

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
APRIL 28, 2014 4:30 P.M.
MISSION CHAMBER OF COMMERCE**

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
Marsha Marino
Lila Bartlett
Beverly Peters
Maria E. Salinas
Robert V. Toney
Opal Billman
Rose Ramirez
Joe B. Garza
Yvonne Loflin
Mario Olvera
Arturo Cano
Helen Carrillo
Jessica Ortega Ochoa
Esther Salinas
Chrystian Bolanos
Yvonne Laughlin
George Myers

STAFF PRESENT:

Carmen Morales, Administrative Asst.
Nelia Hernandez, Asst. City Secretary
Aida Lerma, Deputy City Manager
Elizabeth Hernandez, Executive Secretary
Danny Tijerina, Planning Director
Bobby Salinas, Asst. Planning Director
Roberto Salinas, Public Works Director
Joanne Longoria, CDBG Director
Rick Saldana, Fire Chief
Gilbert Sanchez, Fire Marshal
Eduardo Belmarez, Purchasing Director
Robert Dominguez, Chief of Police
Joel Laralde, Asst. Chief of Police
Janie Flores, Finance Director
Randy Perez, Asst. Finance Director
Julian Gonzalez, Parks & Rec. Director
Luduvico Martinez, B & G Club Director
Noemi Munguia, HR Director
Robert Hinojosa, Risk Manager
Roland Rodriguez, I. T. Director
Luis Contreras, Museum Director
Mayra Rocha, Library Director
Jonathan Wehrmeister, Judge
Humberto Garcia, Media Relations Officer

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:35 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 – Elder Abuse Prevention Month

City Secretary Anna Carrillo read the proclamation for Elder Abuse Prevention Month.

Rose Ramirez, Director of Silver Ribbon Community Partners received the proclamation.

Councilman Dr. Armando O’cana moved to approve the Proclamation – Elder Abuse Prevention Month. Motion was seconded by Councilwoman Mayor Pro Tem Norie Gonzalez Garza and approved unanimously 4-0.

4. Proclamation – Motorcycle Safety and Awareness Month

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

Robert Tony representative from Bikers of Christ and Andrew Canon HCMPO received the proclamation.

Councilwoman Maria Elena Ramirez moved to approve the Proclamation – Motorcycle Safety and Awareness Month. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

At 4:45 p.m. Councilman Ruben D. Plata joined the meeting.

5. Proclamation – National Police Week

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

Councilman Plata moved to approve the Proclamation – National Police Week. Motion was seconded by Councilman O’cana and approved unanimously 5-0.

6. Presentation of City of Mission Swimming Program

Julian Gonzalez, Parks & Recreation Director presented the swim coaches and advised the council of a year round program that would be taking place.

7. 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.

8. Departmental Reports

Mayor Pro Tem Garza moved to approve the departmental reports as presented. Motion was seconded by Councilman Plata and approved unanimously 5-0.

9. Citizens Participation

Opal Billman – 301 N. Shary Road spoke about a lawsuit that had been filed.

Yvonne Laughlin, HEB Public Affairs Specialist invited the Council to a Ribbon Cutting Ceremony.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

A. Conditional Use Permit Renewal: Home Occupation – Business Office, 1210 Elm Street, Lot 6, Block 4, Pecan Heights Subdivision, R-1, Illiana M. Bustamante Adoption of Ordinance # 4093 approving 1.1A

On April 9, 2014 the Planning and Zoning Commission convened to consider the conditional use permit request mentioned above, which was located on the SW corner of Elm and Bryan Road. 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 4093 Conditional Use Permit Renewal: Home Occupation – Business Office, 1210 Elm Street, Lot 6, Block 4, Pecan Heights Subdivision, R-1 as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 4093

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION – BUSINESS
OFFICE, 1210 ELM STREET, LOT 6, BLOCK 4, PECAN HEIGHTS SUBDIVISION

B. Conditional Use Permit: Home Occupation – Registered Home Daycare, 1808 E. 24th Street, Lot 24, Glasscock Village Subdivision, R-1, Yadira Villarreal Adoption of Ordinance # 4094 approving 1.1B

On April 23, 2014 the Planning and Zoning Commission convened and approved the conditional use permit for the request mentioned above, which was located approximately 950' west of Glasscock Road along the south side of E. 24th 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.

Marsha Marino and Ronda Barbara spoke against the request expressing their concerns for a home daycare.

Yadira Villarreal owner of the home daycare was present to answer questions.

Councilman Plata moved to approve the CUP and to adopt Ordinance No 4094 Conditional Use Permit: Home Occupation – Registered Home Daycare, 1808 E. 24th Street, Lot 24, Glasscock Village Subdivision, R-1 as recommended. Motion was seconded by Mayor Pro Tem Garza and approved 4-1 with Mayor Salinas against.

ORDINANCE NO. 4094

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION –
REGISTERED HOME DAYCARE, 1808 E. 24th STREET, LOT 24, GLASSCOCK VILLAGE
SUBDIVISION

C. Conditional Use Permit Renewal: Home Occupation – Photography Studio, 2002 N. Mayberry Road, A 155' x 200' tract of land out of the SW ¼ of Lot 24-9, West Addition to Sharyland Subdivision, AO-I, Arturo & Mandie Navarro Adoption of Ordinance # 4095 approving 1.1C

On April 23, 2014 the Planning and Zoning Commission convened and approved the conditional use permit renewal request mentioned above, which was at the NE area of Mayberry Road and Volz Lane. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval for life of use.

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 for 1 year and to adopt Ordinance No 4095 Conditional Use Permit Renewal: Home Occupation – Photography Studio, 2002 N. Mayberry Road, A 155' x 200' tract of land out of the SW ¼ of Lot 24-9, West Addition to Sharyland Subdivision, AO-I as recommended by Mayor Salinas. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

ORDINANCE NO. 4095

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION –
PHOTOGRAPHY STUDIO, 2002 N. MAYBERRY ROAD, A 155' X 220'
TRACT OF LAND OUT OF THE SW ¼ OF LOT 24-9, WEST ADDITION
TO SHARYLAND SUBDIVISION

**D. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Inolvidable Bohemia Cocina Bar, 2120 E. Business 83, Lot 51, Sharyland Orchards Subdivision, C-4, Mario Calera
Adoption of Ordinance # 4096 approving 1.1D**

On April 23, 2014 the Planning and Zoning Commission convened and approved the conditional use permit renewal request mentioned above, which was located on the SE corner of Ragland Road and Business 83. 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.

Mayor Pro Tem Garza moved to approve the CUP and to adopt Ordinance No 4096 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Inolvidable Bohemia Cocina Bar, 2120 E. Business 83, Lot 51, Sharyland Orchards Subdivision, C-4 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4096

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 – INOLVIDABLE BOHEMIA COCINA BAR, 2120 E.
BUSINESS 83, LOT 51, SHARYLAND ORCHARDS SUBDIVISION

**E. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Solo Empanadas Y Mas Restaurant, 1522 E. Expressway 83, Ste. 114, Lot 4, Stewart Plaza Subdivision, C-3, Solo Empanadas Y Mas Restaurant
Adoption of Ordinance # 4097 approving 1.1E**

At 5:20 p.m. Mayor Salinas stepped out of the meeting, Mayor Pro Tem Garza proceeded with the meeting.

On April 9, 2014 the Planning and Zoning Commission convened and approved the conditional use permit renewal request mentioned above, which was located on the SW corner of Stewart Road and Expressway 83. 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 4097 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Solo Empanadas Y Mas Restaurant, 1522 E. Expressway 83, Ste. 114, Lot 4, Stewart Plaza Subdivision, C-3 as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

ORDINANCE NO. 4097

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 – SOLO EMPANADAS Y MAS RESTAURANT, 1522 E. EXPRESSWAY 83, STE. 114, LOT 4, STEWART PLAZA SUBDIVISION

F. Final Re-Plat Approval: TRB Mission Subdivision, a resubdivision of 1.601 acres being all of Lots 2, 3, & 4, Glenwood Subdivision, C-3, Developers: Gustavo & Rosa Maria Zapata, Romulo & Rebecca Martinez, & Arturo Nava, Engineer: Melden & Hunt, Inc.

On March 24, 2014 the City Council convened and approved the Preliminary Plat Approval for the Re-plat of TRB Mission Subdivision. The subject site was located on the SE corner of Glenwood Avenue and Griffin Parkway. There was no public opposition during the Mtg. The Board unanimously recommended approval of re-plat. The developer had submitted a performance bond in lieu of construction. The bond had been approved as to form by the City Attorney.

Staff Recommendation: Approval of re-plat

City Manager recommended approval.

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

There were no comments.

Councilwoman Ramirez moved to approve Final Re-plat Approval: TRB Mission Subdivision, a resubdivision of 1.601 acres being all of Lots 2, 3 & 4, Glenwood Subdivision, C-3 as recommended. Motion was seconded by Councilman O’cana and approved unanimously 4-0.

2.0 Disposition of Minutes

2.1 City Council Meeting – April 14, 2014

Councilman O’cana 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 Speer Memorial Library Board – March 18, 2014

Citizen’s Advisory Committee Meeting – March 20, 2014, March 25, 2014 and March 27, 2014

Citizen’s Advisory Committee Special Meeting – February 18, 2014 and March 18, 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: Gabriel Aguilar Subdivision, 11.74 acre tract of land being all of Lot 46, Nick Doffing Subdivision, No. 1, Rural ETJ, Developer: Gabriel and Susana Aguilar, Engineer: B.I.G. Engineering

On April 9, 2014 the Planning and Zoning Commission convened and approved the Preliminary & Final Plat for Gabriel Aguilar Subdivision. The property was located approximately on the SW corner of Mile 5 and Brushline Road. This subdivision was within our 3 ½ Mile ETJ and the sewer was located approximately 2 miles away. 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 meeting the Model Subdivision Rules and complying with all format findings.

City Manager recommended approval.

Councilman Plata moved to approve the Preliminary Plat Approval: Gabriel Aguilar Subdivision, 11.74 acre tract of land being all of Lot 46, Nick Doffing Subdivision, No. 1, Rural ETJ subject to meeting the Model Subdivision Rules and complying with all format findings as recommended by staff. Motion was seconded by Councilwoman Ramirez and approved 3-1 with Councilman O'cana against.

4.2 Preliminary Plat Approval: Augusta Court Subdivision, A 2.73 acre tract of land being a part or portion of Lot 24-7, West Addition to Sharyland Subdivision, R-1T, Developer: AFB 515 Houston Investments, L.L.C., Engineer: Javier Hinojosa Engineering

At 5:34 p.m. Mayor Salinas rejoined the meeting.

On April 9, 2014 the Planning and Zoning Commission convened and approved the Preliminary & Final Plat for Augusta Court Subdivision. The proposed subdivision was located at the south west end of Augusta Street, off of Griffin Parkway. 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) No objection to not having alleys for townhouse lots and allowing the additional parking within the ROW; and 2) Obtain easements for the 8" waterline that went through the Mission Village Subdivision and the 24" storm line that was proposed within the Shary Golf Course.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Preliminary Plat Approval: Augusta Court Subdivision, A 2.73 acre tract of land being a part or portion of Lot 24-7, West Addition to Sharyland Subdivision, R-1T as recommended by staff. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.3 Preliminary Plat Approval: Upper Rockingham Subdivision, A 5.748 acre tract of land out of Lot 281, John H. Shary Subdivision, R-1A, Developer: Charles Carter Dev., L.P., Engineer: B.I.G. Engineering

On April 23, 2014 the Planning and Zoning Commission convened and approved the Preliminary & Final Plat for Upper Rockingham Subdivision. The proposed subdivision was located in the SE area of Stewart Road and 2 Mile 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) Must provide escrow for Mile 2 Road's remaining widening; 2) Must pay capital sewer recovery & park fees; 3) Provide water district exclusion; and 4) Comply with all other format findings.

