended approval.

Councilman O'cana moved to authorize to solicit proposals for Employee Insurance Benefits. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.15 Authorization to declare items as surplus and sell same by GovDeals online auction via BUYBOARD Contract

Staff was seeking approval to declare a list of items as surplus. Items had been acquired by the City over the years through purchase, contribution, donation assignment and confiscation. All items had been determined by Department Directors and their staff to be of no use to the City. Surplus items were to be sold by way of GovDeals online auction via BUYBOARD Contract #383-11.

Staff Recommendation: Approval to declare list of items as surplus

City Manager recommended approval.

Councilman Plata moved to authorize to declare items as surplus and sell same by GovDeals online auction via BUYBOARD Contract. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.16 Authorization to purchase Security System upgrade via Buyboard contract (Contract # 401-12)

The City of Mission Police Department was requesting authorization to purchase a security system upgrade for both the main police station, municipal court and the south police station. In 1999, the Mission Police Department purchased a security system with all the required hardware in order to provide security for the new main police station and municipal court. The security system controlled door accesses throughout the structure and the west and east back parking lot gates. Being a public safety facility, it was imperative that staff maintained security throughout the structure to include the south station facility. It was staff's intent to purchase the software and nodes for each of the doors connected to the system. The current software was approximately fifteen (15) years old and was in need of replacement. Staff was respectfully requesting authorization to purchase the security system upgrade via a Buyboard contract (Contract # 401-12).

Staff Recommendation: Authorize the purchase of the Security System upgrade via a Buyboard contract (Contract # 401-12)

City Manager recommended approval.

Councilwoman Ramirez moved to authorize to purchase Security System upgrade via Buyboard contract (Contract # 401-12) as recommended by staff. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

4.17 Approval of Resolution # 1378 authorizing and supporting the dedication of the roadway south of the Leo Pena Plazita Park, being 8th Street from Conway Avenue west to Cummings Avenue in remembrance of U.S. Army Private First Class Diego Montoya

The City manager's Office was requesting approval of a resolution authorizing and supporting the dedication of the roadway south of the Leo Pena Plazita Park, being 8th St. from Conway Ave. west to Cummings Ave. in remembrance of U.S. Army Private First Class Diego Montoya. Private First Class Diego Montoya was killed of wounds suffered when insurgents attacked his unit with indirect fire.

Staff Recommendation: To approve Resolution authorizing and supporting the dedication of roadway.

City Manager recommended approval.

Councilman Plata moved to approve Resolution No. 1378 authorizing and supporting the dedication of the roadway south of the Leo Pena Plazita Park, being 8th Street from Conway Avenue west to Cummings Avenue in remembrance of U.S. Army Private First Class Diego Montoya. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

RESOLUTION NO. 1378

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AUTHORIZING AND SUPPORTING THE DEDICATION OF THE ROADWAY SOUTH OF THE LEO PENA PLAZITA PARK, BEING 8TH STREET, FROM CONWAY AVENUE WEST TO CUMMINGS AVENUE, AS DIEGO MONTOYA STREET, IN REMEMBRANCE AND TO HONOR UNITED STATES ARMY PRIVATE FIRST CLASS DIEGO MONTOYA

4.18 Approval of Work Authorization No. 40 with Javier Hinojosa Engineering related to the City of Mission waterline improvements at Stonegate Subdivision

Work Authorization No. 40 entailed waterline reconstruction & survey of easements at Stonegate Subdivision. Existing 4" & 6" AC diameter water lines would be replaced with 8" PVC waterlines with additional Fire Hydrants.

Staff Recommendation: Approval of Work Authorization No. 40.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Work Authorization No. 40 with Javier Hinojosa Engineering related to the City of Mission waterline improvements at Stonegate Subdivision. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.19 Approval of Change Order No. 1 with RDH Site & Concrete LLC for the Commerce Drive Drainage Improvements

Change Order No. 1 entailed the additional reinforce concrete driveway section at Royal Technologies Loading Docks entrance. Extension of entrance approach from the original limits would increase fifteen feet (15'x 275') to match existing concrete approach constructed by Royal Technologies. There was a total of \$17,500.00 in credit from original contract, therefore, change Order No. 1 would increase the original contract amount from \$193,058.00 to \$209,319.52 and

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increase of \$16,261.52. Change order No. 1 was under the 25% (at 8.42%) limit from original contract cost set by the Texas Governmental Code.

Staff Recommendation: Approval of Change Order No. 1.

City Manager recommended approval.

Councilman Plata moved to approve Change Order No. 1 with RDH Site & Concrete LLC for the Commerce Drive Drainage Improvements. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.20 Authorization to award bid for Waterline Materials for Inspiration Rd. widening project for Public Works Dept.

On March 11, 2014, City Council gave authorization to solicit bids for Waterline Materials for Inspirations Road Widening Project. The City of Mission had accepted and opened two (2) bid responses for this project. Staff was recommending awarding to HD Supply Waterworks who was lowest responsible bidder meeting all specifications in the amount of \$32,627.42.

Staff Recommendation: Authorization to award bid to HD Supply Waterworks.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to award bid for Waterline Materials for Inspiration Rd. widening project for Public Works Dept. Motion was seconded by Councilman Plata and approved unanimously 5-0.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

City Manager Garza informed that City Hall would be closed Friday, April 18 due to Good Friday holiday.

6.2 Mayor's Comments

None

Mayor Salinas asked council to go into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001 for items 7.1-A, 7.1-B and 7.2-A of the agenda.

At 5:58 p.m., Mayor Pro Tem Garza moved to convene into executive session. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

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

7.1 Consultation with Attorney Sec. 551.071

- A. Concerns regarding CWV Service Center Building and Renovations Contract**
- B. Concerns regarding Downtown Streetscape Mobility Improvement Project**

7.2 Consultation with Attorney Sec. 551.071

Deliberation regarding real property Sec. 551.072

A. City of Mission vs. Bryan Road LP & the Mission Nursing Home Property, LTD

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

At 6:38 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

On item 7.1-A, Councilman Plata moved to approve to notify contractor and surety to consider the contractor's default. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

On item 7.1-B, no action was taken.

On item 7.2-A, no action was taken.

8.0 Adjournment

At 6:39 p.m., Councilman Plata moved for adjournment. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary