

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
SEPTEMBER 26, 2011 4:30 P.M.
MISSION CITY HALL**

PRESENT:

Norberto Salinas, Mayor
Maria Elena Ramirez, Councilwoman
Ruben D. Plata, Councilman
Norie Gonzalez Garza, Councilwoman
Leo Olivarez, Mayor Pro Tem
David Guerra, City Attorney
Anna Carrillo, City Secretary
Julio Cerda, City Manager

ABSENT:

ALSO PRESENT:

Kathy Olivarez, Progress Times
Tony Cuellar
Diego Pena
Jeff Underwood
Shaine Mata
Raul Garcia Jr.

STAFF PRESENT:

Carmen Morales, Admin. Asst.
Nelia Hernandez, Asst. City Secretary
Sonia Carnes, Deputy City Manager
Sergio Zavala, Planning Director
Bobby Salinas, Planning Dept.
Roberto Salinas, Public Works Director
Paul Schaefer, Golf Course Director
Joanne Longoria, CDBG Director
Rick Saldana, Fire Chief
Eduardo Belmarez, Purchasing Director
Leo Longoria, Chief of Police
Robert Dominguez, Asst. Chief of Police
Martin Garza, Asst. Chief of Police
Janie Flores, Finance Director
Julian Gonzalez, Parks & Rec. Director
Juan C. Avila, B & G Club Director
Noemi Munguia, HR Director
Robert Hinojosa, Risk Manager
Jesse Lerma, Civil Service Director
Roland Rodriguez, I. T. Director
Jonathan Wehrmeister, Judge
Cassandra Karl, Museum Director
Mayra Rocha, Library Director

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:33 p.m.

2. Pledge Allegiance and Invocation

Mayor Salinas led the meeting with the pledge of allegiance and City Manager Julio Cerda gave the invocation.

3. Departmental Reports

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

4. Report from the Greater Mission Chamber of Commerce

Matt Ruszczak, CEO of the Greater Mission Chamber of Commerce reported on several events held during the week and of the following upcoming events Annual Chamber Banquet to be held on October 11 and the Butterfly Festival to be held on October 22.

5. Citizens Participation

None

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

- A. **Adoption of Ord. # _____ to Abandon a 35' x 430' portion of La Lomita Drive lying between Delmar Drive on the north, the Expressway 83 to the south, and the Railroad to the west, Being a 0.35 acre tract of land out of Lot 17-7, West Addition to Sharyland Subdivision as requested by Steve Spoor on behalf of Foy Johnson**

Staff received a written request from consulting engineer Steve Spoor on behalf of Foy Johnson to abandon the above portion of public street ROW that adjoined Foy's Supermarket. Via policy, public hearings had been activated to consider the request.

A statement was made that "the current configuration allowed the frontage road traffic that traveled north on Conway Avenue to bypass the traffic signal at Conway and the west bound frontage road" thus the closure would 'eliminate the bypass'.

There were numerous other intersections where potential bypasses could occur and occasionally do; however, just because a potential bypass was possible it was not compelling enough to sustain closure of public ROWs. When Mr. Johnson purchased the adjoining property that had been Foy's for the last 29 years, he was obviously aware that the public ROW existed; thus, he fulfilled his obligation as a developer & had the public street paved pursuant to Subdivision Codes at the time.

Mr. Spoor stated that 'congested and conflicted' traffic traveled south on La Lomita & entered the Frontage Road being 100' from Conway. It wasn't un-common to have had 'congestion' on a street depending on the time of day/time of year. For example, during the limited rush hour, you would have found fluctuated traffic congestion at many other intersections in Mission (as well as in other cities, we might add). However, traffic dissipated during the majority non-rush hours. With 29 years of perspective & traffic history, endured rush hours continued to be the logical choice instead of abandoning ROWs.

With regard to the Frontage Road/Lomita intersection, again, this had existed for at least the last 29 years where drivers usually used common sense to enter/exit/maneuver/etc.

On the ROW abandonment lessening the traffic going northward on La Lomita and entering "Conway at the wye north of Bahia Street", this was an obvious statement, i.e., if streets were closed, then less traffic would be generated thru it. Though the 'Y' configuration with a railroad crossing at this juncture was not ideal, it had existed for decades. Planning had yet to receive any PD report indicating that this 'Y' was unusually un-safe thus compelling city intervention to re-

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engineer the intersection. Since Conway was a State Highway (107), TXDoT traffic engineers had designed or at the very least, consented to La Lomita intersecting it as it currently existed.

Insofar as eliminating a 'traffic safety problem' by this abandonment, Planning had not received any specific data/evidence that reflected # of accidents per year, the juncture of said accidents, the circumstances involved, and by abandoning this portion of La Lomita, what the projected traffic patterns may result in and whether those traffic patterns are any safer or not.

There was no public opposition voiced during the 9/14/11 P&Z's hearing. The P&Z did suggest that the Traffic Safety Committee should've first been approached if there was a traffic safety issue. However, since the action item appeared on their agenda, the P&Z voted unanimously for denial.

Staff, P&Z and City Manager recommended ordinance denial.

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

There were no comments.

Mayor Pro Tem Olivarez moved to deny adoption of ordinance to abandon a 35' x 430' portion of La Lomita Drive lying between Delmar Drive on the north, the Expressway 83 to the south, and the Railroad to the west, being a 0.35 acre tract of land out of Lot 17-7, West Addition to Sharyland Subdivision. Motion was seconded by Councilman Ruben D. Plata and denied unanimously 5-0.

B. Conditional Use Permit: To co-locate 3 antennas & 6 cables to an existing telecommunications tower, 803 W. Expressway 83, Lot 11, Block 3, Erdahl Subdivision, C-3, Life of Use, Verizon Wireless

The site was located 50' east of Olmo Street along the south side of Expressway 83. The site also had frontage to Nueces Street. Verizon was in the process of upgrading their wireless communications network in South Texas and throughout the Rio Grande Valley. As cited above, Verizon wished to add new upgraded antennas on the existed self-support tower. There would not be any modification to the ground space nor any new electrical work associated with the project. Access to the Lot was provided through Expressway 83 and Nueces. In a highly visible area with adjoined residences to the south, Staff suggested that the antenna containment area be screened with a canvas tarp to help improve aesthetics. There was no public opposition during 8/24/11 P&Z's hearing. P&Z unanimously recommended approval.

Staff Recommendation: Approval subject to: 1) installing the canvas tarp as noted above and 2) approval for life of use.

Staff, P&Z and City Manager recommended approval.

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

Mr. Tony Cuellar, representative from Verizon Wireless was present to answer any questions or concerns the council or mayor had.

Councilwoman Garza moved to approve Conditional Use Permit: To co-locate 3 antennas & 6 cables to an existing telecommunications tower, 803 W. Expressway 83, Lot 11, Block 3, Erdahl

Subdivision, C-3, Life of Use as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

C. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Mariachuchena’s Bar and Grill, 302 W. Griffin Parkway, Suites A & B, Lot 2, Storage Depot Subdivision, C-3, Life of Use, Jose V. Narvaez

The subject site was located approximately ¼ mile west of Conway Avenue along the north side of Griffin Parkway (FM 495). A CUP for the sale of alcohol was previously approved by the Council in January 2010 when it was in operation under Mr. Martin Mendoza; now a new applicant was proposing to continue this operation.

- Hours of Operation/Staff: Wednesday & Sunday 4:00 p.m. to 12:00 a.m.; Thursday – Saturday 4:00 p.m. to 2:00 a.m.; Monday & Tuesday closed. Alcoholic Beverages would only be served during the allowable State selling hours. There would be 5 on staff.
- Parking: Viewing the floor plan, the restaurant had a total of 36 seating spaces, which required 12 parking spaces (36/3 space for every 3 seats = 12 parking spaces). It was noted that the parking area was held in common (48 spaces for all suites) and was shared with other businesses. The Planning Department had not received any complaints regarding parking under Mariachuchena’s previous management.
- Section 1.56-3 of the Zoning Code cites that ‘Bars’ must be 300’ from the nearest residence, church, school or publicly owned property. There was one residence within 300’; however, there was a solid series of storage units to the home, which was 290’ to the west (Norma Andis); however, P&Z and the Council previously waived this separation due to such extenuated circumstances.
- Noise: The applicant stated that there would be no changes in regards to having only a piano and acoustic music only; No DJ or loud bands.

According to the Police Department, within the past 3 months, there were 2 incidents of drinking alcohol after hours (TABC violation). Due to these incidents, the PD recommended 6 month re-evaluation tenure for the new owner(s).

There was no public opposition during 8/24/11 P&Z’s hearing. P&Z unanimously recommended approval subject to a 6-month re-evaluation.

Staff, P&Z and City Manager recommended approval.

City Manager Julio Cerda recommended approval of 3 month re-evaluation tenure for the new owner(s).

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

There were no comments.

Mayor Pro Tem Olivarez moved to approve Conditional Use Permit subject to a 3 month re-evaluation for the Sale & On-Site Consumption of Alcoholic Beverages – Mariachuchena’s Bar and Grill, 302 W. Griffin Parkway, Suites A & B, Lot 2, Storage Depot Subdivision, C-3. Motion was seconded by Councilman Plata and approved unanimously 5-0.

D. Conditional Use Permit: Sale and On-Site Consumption of Alcoholic Beverages – KAVE Bar, 2306 E. Expressway 83, Suites 8 & 9, Lot 1, Cimarron Crossing Phase I Subdivision, C-3, Life of Use, Javier Gonzalo Fernandez

The subject site was located near the SE corner of J.D. Drive and Expressway 83 along the Frontage Road. The CUP was originally for a bar & grill; however the kitchen had been removed thus only the bar remains. This CUP was previously approved by the Council in October 2010 for 3 years. However, KAVE had new owners, thus the activation of the CUP public hearing process was required.

- Hours of Operation/staff: Wednesday – Saturday from 9:00 p.m. to 2:00 a.m. Sunday – Tuesday would be closed. Alcoholic beverages had only been served during allowable State selling hours. Staff was 15 employees.
- Parking & Landscaping: There were 80 total seating spaces, which required 27 parking spaces (80 seats / 1 space for every 3 seats = 26.6 parking spaces). It was noted that the parking area was held in common (100 existing parking spaces) and was shared with other businesses. KAVE had been in operation since '07 and there had been no issues in regard to off-street parking. Landscaping was currently meeting City code as long as it was maintained.
- Must obtain a business license, prior to opening the business.

According to the Police Department, there was a shooting incident in Nov. 2010 but the incident occurred in the parking lot after closing hours. The Police Department recommended a 6-month re-evaluation tenure to closely monitor KAVE with the new owners.

There was no public opposition during 8/24/11 P&Z's hearing. P&Z unanimously recommended approval with a 6 month re-evaluation tenure.

Staff, P&Z and City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Olivarez moved to approve Conditional Use Permit: Sale and On-Site Consumption of Alcoholic Beverages – KAVE Bar, 2306 E. Expressway 83, Suites 8 & 9, Lot 1, Cimarron Crossing Phase I Subdivision, C-3 as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

E. Conditional Use Permit Renewal: Home Occupation - 'Sale of Snacks & Sodas', 2514 Paseo Encantado, Lot 13, Block 10, Tierra Dorada Subdivision, R-1, Life of Use, Andrea Esquivel

This CUP was originally approved on 1/9/08 and had since been renewed several times most recently on 9/22/10. The subject site was located on the NE corner of Paseo Encantado and Paseo Del Rey. The applicant had her SF home thereon with 2 paved driveways off of Paseo Encantado, a residential collector. She and her (youthful) son had been operating her home occupation for the past few years from her enclosed 5' X 6' porch that has a 2' X 2' window affixed to it.

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- Days/Hours of Operation: Monday – Friday: 4 p.m. to 8 p.m.
Saturday: 11 a.m. to 8 p.m.
Sundays: Closed
- Staff: The applicant and her son had been running the home occupation.

Since the operation was only open for a few hours a day, and since we had no complaints, staff did not object renewing this operation with a 3 year re-evaluation. There was no public opposition during 8/24/11 P&Z's hearing. P&Z unanimously recommended approval.

Staff, P&Z and City Manager recommended approval.

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

There were no comments.

Councilwoman Maria Elena Ramirez moved to approve Conditional Use Permit Renewal: Home Occupation - 'Sale of Snacks & Sodas', 2514 Paseo Encantado, Lot 13, Block 10, Tierra Dorada Subdivision, R-1 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

At 4:54 p.m. Councilman Plata stepped out of the meeting.

F. Rezoning: A 0.77 acre tract out of Lot 28-6, West Addition to Sharyland Subdivision, AO-I to C-1, Syed Husain Family, L.P.

The subject site was located approximately a ¼ mile south of 2 Mile Road, along the west side of Conway Avenue. The surrounded zones included: Agricultural Open Interim (AO-I) to the north and east; and Office Building District (C-1) to the west and south. The Land Uses included open acreage to the north, west, south, and State Hwy 107 to the east. The Future Land Use Map reflected a Heavy Density (HD) designation.

According to the FLUM, the property to the immediate north was designated General Commercial (GC). Also, C-1 was the most restrictive of the commercial zones, which allowed doctor's office, banks, etc. Typically, C-1 uses were silent neighbors for much of the time. Also, on 10/25/10, P&Z approved a rezoning from R-3 to C-1 on the property south and west of the site. There was no public opposition during 9/14/11 P&Z's hearing. P&Z unanimously recommended approval to the C-1 zone request.

Staff, P & Z and City Manager recommended approval.

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

There were no comments.

Councilwoman Ramirez moved to approve the rezoning of 0.77 acre tract out of Lot 28-6, West Addition to Sharyland Subdivision, AO-I to C-1 as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 3-0 with Councilwoman Garza abstaining.

At 4:57 p.m. Councilman Plata re-joined the meeting.

G. Rezoning: A 2.153 acre tract, Lot 184, John H. Shary Subdivision, C-3 to R-3, Lone Star National Bank

The un-platted site was 400' west of Denny's Restaurant being 550' west of Shary Road; the site had frontage to a paved public street (Selena Street). The surrounded land uses included the following: private lake used by the Twin Lakes Mobile Home Subdivision to the north; and unplatted properties to the east, west, and south. The surrounding zoning districts included the following: Agricultural Open Interim (AO-I) to the north and west; General Business (C-3) to the east; and Agricultural Open Interim (AO-I) / Heavy Commercial (C-4) to the south. The Future Land Use Map reflected General Commercial (GC).

The proposed Multi-family Residential zone (R-3) was a transitional land use and zoning district from the heavy retail Shary corridor. This type of land use was not un-common between the retail users and perhaps some other moderate zonings. Also, the R-3 could further sustain the continued C-3 retail users; and an upscale R-3 development would not depreciate property values, either. There was no public opposition during 9/14/11 P&Z's hearing. P&Z unanimously recommended approval to the R-3 zone request.

Staff, P & Z and City Manager recommended approval.

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

Mr. Rene Barrera of LSNB was present to answer any questions or concerns the council or mayor had.

Mayor Pro Tem Olivarez moved to approve the rezoning of 2.153 acre tract, Lot 184, John H. Shary Subdivision, C-3 to R-3 as recommended. Motion was seconded by Councilman Plata and approved unanimously ~~53~~-0.

H. Rezoning: Lot 1, and the South 25' of Lot 2, Block 1, Bel-Aire Heights Subdivision, R-1 to C-1, Dennis Jarzombek

The subject site was located on the NW corner of Orange Avenue and Griffin Parkway, a major thoroughfare. The surrounding zones included Single Family Residential (R-1) to the north; Office Building District (C-1) to the east and south; and Agricultural Open Interim (AO-I) to the west. The surrounding land uses consisted of single-family homes to the north, west, and south, and a commercial building to the east. The subject site currently had a single family home. The Future Land Use Map reflected a General Commercial (GC) designation.

The lot is on the corner of Griffin Parkway and Orange Avenue. Lots adjacent to Griffin Parkway with all its associated traffic were more compatible for a non-res use as recognized by the City's FLUM designation of General Commercial to this lot. The site also had access to a public alley, which was a typical feature of commercial lots. A final aspect observed by Staff was that there were C-1 zonings to the immediate east and south of the site. There was no public opposition during 9/14/11 P&Z's hearing. P&Z unanimously recommended approval to the C-1 zone request.

Staff, P & Z 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 Olivarez moved to approve the rezoning of Lot 1, and the South 25' of Lot 2, Block 1, Bel-Aire Heights Subdivision, R-1 to C-1 as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

I. Rezoning: Lot 21, Block 4, Oakwood Estates No. 2 Subdivision, R-1 to C-3, Diego Peña

The subject site was located on the NW corner of Griffin Parkway and Kristi Lane. The surrounding zones included Single Family Residential (R-1) to the north; General Business District (C-3) to the east and west; and Agricultural Open Interim (AO-I) to the south. The surrounding land uses consisted of single-family residential homes to the north and south, a commercial building to the east and an un-developed commercial lot to the west. The subject site was currently vacant. The Future Land Use Map reflected a General Commercial (GC) designation.

The lot was on the corner of Griffin Parkway and Kristi Lane. Lots that were adjacent to Griffin Parkway with intense traffic in its 5 lanes were more compatible for a non-res use as recognized by the City's FLUM designation of General Commercial to this lot. A final aspect observed by Staff was that there were various other commercial zoned properties along this corridor. There was no public opposition during 9/14/11 P&Z's hearing. P&Z unanimously recommended approval to the C-3 zone request.

Staff, P & Z and 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 of Lot 21, Block 4, Oakwood Estates No. 2 Subdivision, R-1 to C-3 as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

J. Rezoning: A 2.16 acre tract of land out of Lot 292, John H. Shary Subdivision, AO-I to R-1A, Everardo Sustaita

The subject site was located 450' west of Glassock Road along the north side of Mile 2 Road. The surrounding zones included Agricultural Open Interim (AO-I) in all directions. The surrounding land uses included open acreage to the north; single family homes in all other directions, included the site. The FLUM showed a Lower Density (LDA) designation.

The proposed zone complied with the City's Future Land Use Map, area residential land uses, and the predominant R-1A zoning. There was no public opposition during 9/14/11 P&Z's hearing. P&Z unanimously recommended approval to the R-1A zone request.

Staff, P & Z and 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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Councilwoman Garza moved to approve the rezoning of 2.16 acre tract of land out of Lot 292, John H. Shary Subdivision, AO-I to R-1A as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

2.0 Disposition of Minutes

2.1 Regular City Council Meeting – September 12, 2011 and Special City Council Meeting – September 19, 2011

Councilwoman Garza moved to approve the minutes as presented. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

3.0 Acknowledge Receipt of Minutes

3.1 Planning and Zoning Commission – August 24, 2011

Mission Economic Development Corporation – August 16, 2011

Boys and Girls Club – May 26, 2011

Citizen’s Advisory Committee Special Meeting – August 18, 2011

Shary Golf Advisory Board – August 10, 2011

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

4.0 Approvals and Authorizations

4.1 Adoption of Ord. # 3684 for Conditional Use Permit to Co-locate 3 antennas & 6 cables to an existing Telecommunications Tower, 803 W. Expressway 83, Lot 11, Block 3, Erdahl Subdivision, C-3

Staff and City Manager recommended ordinance approval.

Councilman Garza moved to approve Ordinance No. 3684 for Conditional Use Permit to Co-locate 3 antennas & 6 cables to an existing Telecommunications Tower, 803 W. Expressway 83, Lot 11, Block 3, Erdahl Subdivision, C-3 as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

ORDINANCE NO. 3684

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO CO-LOCATE 3 ANTENNAS & 6 CABLES TO AN EXISTING TELECOMMUNICATIONS TOWER, 803 W. EXPRESSWAY 83, LOT 11, BLOCK 3, ERDAHL SUBDIVISION, C-3

4.2 Adoption of Ord. # 3685 for Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages – Mariachuchena’s Bar and Grill, 302 W. Griffin Parkway, Suites A & B, Lot 2, Storage Depot Subdivision, C-3

Staff and City Manager recommended ordinance approval.

Mayor Pro Tem Olivarez moved to approve Ordinance No. 3685 for Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages – Mariachuchena’s Bar and Grill, 302 W. Griffin Parkway, Suites A & B, Lot 2, Storage Depot Subdivision, C-3 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 3685

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 – MARIACHUCHENA’S BAR AND GRILL, 302 W. GRIFFIN PARKWAY, SUITES A & B, LOT 2, STORAGE DEPOT SUBDIVISION, C-3

4.3 Adoption of Ord. # 3686 for Conditional Use Permit for the Sale & On-Site Consumption of Alcoholic Beverages KAVE Bar, 2306 E. Expressway 83, Suites 8 & 9, Lot 1, Cimarron Crossings Phase I Subdivision, C-3

Staff and City Manager recommended ordinance approval.

Councilman Plata moved to approve Ordinance No. 3686 for Conditional Use Permit for the Sale & On-Site Consumption of Alcoholic Beverages KAVE Bar, 2306 E. Expressway 83, Suites 8 & 9, Lot 1, Cimarron Crossings Phase I Subdivision, C-3 as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 3686

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 – KAVE BAR, 2306 E. EXPRESSWAY 83, SUITE 8 & 9, LOT 1, CIMARRON CROSSING PHASE I SUBDIVISION

4.4 Adoption of Ord. # 3687 for Conditional Use Permit Renewal: Home Occupation – ‘Sale of Snacks & Sodas’, 2514 Paseo Encantado, Lot 13, Block 10, Tierra Dorada, R-1

Staff and City Manager recommended ordinance approval.

Councilwoman Garza moved to approve Ordinance No. 3687 for Conditional Use Permit Renewal: Home Occupation – ‘Sale of Snacks & Sodas’, 2514 Paseo Encantado, Lot 13, Block 10, Tierra Dorada, R-1 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 3687

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RENEWAL- HOME OCCUPATION – ‘SALE OF SNACKS & SODAS’, 2514 PASEO ENCANTADO, LOT 13, BLOCK 10, TIERRA DORADA, R-1

4.5 Adoption of Ord. # 3688 for Rezoning a 0.77 acre tract out of Lot 28-6, West Addition to Sharyland Subdivision, AO-I to C-1

Staff and City Manager recommended ordinance approval.

Councilman Plata moved to approve Ordinance No. 3688 for Rezoning a 0.77 acre tract out of Lot 28-6, West Addition to Sharyland Subdivision, AO-I to C-1 as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

ORDINANCE NO. 3688

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING A 0.77 ACRE TRACT OUT OF LOT 28-6, WEST ADDITION TO SHARYLAND SUBDIVISION FROM AO-I TO C-1

4.6 Adoption of Ord. # 3689 for Rezoning A 2.153 Acre tract, Lot 184, John H. Shary Subdivision, C-3 to R-3

Staff and City Manager recommended ordinance approval.

Councilman Plata moved to approve Ordinance No. 3689 for Rezoning A 2.153 Acre tract, Lot 184, John H. Shary Subdivision, C-3 to R-3 as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

ORDINANCE NO. 3689

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING 2.153 ACRE TRACT, LOT 184, JOHN H. SHARY SUBDIVISION, C-3 TO R-3

4.7 Adoption of Ord. # 3690 for Rezoning Lot 1 and the South 25' of Lot 2, Block 1, Bel-Aire Heights Subdivision, R-1 to C-1

Staff and City Manager recommended ordinance approval.

Councilwoman Garza moved to approve Ordinance No. 3690 for Rezoning Lot 1 and the South 25' of Lot 2, Block 1, Bel-Aire Heights Subdivision, R-1 to C-1 as recommended. Motion was seconded by Councilwoman Plata and approved unanimously 5-0.

ORDINANCE NO. 3690

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING LOT 1, AND THE SOUTH 25' OF LOT 2, BLOCK 1, BEL-AIRE HEIGHTS SUBIDIVISON, R-1 TO C-1

4.8 Adoption of Ord. # 3691 for Rezoning Lot 21, Block 4, Oakwood Estates No. 2 Subdivision, R-1 to C-3

Staff and City Manager recommended ordinance approval.

Councilman Plata moved to approve Ordinance No. 3691 for Rezoning Lot 21, Block 4, Oakwood Estates No. 2 Subdivision, R-1 to C-3 as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 3691

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING LOT 21, BLOCK 4, OAKWOOD ESTATES NO. 2 SUBDIVISION, R-1 TO C-3

4.9 Adoption of Ord. # 3692 for Rezoning a 2.16 acre tract of land out of Lot 292, John H. Shary Subdivision, AO-I to R-1A

Staff and City Manager recommended ordinance approval.

Councilwoman Garza moved to approve Ordinance No. 3692 for Rezoning a 2.16 acre tract of land out of Lot 292, John H. Shary Subdivision, AO-I to R-1A as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 3692

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING A 2.16 ACRE TRACT OF LAND OUT OF LOT 292, JOHN H. SHARY SUBDIVISION, AO-I TO R-1A

4.10 Preliminary Plat Approval: Las Estrellas Subdivision No. II, 7.13 ac. tract being all of Lot 10, Nick Doffing Company Subdivision, No. 4, Rural ETJ, Developer: GARCO, Ltd., Engineer: Quintanilla, Headley & Associates

The subdivision was located on the SW corner of Mile 6 and Minnesota Road. The subdivision consisted of 6 lots, where all lots had the option of being used for commercial or multi-family purposes.

Water: The water CCN belonged to AGUA SUD. The developer was providing water service by connecting to an existing 8" water line located along the east side of Minnesota Road. No new hydrants were required by this plat, there was an existing hydrant east of Lot 5 and 6 and another east of Minnesota Road along the south side of Mile 6.

Sewer: Sanitary sewer service for this subdivision would be addressed by individual on-site sewage facilities (OSSF) of a standard design septic tank and drain field on each lot. Each lot met or exceeded the County's typical ½ acre standard where septic tanks were permitted. This area was not within the City of Mission's Sewer CCN. (Note: Mission sewer is 2.24 miles away).

Street & Storm Drainage: The plat dedicated an additional 15' on the perimeter Minnesota Road to equate to 40' ROW from centerline and an additional 30' on the perimeter of Mile 6 to equate to the 50' from centerline; thus in compliance to MPO requisites. Drainage for the subdivision was proposed through the use of swales located in the rear of each property as permitted under County guidelines.

The Planning and Zoning unanimously approved of the plat at their 9/14/11 meeting.

Staff and City Manager recommended approval subject to meeting the Model Subdivision Rules.

Councilman Plata moved to approve Preliminary Plat Approval: Las Estrellas Subdivision No. II, 7.13 ac. tract being all of Lot 10, Nick Doffing Company Subdivision, No. 4, Rural ETJ as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.11 Preliminary Plat Approval: Las Estrellas Subdivision No. III, 28.01 ac. tract being all of Lot 11, Nick Doffing Company Subdivision, No. 2 and all of Lot 57 & 58, Nick Doffing Company Subdivision, No. 3, Rural ETJ, Developer: GARCO, Ltd., Engineer: Quintanilla, Headley & Associates

The subdivision was located approximately 600' west of Minnesota Road along the north side of Mile 5 Road. The subdivision consisted of 46 lots, where lots 1, 34, 35, and 46 would have the option of being used for commercial or multi-family purposes.

Water: The water CCN belonged to AGUA SUD. The developer was providing water service by connecting to an existing 8" water line located along the south side of Mile 5 Road and extended an 8" line network throughout the subdivision, also allowed for future connectivity to the east and west. The developer was proposing to install 5 new hydrants; staff did not object to the hydrant locations.

Sewer: Sanitary sewer service for this subdivision would be addressed by individual on-site sewage facilities (OSSF) of a standard design septic tank and drain field on each lot. Each lot met or exceeded the County's typical ½ acre standard where septic tanks were permitted. This area was not within the City of Mission's Sewer CCN. (Note: Mission sewer is 1.37 miles away).

Street & Storm Drainage: The plat dedicated an additional 20' on the perimeter Mile 5 to equate to 60' ROW from centerline; thus in compliance to MPO requisites. The lots would be fronting 50' ROW 32' B/B paved streets built to the County's construction specifications. There were also two street stubs (along the northern area), one to the west and one to the east, which would later maximize E-W emergency traffic circulation. Temporary cul-de-sacs would be in place at the stubbed ends until such future developments occurred. No residential access would be allowed from Lots 1, 34, 35, and 46 onto Mile 5 Road. Drainage for the subdivision was proposed through the use of swales located in the rear of each property as permitted under County guidelines.

The Planning and Zoning unanimously approved of the plat at their 9/14/11 meeting.

Staff and City Manager recommended approval subject to meeting the Model Subdivision Rules and complying with the street name alignment policy.

Councilman Plata moved to approve Preliminary Plat Approval: Las Estrellas Subdivision No. III, 28.01 ac. tract being all of Lot 11, Nick Doffing Company Subdivision, No. 2 and all of Lot 57 & 58, Nick Doffing Company Subdivision, No. 3, Rural ETJ as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.12 Authorization to accept a grant from the Office of the Governor's Criminal Justice Division for Operation Safeguard.

The Mission Police Department was requesting authorization to accept a grant from the Office of the Governor's Criminal Justice Division for Operation Safeguard. The grant amount of \$13,238.00 would be utilized to purchase a total of three (3) portable radios. There was no cash match required by the City of Mission.

Staff and City Manager recommended ordinance approval.

Councilwoman Garza moved to authorize to accept a grant from the Office of the Governor's Criminal Justice Division for Operation Safeguard as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.13 Approval of Publicity and Tourism Agreement with the Greater Mission Chamber of Commerce, Inc.

Approval of Publicity and Tourism Agreement with the Greater Mission Chamber of Commerce, Inc. for Fiscal Year 2011-12. These were funds that were received from the Hotel Motel Occupancy Tax under VATS Tax Code, Section 351.101 to use hotel occupancy tax funds for attracting and promoting tourism and the convention and hotel industry.

The 2011-2012 agreement to be effective October 1, 2011 through September 30, 2012 in an annual sum of \$400,000.00

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve the Publicity and Tourism Agreement with the Greater Mission Chamber of Commerce, Inc. as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.14 August 2011 Financial Statements

Finance Director Janie Flores presented and recommended approval of the Financial Statement for August, 2011.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the August, 2011 Financial Statement as presented. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.15 Approval of Ordinance # 3693 of the City Council of the City of Mission, Texas approving a negotiated resolution between the Cities served by Texas Gas Service regarding the Company's April 28, 2011 Cost of Service Adjustment ("COSA") filing

On April 28, 2011, Texas Gas Service Company ("TGS") filed with the City of Mission a Cost of Service Adjustment ("COSA") Tariff seeking to increase natural gas rates to all customers residing in the City. On May 25, 2011 City Council approved Resolution #1288 authorizing the Cities Coalition to conduct a review of the Company's application and to hire and direct legal counsel and consultants to prepare a common response and to negotiate with the Company and direct any necessary litigation.

Geoffrey Gay of the law firm of Lloyd Gosselink Rochelle and Townsend, P.C. and Karl J. Nalepa, of the consulting firm R.J. Covington Consulting, LLC reviewed the Company's filing and negotiated with the Company. The attorney's and consultant recommended that Cities' approve the ordinance implementing the new rates, were just, reasonable and in the best interest of the public. The effective date of the COSA rates was August 1, 2011 the Ordinance still needed to be adopted.

Staff and City Manager recommended ordinance approval.

Ken Jones was present to answer any questions or concerns the council or mayor had.

Councilwoman Garza moved to approve Ordinance No. 3693 of the City Council of the City of Mission, Texas approving a negotiated resolution between the Cities served by Texas Gas Service regarding the Company's April 28, 2011 Cost of Service Adjustment ("COSA") filing as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 3693

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS ("CITY") APPROVING A NEGOTIATED RESOLUTION BETWEEN THE CITIES SERVED BY TEXAS GAS SERVICE ("CITIES") AND TEXAS GAS SERVICE ("TGS" OR "THE COMPANY") REGARDING THE COMPANY'S APRIL 28, 2011 COST OF SERVICE ADJUSTMENT ("COSA") FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; PROVIDING FOR THE RECOVERY OF THE CITIES' AND TGS' REASONABLE AND NECESSARY RATE CASE EXPENSES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; REPEALING ANY PRIOR ORDINANCES INCONSISTENT WITH THIS ORDINANCE AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND CITIES' LEGAL COUNSEL.

4.16 Award bid for "Housing Assistance Program – Housing Rehabilitation Phase 10-II DR".

On August 22, 2011 City Council authorized staff to re-solicit bids for one (1) rehabilitation home. The City of Mission had accepted and opened four (4) bid responses for this project. Staff recommended awarding contract for 1600 Doherty Ave. to Rigney Construction and Development, LLC who met all the Terms & Conditions and Specifications and was within budget. CAC met on September 13, 2011 and approved staff's recommendation as indicated above.

Rigney Construction and Development, LLC - \$23,500.00
1600 Doherty Ave. - \$23,500

The city had been utilizing 75% of the annual CDBG allocation for several years for reconstruction projects. Since 1999, a total of 330 families to date had been provided some form of housing assistance. Out of the 330 families, 188 families were provided with reconstruction assistance while 142 families were provided with rehabilitation assistance (including CDBG-R, CDBG-DR and SSBG funds).

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to approve award bid for "Housing Assistance Program – Housing Rehabilitation Phase 10-II DR" as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.17 Authorization to solicit bids for Chemicals, Muriatic Acid Feeder Systems, and Integrated Electronic Systems for Parks and Recreation Swimming Pools

Staff was seeking authorization to solicit bids for the purchase of Chemicals, Feeder, and IES for Swimming Pool (Briquettes) included Muriatic Acid, Isocyanuric Acid Powder, Sodium Bicarbonate, Granular Pool Shock Chemicals, Muriatic Acid Feeder System, and Integrated Electronic Systems to monitor and control the ph level and chlorine concentrations. Parks and Recreation Department had opted not to exercise the one year renewal on the current contract with Aquatic Commercial Solutions, Inc., due to the substantial projected increase in quantities because of the new swimming pool.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize to solicit bids for Chemicals, Muriatic Acid Feeder Systems, and Integrated Electronic Systems for Parks and Recreation Swimming Pools as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.18 Authorization to solicit bids for “Housing Assistance Program Phase 10-III”.

CAC met on August 9, 2011 and approved staff’s recommendation to provide assistance for the reconstruction of five (5) homes and rehabilitation of one (1) home through the CDBG program as follows:

Reconstruction:

- 306 Keralum - 2 Bedrooms
- ✓ 1106 Hunter - 2 Bedrooms
- 1028 Pueblo - 2 Bedrooms
- 118 Holland - 2 Bedrooms
- ✓ 113 S Francisco - 2 Bedrooms

Rehabilitation:

508 Glasscock

- ✓ Subject to title clearance that will satisfy City Attorney

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to solicit bids for “Housing Assistance Program Phase 10-III” as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.19 Authorization to reject and re-solicit bids for Chemicals Reagents for Public Works-North and South Water Treatment Plants

On August 22, 2011, City Council authorized staff to solicit bids for the purchase of Chemical Reagents to conduct water lab analysis for the North and South Water Treatment Plants. The City of Mission had accepted and opened one (1) bid response from Accurate Environmental LLC. Staff was seeking authorization to reject and re-solicit bids since Accurate Environmental LLC was found non-responsive for not submitting a bid bond or cashier’s check for 5% of the total amount of the bid.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize reject and re-solicit bids for Chemicals Reagents for Public Works-North and South Water Treatment Plants as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

4.20 Award bid for Re-roofing the Living Area at Fire Station No. 2

On July 11, 2011, City Council authorized staff to solicit bids for the Re-Roofing of the Fire Substation No.2 Living Area. The Roof Replacement at Fire Station No.2 was needed in order to repair leakage due to deterioration. The City of Mission had accepted and opened three (3) bid responses. Staff recommended awarding bid to American Contracting USA, Inc. who was the lowest responsible bidder in the amount of \$41,900.00.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve award bid for Re-roofing the Living Area at Fire Station No. 2 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.21 Approval of Amendment #8 to the Fleet Management and Maintenance Contract between the City of Mission and First Vehicle Services

Amendment #8 would add one and final year to the Fleet Management and Maintenance contract that was awarded to First Vehicle Services in May 2003, by City Council.

Amendment #8 increased the annual 2011/2012 budget from \$718,267.00 to \$730,477 for 2012. The \$12,210 difference was due to a 1.7% rate increase on consumer price index (CPI).

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to approve amendment #8 to the Fleet Management and Maintenance Contract between the City of Mission and First Vehicle Services as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.22 Accept partial assignment of L&G Engineering Work Authorization #3 (Military Parkway) and assume the payment of invoices incident thereto (City Attorney may ask Council to go into Executive Session prior to considering this matter in open session.)

Mayor Salinas recommended that council go into executive session prior to considering items 4.22, 4.23 and 4.25 in open session pursuant to V.T.C.A. Gov. Code Sec. 551.071, Consultation with Attorney. Council did and thereafter returned to the items in open session.

At 5:27 p.m., Councilwoman Garza moved to convene into executive session for items 4.22, 4.23, and 4.25 of the agenda. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

At 5:37 p.m., Mayor Pro Tem Olivarez moved to reconvene in open session to take action on items 4.22, 4.23, and 4.25 of the agenda. Motion was seconded by Councilman Plata and approved unanimously 5-0.

Amount due for Work Authorization #3 for Military Parkway Project was presently \$48,005.00. It was anticipated that \$1,890.00 would be due at a later date.

Funds were budgeted on Mission Redevelopment Authority's (TIRZ) FY 2011 adopted budget.

Staff and City Manager recommended approval.

Councilwoman Garza moved to accept partial assignment of L&G Engineering Work Authorization #3 (Military Parkway) and assume the payment of invoices incident thereto as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.23 Accept partial assignment of L&G Engineering Work Authorization #4 (Mile 2 North Project) and assume the Payment of invoices incident thereto (City Attorney may ask Council to go into Executive Session prior to considering this matter in open session.)

Final amount due for Work Authorization #4 for Mile 2 North Project is \$57,405.

Staff Recommendation: Acceptance of partial assignment and assume payment of invoices incident thereto

Staff and City Manager recommended approval.

Councilwoman Garza moved to accept partial assignment of L&G Engineering Work Authorization #4 (Mile 2 North Project) and assume the Payment of invoices incident thereto as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

At 5:40 p.m. Mayor Salinas requested to go to items 4.25 of the agenda.

4.24 Final Plat Approval: Granada Subdivision 10.14 Ac. out of Lots 92 & 102, John H. Shary Subdivision, PUD, Developer: Hunt Valley Dev. I, LLC Engineer: Halff Associates

The Preliminary Plat of Granada was approved by the City Council on February 14, 2011 thus allowing them to move forward into the construction stage. Hunt Valley was now seeking Final Plat Approval of Granada's Phase I being 31 lots designated for Single Family Residential usage.

Granada was at the NW corner of Glasscock/Los Indios Parkway. The size of lots ranged from 8,605 sq. ft. to 15,836 sq. ft.

Water: An internal 8" water line system had been installed to serve all lots; 5 hydrants were installed via direction from the Fire Marshal. The system was looped by connecting the new 8" water lines to the pre-existing 8" & 12" network.

Sewer: A new 8" system was installed to serve all the lots; said system tying into the pre-existing 15" sewer line work along the west side of Glasscock Road. The capital sewer recovery fee had been imposed.

Street & Storm: The internal series of public streets had been paved pursuant to city standards, i.e., 50' ROW/32' B-B streets. Drainage was installed via new 24" & 30" storm lines that connected into Hunt's regional drainage ditch system located on the north and west side of the subdivision.

Granada's Phase I has complied with the city's prevailing subdivision standards.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve Final Plat Approval: Granada Subdivision 10.14 Ac. out of Lots 92 & 102, John H. Shary Subdivision, PUD as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

4.25 Bid for the purchase of Copper Sulfate and Liquid Aluminum Sulfate for Water Treatment Plants for Public Works Department (City Attorney may ask Council to go into Executive Session prior to considering this matter in open session.)

On August 22, 2011, City Council authorized staff to solicit bids for the purchase of Chemicals for Water Treatment Plants. The City of Mission had accepted and opened three (3) bid responses for Copper Sulfate and two (2) bid responses for Liquid Aluminum Sulfate. Staff recommended awarding to General Chemical who was the lowest bidder meeting specifications.

Staff and City Manager recommended to reject and re bid.

Councilman Plata moved to reject and re bid for the purchase of Copper Sulfate and Liquid Aluminum Sulfate for Water Treatment Plants for Public Works Department as recommended. Motion was seconded by Councilman Garza and approved unanimously 5-0.

At 5:41 p.m. Mayor Salinas recommended to go to item 4.24 of the agenda.

4.26 Award bid for the purchase of Liquid Emulsion Polymer for Waste Water Treatment Plant for Public Works Department

On August 22, 2011, City Council authorized staff to solicit bids for the purchase of Chemicals for Waste Water Treatment Plant. The City of Mission had accepted and opened two (2) bid responses for Liquid Emulsion Polymer. Staff recommended awarding to Atlantic Coast Polymers who was the lowest responsible bidder meeting specifications.

Staff and City Manager recommended approval.

Councilman Plata moved to approve award bid for the purchase of Liquid Emulsion Polymer for Waste Water Treatment Plant for Public Works Department as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.27 Award bid for the purchase of Powdered Activated Carbon for Water Treatment Plants for Public Works Department

On August 22, 2011, City Council authorized staff to solicit bids for the purchase of Chemicals for Water Treatment Plants. The City of Mission had accepted and opened four (4) bid responses for Powdered Activated Carbon. Staff recommended awarding to Envirogreen Chemicals, LLC who was the lowest responsible bidder meeting specifications.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to approve award bid for the purchase of Liquid Emulsion Polymer for Waste Water Treatment Plant for Public Works Department as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.28 Award bid for the purchase of Sodium Chlorite for Water Treatment Plants for Public Works Department

On August 22, 2011, City Council authorized staff to solicit bids for the purchase of Chemicals for Water Treatment Plants. The City of Mission had accepted and opened two (2) bid responses for Sodium Chlorite. Staff recommended awarding to Siemens Industry, Inc. who was the lowest responsible bidder meeting specifications.

Staff and City Manager recommended approval.

Councilman Plata moved to approve award bid for the purchase of Sodium Chlorite for Water Treatment Plants for Public Works Department as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

None

6.2 Mayor's Comments

None

At 5:45 p.m., Councilman Plata moved to convene into executive session. Motion was seconded by Mayor Pro Tem Olivarez 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. City of Mission/Mission Economic Development Corporation v Mission Economic Development Authority, Inc.

B. Public Safety Building

7.2 Deliberation regarding real property Sec 551.072

A. Possible Property ROW acquisition to widen Lambethway

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

At 6:27 p.m., Councilwoman Ramirez moved to reconvene in open session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

On item 7.1-A, no action was taken.

On item 7.1-B, no action was taken.

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On item 7.2-A, no action was taken.

8.0 Adjournment

At 5:56 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