

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
APRIL 27, 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  
Bob Galligan, Interim City Attorney  
Anna Carrillo, City Secretary  
Martin Garza, Jr., City Manager

**ABSENT:**

**ALSO PRESENT:**

Kathy Olivarez, Progress Times  
Joe Sanchez  
Jose De La Fuente  
Marianna T. Wright  
Zamantha Zaray Guzman  
Minerva Garcia  
Francisco Guerra  
Leo Hernandez  
Juan Elesarza  
Joe A. Califa  
Karl Johnson  
R. Chavez  
Jaime Gutierrez  
Fred Kurth

**STAFF PRESENT:**

Carmen Morales, Administrative Asst.  
Nelia Hernandez, Asst. City Secretary  
J.J. Rodriguez, 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  
Robert Dominguez, Chief of Police  
Randy Perez, 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  
Mayra Rocha, Library Director  
Elizabeth Hernandez, Executive Secretary  
Juan Pablo Terrazas, City Engineer  
James Cardoza, Emergency Mngmt. Coord.  
Alex Meade, MEDC Chief Exec. Officer

**1. Call to order**

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:39 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 – Motorcycle Safety and Awareness Month**

Anna Carrillo, City Secretary read the proclamation Motorcycle Safety and Awareness Month.

Mr. Robert Tony and Mr. Andrew Canon received the proclamation and thanked the Mayor and Council for bringing Awareness to Motorcycle Safety.

Councilman Dr. Armando O'caña moved to approve the Proclamation – Motorcycle Safety and Awareness Month. Motion was seconded by Councilwoman Jessica Ortega-Ochoa and approved unanimously 5-0.

**4. Proclamation – National Police Week**

Robert Dominguez Chief of Police read and received the proclamation National Police Week.

Mayor Pro Tem Norie Gonzalez Garza moved to approve the proclamation as presented. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**5. Presentation by NABA**

Marianna Trevino Wright advised the Mayor and Council of a grant that was received by NABA by Texas Parks and Wildlife which would be used towards summer activities for the Boys & Girls Club participants.

**6. 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.

**7. Departmental Reports**

Councilman Ruben D. Plata moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**8. Citizens Participation**

None

**1.0 Public Hearing**

**1.1 Planning & Zoning Recommendations**

- A. Rezoning: 1.00 acre out of Lot 235, John H. Shary Subdivision, from R-1 (Single Family Residential) to C-3 (General Business), Arturo Garcia  
Adoption of Ordinance # \_\_\_\_\_ approving 1.1A**

On April 8, 2015 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located on the NE corner of Shary Road and East 20<sup>th</sup> Street. There was no public opposition during the P&Z Mtg. The Board unanimously recommended denial of the C-3 zone.

Staff Recommendation: Denial of C-3 zone

City Manager recommended denial.

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

Ms. Minerva Garcia spoke in favor of request stating that she wanted the zoning to be changed from a C-3 to a C-2 to be used for office spaces.

Mayor Salinas suggested to Council that this item be sent back the P&Z for consideration.

Mayor Pro Tem Garza moved to remand this item back to the P&Z for consideration for a C-2 zone as recommended by Mayor Salinas. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**B. Rezoning: Lots 1-3, Boriquen Subdivision, from R-1 (Single Family Residential) to C-1 (Office Building), Flor Ojeda  
Adoption of Ordinance # 4209 approving 1.1B**

On April 8, 2015 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located approximately 200' South of Summer Breeze on the west side of Shary Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval of the C-1 zone.

Staff and City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Garza recommended to Mayor and Council that it would be nice for there to be a common access between the 3 lots and the corner lot should any traffic issues arise.

Councilman O'cana moved to approve the rezoning and to adopt Ordinance No 4209 Rezoning: Lots 1-3, Boriquen Subdivision, from R-1 (Single Family Residential) to C-1 (Office Building) with a follow-up on the common access between the 3 lots and the corner lot as recommended by Mayor Pro Tem Garza. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4209**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING LOTS 1-3, BORIQUEN SUBDIVISION, FROM R-1  
(SINGLE FAMILY RESIDENTIAL) TO C-1 (OFFICE BUILDING)**

At 5:04 p.m. Mayor Salinas stepped out of the meeting; Mayor Pro Tem Garza proceeded with the meeting.

**C. Rezoning: Lot 24, Block 2, Erdahl Subdivision, from R-1 (Single Family Residential) to C-3 (General Business), Gar-Sal Properties, LLC, c/o Carlos F. Garza  
Adoption of Ordinance # 4210 approving 1.1C**

On April 8, 2015 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located on the SW corner of Holland Avenue and US Expressway 83. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval of the C-3 zone.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza 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 4210 Rezoning: Lot 24, Block 2, Erdahl Subdivision, from R-1 (Single Family Residential) to C-3 (General Business), Gar-Sal Properties, LLC as recommended. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

**ORDINANCE NO. 4210**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING LOT 24, BLOCK 2, ERDAHL SUBDIVISION, FROM R-1  
(SINGLE FAMILY RESIDENTIAL) TO C-3 (GENERAL BUSINESS)

**D. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages –  
Greens & Lemons Restaurant, 2707 E. Griffin Parkway, Lot 11, Adams Crossing  
Subdivision, C-3, Nancy M. Benet  
Adoption of Ordinance # 4211 approving 1.1D**

On April 8, 2015 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit. The subject site was located within a commercial plaza located in the NW area of Taylor Road and Griffin Parkway. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval for 1 year.

Staff Recommendation: Approval for 1 year subject to waiver of the 300' separation requirement

City Manager recommended approval.

Mayor Pro Tem Garza asked if there were any comments for or against the request.

Ms. Nancy M. Benet was present and spoke in favor of the request.

Councilman Plata moved to approve the CUP and to adopt Ordinance No 4211 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Greens & Lemons Restaurant, 2707 E. Griffin Parkway, Lot 11, Adams Crossing Subdivision, C-3 as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**ORDINANCE NO. 4211**

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 – GREENS & LEMONS RESTAURANT, 2707 E. GRIFFIN  
PARKWAY, LOT 11, ADAMS CROSSING SUBDIVISION

**E. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Mariscos La Chivis, 600 N. Shary Road, Suite D, Lot 1, Esdras Vega Subdivision, C-3, Zamantha Zaray Guzman  
Adoption of Ordinance # 4212 approving 1.1E  
Adoption of Ordinance # 4213 approving Wet Zone**

On April 8, 2015 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit. The subject site was located at the Northeast corner of Shary Road and 6<sup>th</sup> Street within Lot 1 of Esdras Vega Subdivision. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval for 1 year.

Staff Recommendation: Approval for 1 year subject to waiver of the 300' separation requirement

City Manager recommended approval.

Mayor Pro Tem Garza asked if there were any comments for or against the request.

Ms. Samantha Zaray Guzman owner of the business was present to answer any questions or concerns the Mayor or Council had.

Councilman Plata moved to approve the CUP and to adopt Ordinance No. 4212 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Mariscos La Chivis, 600 N. Shary Road, Suite D, Lot 1, Esdras Vega Subdivision, C-3 as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**ORDINANCE NO. 4212**

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 – MARISCOS LA CHIVIS, 600 N. SHARY ROAD, SUITE D, LOT 1, ESDRAS VEGA SUBDIVISION

Councilman Plata moved to adopt Ordinance No. 4213 granting a wet zone for Sale & On-Site Consumption of Alcohol – 600 N. Shary Road, Suite D, Lot 1, Esdras Vega Subdivision as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**ORDINANCE NO. 4213**

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 600 N. SHARY ROAD, SUITE D, LOT 1, ESDRAS VEGA SUBDIVISION, C-3

**F. Conditional Use Permit Renewal: To Have a Guest House, 2709 E. Mile 2 Road, 11.04 acres out of Lot 296, John H. Shary Subdivision, AO-I, Paula K. Price Adoption of Ordinance # 4214 approving 1.1F**

On April 8, 2015 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit renewal. The property was located at the NW corner of Mile 2 and Taylor 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 Pro Tem Garza 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 4214 Conditional Use Permit Renewal: To Have a Guest House, 2709 E. Mile 2 Road, 11.04 acres out of Lot 296, John H. Shary Subdivision, AO-I as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**ORDINANCE NO. 4214**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RENEWAL TO HAVE A GUEST HOUSE, 2709 E. MILE 2 ROAD, 11.04 ACRES OUT OF LOT 296, JOHN H. SHARY SUBDIVISION

**G. Conditional Use Permit Renewal: Temporary Mobile Home for Health Care of Parents, 909 S. Stewart Road, W. 300.31' – N. 145.05' of Lot 1, San Jose Subdivision, AO-I, Mary Nelly Rodriguez Adoption of Ordinance # 4215 approving 1.1G**

On April 8, 2015 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit renewal. The property was located ¼ south of the Expressway 83 along the east side of Stewart 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 Pro Tem Garza asked if there were any comments for or against the request.

There were no comments.

Councilwoman Ochoa moved to approve the CUP and to adopt Ordinance No 4215 Conditional Use Permit Renewal: Temporary Mobile Home for Health Care of Parents, 909 S. Stewart Road, W. 300.31' – N. 145.05' of Lot 1, San Jose Subdivision, AO-I as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

**ORDINANCE NO. 4215**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR A TEMPORARY MOBILE HOME FOR HEALTH CARE OF PARENTS, 909 S. STEWART ROAD, W. 300.31' – N. 145.05' OF LOT 1, SAN JOSE SUBDIVISION

**H. Conditional Use Permit Renewal: Home Occupation – One Chair Beauty Salon, 508 Los Ebanos Road, .29 acre tract of land out of Lot 19-3, West Addition to Sharyland Subdivision, R-1, Sylvia Hornbuckle  
Adoption of Ordinance # 4216 approving 1.1H**

On April 8, 2015 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit renewal. The property was located in the NE area of Expressway 83 and Los Ebanos 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 Pro Tem Garza 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 4216 Conditional Use Permit Renewal: Home Occupation – One Chair Beauty Salon, 508 Los Ebanos Road, .29 acre tract of land out of Lot 19-3, West Addition to Sharyland Subdivision, R-1 as recommended. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

**ORDINANCE NO. 4216**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR A HOME OCCUPATION – ONE CHAIR BEAUTY SALON, 508 LOS EBANOS ROAD, .29 ACRE TRACT OF LAND OUT OF LOT 19-3, WEST ADDITION TO SHARYLAND SUBDIVISION

**I. Conditional Use Permit Renewal: In & Out Drive-Thru Convenience Store, 1401 N. Conway Avenue, Lots 7 & 8, Block 230, Mission Original Townsite Subdivision, C-3, Francisco Guerra, Jr.  
Adoption of Ordinance # 4217 approving 1.1I**

On April 8, 2015 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit renewal. The property was located on the NW corner of 14<sup>th</sup> Street and Conway Avenue. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval for 1 year.

Staff Recommendation: Approval for 3 years

City Manager recommended approval.

Mayor Pro Tem Garza asked if there were any comments for or against the request.

Mr. Francisco Guerra Jr. owner of the business spoke in favor of request asking Mayor and Council if his renewals may be approved for every 3 years.

Councilman O'cana moved to approve the CUP and to adopt Ordinance No 4217 Conditional Use Permit Renewal: In & Out Drive-Thru Convenience Store, 1401 N. Conway Avenue, Lots 7 & 8, Block 230, Mission Original Townsite Subdivision, C-3 and to extend the renewals to every 3 years as recommended by Mayor Pro Tem Garza. Motion was seconded by Councilman Plata and approved unanimously 4-0.

**ORDINANCE NO. 4217**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR IN & OUT DRIVE-THRU CONVENIENCE STORE, 1401 N. CONWAY AVENUE, LOTS 7 & 8, BLOCK 230, MISSION ORIGINAL TOWNSITE SUBDIVISION

At 5:23 p.m. Mayor Salinas rejoined the meeting.

**2.0 Disposition of Minutes**

**2.1 City Council Meeting – April 13, 2015**

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

**3.0 Acknowledge Receipt of Minutes**

**3.1 Planning and Zoning Commission – March 25, 2015**

**Parks and Recreation Board – February 11, 2015**

**Mission Civil Service Commission – March 6, 2015**

**Citizens Advisory Committee – March 10, 2015 and  
March 31, 2015**

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

**4.0 Approvals and Authorizations**

**4.1 Preliminary Plat Approval: Del Oro Subdivision Unit No. 3, A 10.891 acre tract of land out of the South End of Porcion 52, PUD, Developer: Rhodes Enterprises, Inc. Engineer: Melden & Hunt, Inc.**

On April 8, 2015 the Planning and Zoning Commission convened and approved the Preliminary and Final Plat for Del Oro Subdivision Unit No. 3. The proposed subdivision was the 3<sup>rd</sup> phase of the Del Oro Subdivision and it was located approximately ¾ mile East of Schuerbach Road on Mile 1 South. The P&Z board unanimously recommended approval as per Staff's recommendation.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Preliminary Plat Approval: Del Oro Subdivision Unit No. 3, A 10.891 acre tract of land out of the South End of Porcion 52, PUD as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.



**4.2 Preliminary Plat Approval: Tanglewood at Bentsen Palm Phase II, A 6.135 acre tract of land out of the South end of Porciones 50 & 51 out of Lot 14, Del Monte Irrigation & Construction Co., PUD, Developer: Rhodes Enterprises, Inc. Engineer: Melden & Hunt, Inc.**

On April 8, 2015 the Planning and Zoning Commission convened and approved the Preliminary and Final Plat for Tanglewood at Bentsen Palm Phase II. The proposed subdivision was located approximately ¾ mile East of Bentsen Palm Drive along the North side of Military Parkway. The P&Z board unanimously recommended approval as per Staff's recommendation.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Preliminary Plat Approval: Tanglewood at Bentsen Palm Phase II, A 6.135 acre tract of land out of the South end of Porciones 50 & 51 out of Lot 14, Del Monte Irrigation & Construction Co., PUD as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.3 Award Bid for "Housing Assistance Program – Phase 14-I"**

On March 23, 2015 City Council authorized staff to solicit bids for seven (7) reconstruction projects. The City of Mission had accepted and opened three (3) bid responses for these projects. Staff recommended multiple awards to A One Insulation for the reconstruction of three (3) homes and G & G Contractors for reconstruction of four (4) homes. Both A One Insulation and G & G Contractors had met all the Terms & Conditions and Specifications and came within budget. CAC met on April 14, 2015 and approved staff's recommendation as indicated below and approved as follows:

A One Insulation \$152,700:

- 613 Granjeno Ave – \$54,200 3 bdrm, 1100 sq ft
- 116 Oblate – \$49,250 2 bdrm, 970 sq ft
- 115 Citriana – \$49,250 2 bdrm, 1100 sq ft

G & G Contractors \$202,520

- 903 W. 2nd Street – \$49,380 2 bdrm, 970 sq ft
- 826 Pueblo Street – \$49,380 2 bdrm, 970 sq ft
- 611 Pedro Street – \$54,380 3 bdrm, 1100 sq ft
- 3705 Garza Street - \$49,380 2 bdrm, 970 sq ft

The City had been utilizing 75% of the annual CDBG allocation for several years for housing projects. Since 1999, a total of 379 families to date had been provided some form of housing assistance. Out of the 379 families, 249 families received reconstruction assistance while 130 families received rehabilitation assistance (including CDBG-R, CDBG-DR and SSBG funds).

Staff Recommendation: Award Bid to A One Insulation and G & G Contractors

City Manager recommended approval.

Councilman Plata moved to approve to award bid for "Housing Assistance Program – Phase 14-I as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.4 Authorization to continue agreement with G&K Services for the lease and repair of all firefighter personnel uniforms**

Mission Fire Department was seeking authorization to continue current lease agreement with G&K Services for the lease and repair of all fire personnel uniforms. This was a three year term agreement approved by City Council on 10/28/13. Due to the unforeseen nature of the wear and tear of the uniforms, weekly billing averages had increased from \$480.00 to \$500.00 per week; therefore, staff was requesting approval for \$25,000.00 to cover this fiscal year. This would be the second year of the three year term of the agreement via Buy Board No. 416-12.

Staff Recommendation: Approval to continue current lease agreement via Buy Board No. 416-12

City Manager recommended approval.

Councilman O'cana moved to approve authorization to continue agreement with G&K Services for the lease and repair of all firefighter personnel uniforms as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.5 Write-off Uncollectable Utility Accounts Receivable for the First Quarter of 2014**

Provided for staff's review and approval was a summary of the uncollected funds on utility accounts to be written off at this time. These amounts were for the three (3) month period of January 2014 through March 2014.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Write-off Uncollectable Utility Accounts Receivable for the First Quarter of 2014 as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

#### **4.6 Budget Amendments – General Fund and MEDA**

Mr. Perez presented the budget amendments BA–2015-41 thru BA–2015-42 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve budget amendments BA–2015-41 thru BA–2015-42 as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.7 Authorization to issue funding commitment to the University of Texas System**

On July 25, 2014 the City Council authorized the approval of a Memorandum of Understanding between the County of Hidalgo, City of Edinburg, City of McAllen, City of Pharr, City of Mission and the University of Texas System regarding the development of and funding for a Medical School in the Lower Rio Grande Valley. This was the first payment to be issued in the amount of \$250,000.00.

Staff Recommendation: Authorization to issue funding

City Manager recommended approval.

Councilman Plata moved to approve authorization to issue funding commitment to the University of Texas System as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.8 Approval of Resolution # 1399 authorizing the filing of a Grant Application to the Texas Department of Transportation's FY 2014-15 Transportation Alternatives Program for the Hike & Bike Trail Extension Grant Project**

A resolution of the City Council of the City of Mission, Texas authorizing the filing of the grant application to the Texas Department of Transportation's FY 2014-15 Transportation Alternatives Program for the Hike & Bike Trail Extension Grant Project; authorizing the Mayor to act on behalf of the City in all matters related to the applications; and pledging that if a grant was received, the City would comply with the grant requirements.

Staff Recommendation: Approval of Resolution

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Resolution No 1399 authorizing the filing of a Grant Application to the Texas Department of Transportation's FY 2014-15 Transportation Alternatives Program for the Hike & Bike Trail Extension Grant Project as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**RESOLUTION NO. 1399**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE TEXAS DEPARTMENT  
OF TRANSPORTATION 2014-2015 TRANSPORTATION ALTERNATIVE PROGRAM AND  
AUTHORIZING THE MAYOR TO ACT AS THE AUTHORIZED REPRESENTATIVE  
REGARDING THE CITY'S PARTICIPATION IN THE PROGRAM

**4.9 Approval of Resolution # 1400 authorizing the filing of a Grant Application to the Texas Department of Transportation's FY 2014-15 Transportation Alternatives Program for the SAFE Route to School Grant Program**

A resolution of the City Council of the City of Mission, Texas authorizing the filing of the grant application to the Texas Department of Transportation's FY 2014-15 Transportation Alternatives Program for the SAFE Route to school Grant Program; authorizing the Mayor to act on behalf of the City in all matters related to the applications; and pledging that if a grant was received, the City would comply with the grant requirements.

Staff Recommendation: Approval of Resolution

City Manager recommended approval.

Councilman O'cana moved to approve Resolution No 1400 authorizing the filing of a Grant Application to the Texas Department of Transportation's FY 2014-15 Transportation Alternatives Program for the SAFE Route to School Grant Program as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**RESOLUTION NO. 1400**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION'S FY 2014-2015 TRANSPORTATION ALTERNATIVES PROGRAM (SAFE ROUTES TO SCHOOL GRANT PROGRAM) AND AUTHORIZING THE MAYOR TO ACT AS THE AUTHORIZED REPRESENTATIVE REGARDING THE CITY'S PARTICIPATION IN THE GRANT PROGRAM

**4.10 Acceptance of Quarterly Report of Investments for the Quarter ending March 31, 2015 and Interest Earned for Six Months Ending March 31, 2015**

Acceptance of quarterly report required by the Public Funds Investment Act Section 2256.023 of the Texas Government Code on the total investments for the quarter ending March 31, 2015. The total investments purchased were \$259.36 and the amount of the investments matured was \$5,500,500.00 leaving a total of \$18,354,146.51 in outstanding investments for the quarter ending March 31, 2015. The total interest earned on all funds year to date was \$87, 874.73.

Staff Recommendation: Acceptance

City Manager recommended approval.

Councilman O'cana moved to approve acceptance of Quarterly Report of Investments for the Quarter ending March 31, 2015 and Interest Earned for Six Months Ending March 31, 2015 as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.11 Tax Collections Report – March, 2015**

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

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Tax Collections Report for March, 2015 as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.12 March 2015 Financial Statements**

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

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the March 2015 Financial Statements as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.13 Authorization to purchase computers and related accessories for the Mission Police Department through a U.S. Communities IT Products & Services contract (Contract # RQ09-997736-42B)**

The City of Mission Police Department was requesting authorization to purchase computers and related accessories for the Mission Police Department through a U.S. Communities IT Products & Services contract (Contract # RQ09-997736-42B). In order to be in compliance with the Federal Bureau of Investigations Criminal Justice Information Security (CJIS) policies and procedures, it was imperative to purchase the aforementioned equipment. Our computers were utilized by our law enforcement officers to access a person's driver license information, vehicle information and criminal histories. This information must be secured at all times. Windows XP which all our current computers operated on currently were not supported by Microsoft when it came to security issues, therefore, CJIS was requiring all law enforcement agencies with TLETS/NLETS to upgrade to a supported security software, unfortunately, our current computers that were over six years old did not support current Microsoft security software. The total amount of the expenditure was \$67,350.11 that would be paid through our Federal Drug Forfeiture account. Staff was respectfully requesting authorization to purchase the new computers and accessories for the Mission Police Department.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve authorization to purchase computers and related accessories for the Mission Police Department through a U.S. Communities IT Products & Services contract (Contract # RQ09-997736-42B) as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.14 Authorization to accept the 2015 Click It or Ticket Grant from the Texas Department of Transportation**

The Mission Police Department was requesting authorization to accept the 2015 Click It or Ticket Grant from the Texas Department of Transportation. The 2015 Click It or Ticket Grant was designed to provide grant monies to increase seat belt enforcement for both adults and young children throughout our community. The grant amount of \$4,999.70 would be utilized for enforcement purposes. There was no cash match required for this particular grant program. Staff was seeking a favorable recommendation.

Staff and City Manager recommended approval.

Councilman Plata moved to approve authorization to accept the 2015 Click It or Ticket Grant from the Texas Department of Transportation as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.15 Board Appointments – Juvenile Justice and Delinquency Prevention Advisory Board and Youth Advocacy Advisory Board**

Juvenile Justice and Delinquency Prevention Advisory Board: Appointed Mr. Brad Bentsen for the Parks and Recreation position, term to expire December 31, 2016.

Youth Advocacy Advisory Board: Appointed Cipriano Saenz to replace Norma Cruz who resigned from the board, term to expire December 31, 2015 and appointed Humberto Garza to replace Carlo Garza who resigned from the board, term to expire December 31, 2015.

Staff Recommendation: To approve Board Appointment as recommended by Mayor Norberto Salinas

City Manager recommended approval.

Councilman O'cana moved to approve Board Appointments – Juvenile Justice and Delinquency Prevention Advisory Board and Youth Advocacy Advisory Board as recommended by Mayor Salinas. Motion was seconded by Councilman Plata and approved unanimously 5-0.

#### **4.16 Authorization to solicit proposals for Employee Assistance Program Services (EAP)**

Staff was seeking authorization to solicit proposals for Employee Assistance Program Services (EAP). EAP Services offered a wide variety of counseling, referral, and consultation services, which were all designed to assist our employees and their families in resolving work/life issues. In 2011, staff entered into a contract with Deer Oaks to provide EAP Services. The terms of the contract with Deer Oaks was for three years, with two one-year renewal options, which had been exhausted. As a result, staff was seeking authorization to solicit proposals for Employee Assistance Program Services (EAP).

Staff and City Manager recommended approval.

Councilman O'cana moved to approve authorization to solicit proposals for Employee Assistance Program Services (EAP) as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.17 Authorization to solicit bids for ROW Improvements at Arnulfo "Tatan" Rodriguez, Jr. Park**

Staff was seeking authorization to solicit bids for the construction of a new sidewalk, handicap ramps and install decorative lights for the improvements and beautification of the Arnulfo "Tatan" Rodriguez Jr. Park. These lights would match and complement the existing product already in use in the downtown streetscape project.

Staff and City Manager recommended approval.

Councilman Plata moved to approve authorization to solicit bids for ROW Improvements at Arnulfo "Tatan" Rodriguez, Jr. Park as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

Councilman O'cana moved to approve to remove from table item 5.1 of the agenda. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

### **5.0 Unfinished Business**

#### **5.1 Authorization to accept the masonry repairs of the Mission Public Safety Jail Facility by Joe Williamson Construction Company as complete and final**

The City of Mission Police Department was requesting authorization to accept the masonry repairs of the Mission Public Safety Jail Facility by Joe Williamson Construction Company as complete and final. The City of Mission entered into an agreement with Joe Williamson Construction Company for the purpose of repairing our jail facility. The Mission Police Department contracted

Chanin Engineering LLC to oversee the demolition and construction of the jail facility in order to assure that the construction was completed to specifications. The Mission Police Department was in possession of a 132 page report from Chanin Engineering detailing the construction from start to finish. Chanin Engineering LLC in turn had provided a notice of completion and advised that the Mission Public Safety Jail Facility had been reconstructed in accordance with plan specification. The Mission Police Department therefore, requested that the city council accept the aforementioned construction as complete and final.

Staff Recommendation: Staff was respectfully requesting that authorization be granted to accept the repairs to the Mission Public Safety Jail Facility by Joe Williamson Construction Company as complete and final.

City Manager recommended approval.

Councilman O'cana moved to approve authorization to accept the masonry repairs of the Mission Public Safety Jail Facility by Joe Williamson Construction Company as complete and final as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

## **6.0 Routine Matters**

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

None

### **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 7.1-C of the agenda.

At 5:55 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 Consultation with Attorney Sec. 551.071**

- A. Concerns regarding CWV Service Center Building and Renovations Contract and any action regarding the surety**
- B. Discuss and consider Chapter 54 unsafe building lawsuits regarding the properties whose legal descriptions are N. ½ of Lot 4, Block 91, Mission Original Townsite, Mission, Texas, and Mission Original Townsite Lot 1, Block 91, Mission, Texas.**
- C. Contract and liquidated damages issues regarding Gerlach Subdivision and Oleander Subdivision projects**

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

At 6:41 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, no action was taken.

On item 7.1-B, no action was taken.

On item 7.1-C, no action was taken.

**8.0 Adjournment**

At 6:41 p.m., Mayor Pro Tem Garza moved for adjournment. Motion was seconded by Councilman Plata and approved unanimously 5-0.

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Norberto Salinas, Mayor

ATTEST:

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Anna Carrillo, City Secretary