City Manager recommended approval.

Councilman Plata moved to approve the Preliminary Plat Approval: Upper Rockingham Subdivision, A 5.748 acre tract of land out of Lot 281, John H. Shary Subdivision, R-1A as recommended by staff. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.4 Tax Collections Report – March, 2014

Randy Perez, Assistant Finance Director presented the Tax Collections Report for March, 2014 for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Tax Collections Report for March, 2014 as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.5 March 2014 Financial Statements

Mr. Perez presented the March 2014 Financial Statements for approval.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the March 2014 Financial Statements as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.6 Authorization to cancel City Council meeting scheduled for May 12, 2014 and reschedule May 26, 2014 meeting to May 27, 2014

The office of the City Manager was requesting the cancellation of the first regular City Council meeting scheduled for May 12, 2014 due to City elections. If the need arise a special meeting would be scheduled at a later date. Staff was also requesting to reschedule the May 26 meeting to Tuesday, May 27 due to City Hall being closed on Monday for Memorial Day Holiday.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve authorization to cancel City Council meeting scheduled for May 12, 2014 and reschedule May 26, 2014 meeting to May 27, 2014 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.7 Approval of Ordinance # 4098 granting a wet designation for 3009 N. Inspiration Suite C&D, Taurus Estates #3 Subdivision, Lot C1

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

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to adopt Ordinance No. 4098 granting a wet zone for Sale & On-Site Consumption of Alcohol – 3009 N. Inspiration Suite C & D, Taurus Estates #3 Subd., Lot C1 as recommended. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

ORDINANCE NO. 4098

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 3009 N. INSPIRATION
SUITE C & D, TAURUS ESTATES #3 SUBD., LOT C1

4.8 Authorization to purchase Security Camera System Server and licensing for the South Side Police Station and Fire Station #5 via Buyboard contract (Contract #409-12)

The City of Mission Police Department was requesting authorization to purchase a security camera system server and licensing for the south side police station and fire station #5 via a buyboard contract (Contract # 409-12). The current security camera system server at the Mission Police Department south station had failed. Currently, Staff was able to see the picture from the working cameras, however, the server could not record the video nor could staff program any of the cameras. This system failure was affecting the cameras not only at the South Police Station but the ones at the Fire Station #5. It was staff's intent to purchase a new security camera system server with the required licensing. Staff was respectfully requesting authorization to purchase the security camera system server and licensing via a Buyboard contract (Contract # 409-12).

City Manager recommended approval.

Councilman O'cana moved to approve authorization to purchase Security Camera System Server and licensing for the South Side Police Station and Fire Station #5 via Buyboard contract (Contract #409-12) as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.9 Authorization to award bid for Construction of Sanitation Office Building

At 5:43 p.m. Councilman Plata stepped out of the meeting.

On February 24, 2014, City Council gave authorization to solicit bids for Construction of Sanitation Office Building. The City of Mission had accepted and opened eight (8) bid responses for this project. Staff was recommending awarding to Rincones Group, Inc. who was lowest responsible bidder meeting all specifications in the amount of \$36,000.00.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve authorization to award bid for Construction of Sanitation Office Building as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 4-0.

4.10 Request authorization to purchase safety boots for safety boot reimbursement program from Cintas via state approved U.S. Communities contract number 409271485.

Staff was requesting authorization to solicit bids for the purchase of safety boots for eligible employees from Cintas via state approved U.S. Communities contract number 409271485. The City of Mission was implementing a safety boot employee payroll deduction program where the City would purchase safety boots and then distribute the safety boots to eligible employees. The eligible employees would reimburse the City the full amount of the boots through a payroll deduction program not to exceed five pay periods.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve authorization to purchase safety boots for safety boot reimbursement program from Cintas via state approved U.S. Communities contract number 409271485 as recommended. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

At 5:46 p.m. Councilman Plata rejoined the meeting.

4.11 Authorization to Solicit Bids for "Housing Assistance Program – Phase 13-II"

CAC met on April 8, 2014 and approved staff's recommendation to provide assistance for reconstruction of six (6) homes and rehabilitation of one (1) home through the CDBG program.

Reconstruction:

- *400 Sauz – 3 bdrm. 2 bath, 1100 sq. ft. (Hardship Case – roof collapsed due to weather)
- *212 Erma Ave – 2 bdrm. 1 ½ bath, 970 sq. ft.
- *215 Del Mar – 2 bdrm. 1 ½ bath, 970 sq. ft.
- *511 St. Marie Ave. – 3 bdrm. 2 bath, 1100 sq. ft.
- *421 N St. Marie Ave. – 2 bdrm. 1 ½ bath, 970 sq. ft.
- *1001 Laredo St. – 3 bdrm. 2 bath, 1100 sq. ft.

Rehabilitation:

*1115 Blake St.

*Subject to final approval by City Attorney

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve authorization to Solicit Bids for “Housing Assistance Program – Phase 13-II” subject to final approval by City Attorney. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.12 Approval of Work Authorization No. 1 with Javier Hinojosa Engineering related to the City of Mission Storm Drainage improvements at Gerlach Subdivision No. 2 and North Conway Subdivision No. 1

Work Authorization No. 1 entailed storm drainage improvements & survey at Gerlach Subdivision No. 2 and North Conway Subdivision No. 1. Storm drainage improvements project included 24”-30” storm lines, drainage inlets, utility adjustments and cut & restore pavement.

Staff Recommendation: Approval of Work Authorization No. 1

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve work authorization No. 1 with Javier Hinojosa Engineering related to the City of Mission Storm Drainage improvements at Gerlach Subdivision No. 2 and North Conway Subdivision No. 1 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.13 Authorization to award base bid for the replacement of sanitary sewer manholes for the Public Works Department

On March 10, 2014, City Council gave authorization to solicit bids for the replacement of 10 Sanitary Sewer Manholes. The City of Mission had accepted and opened three (3) bid responses for this project. Staff was recommending awarding to Southern Trenchless Solutions, LLC who was lowest responsible bidder meeting all specifications in the amount of \$116,466.00.

Staff and City Manager recommended approval.

Councilman Plata moved to approve authorization to award base bid for the replacement of sanitary sewer manholes for the Public Works Department as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.14 Request by Wal-Mart to Authorize City Manager to Issue Building Permit Prior to Subdivision Recordation being a 7.7937 acre tract of land out of Lot 21-11, West Addition to Shary Subdivision (NE area of Bryan and Business 83)

Staff had received a request to have the City Council authorize the City Manager to issue a building permit for a new Wal-Mart (\$2,175,544 value) to be located at the NE area of Bryan Rd. and Business 83. Staff had received a performance bond in lieu of construction which had been reviewed approved by our City Attorney. The Engineer for Wal-Mart was finalizing the plat and would be submitting the necessary documentation to record. Their request was to get a head start on the building while the plat's associated utility and paving was ongoing.

Over the years, the City had favorably considered such requests so long as occupancy was not issued prior to plat recordation. Staff did not object to their request.

Staff Recommendation: Approval subject to no occupancy without a recorded plat.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve request by Wal-Mart to authorize City Manager to issue Building Permit prior to Subdivision Recordation being a 7.7937 acre tract of land out of Lot 21-11, West Addition to Shary Subdivision (NE area of Bryan and Business 83) subject to no occupancy without a recorded plat as recommended by staff. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

Mr. Garza reminded the Council and public of the Mayor's Prayer Luncheon that would be held on Thursday, May 1, 2014 at 11:30 with guest speaker Lt. Governor David Dewhurst.

6.2 Mayor's Comments

None

7.0 Adjournment

At 5:51 p.m., Councilman Plata moved for adjournment. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary