

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
JANUARY 23, 2012 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  
Gail Burkhardt, The Monitor  
Maria E. Garza  
Diana Laura Garza  
Genoveva Jaimes  
Oralia Chavez  
Lorena Gonzalez  
Karla Montemayor  
Carlos Cruz  
Jackie Luke  
Andrea Perez  
Brenda Guizar  
Janell Hinojosa  
Alexis Montemayor  
Monica Muniz  
Carlos Valdez  
Mary J. Laing  
Gilberto Flores  
Ruben Lozano Jr.  
Oscar Cardenas  
Issac Segura  
Maxi Lou Link  
Raul Saenz

**STAFF PRESENT:**

Carmen Morales, Administrative Asst.  
Nelia Hernandez, Asst. City Secretary  
Aida Lerma, Deputy City Manager  
Sonia Carnes, Deputy City Manager  
Guillermo Seguin, Deputy City Manager  
Sergio Zavala, Planning Director  
Alex Hernandez, Planning Dept.  
Roberto Salinas, Public Works Director  
Paul Schaefer, Golf Course Director  
Gilbert Sanchez, Fire Marshal  
Rick Saldana, Fire Chief  
Eduardo Belmarez, Purchasing Director  
Robert Dominguez, Asst. Chief of Police  
Martin Garza, Interim Chief of Police  
Janie Flores, Finance Director  
Randy Perez, Accountant  
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  
John Hernandez, City Engineer

**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 Julio Cerda gave the invocation.

### **3. Proclamation – “Groundhog Job Shadow Day”**

City Secretary Anna Carrillo read the proclamation for Groundhog Job Shadow Day.

Councilman Ruben D. Plata moved to approve the proclamation as presented. Motion was seconded by Councilwoman Maria Elena Ramirez and approved unanimously 5-0.

### **4. Proclamation – “FCCLA Week”**

Mrs. Carrillo read the proclamation for FCCLA Week.

Master Advisor Mary J. Laing of FCCLA received the proclamation.

Councilman Plata moved to approve the proclamation as presented. Motion was seconded by Councilwoman Norie Gonzalez Garza and approved unanimously 5-0.

### **5. Departmental Reports**

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

### **6. Report from the Greater Mission Chamber of Commerce**

Matt Ruszczak, CEO of the Greater Mission Chamber of Commerce reported on the recent chamber events that had recently taken place to and on upcoming events to include the Mayor’s International Brunch, and Winter Texan Fiesta.

### **7. Citizens Participation**

Maxi Lou Link of the Upper Valley Art League reported on a successful event where they had over 170 people in attendance.

#### **1.0 Public Hearing**

##### **1.1 Planning & Zoning Recommendations**

##### **A. Rezoning: A 2.47 acre tract out of Lot 165, John H. Shary Subdivision, C-3 to R-3, Everardo Sustaita**

The flag shaped tract of land was located south of Mission’s Wal-Mart. The surrounding zones included: C-3 (General Business) to the north, south, and west, and R-3 (Multi-Family Residential) to the east and AO-I (Agricultural Open Interim) to the south. The surrounding land uses included: Wal-Mart to the north, Multi-family apartments (Reserve @ Cimarron) to the east, and the Holiday Inn Hotel to the west, and Open Acreage & Child Daycare to the south.

A multi-family use would be compatible to the adjoining apartments to the east than a commercial use. There was no public opposition during the 1/11/12 P&Z’s hearing. P&Z unanimously recommended approval.

Staff and City Manager recommended approval.

### **Minutes, 1/23/12 Pg. 3**

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

There were no comments.

Mayor Pro Tem Olivarez moved to approve the Rezoning: A 2.47 acre tract out of Lot 165, John H. Shary Subdivision, C-3 to R-3 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

#### **B. Rezoning: Lot 7, Stewart Place Subdivision, Phase II, R-2 to R-3, Kevin Sparks**

The subject site was located at the NW corner of Griffin Parkway and Dora Jeanne Drive. The surrounding zones included R-2 (Duplex-Fourplex Residential) to the north, R-3 (Multi-Family Residential) to the east, R-1 (Single Family Residential) to the west, and C-3 (General Business) to the south. The surrounding land uses consisted of apartments to the north and east, a single-family home to the west, and a commercial plaza to the south. The proposed R-3 was consistent to area land uses; apartments were not un-common when fronting a major street; and the proposed use was apartments. There was no public opposition during the 1/11/12 P&Z's hearing. P&Z unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

Councilwoman Garza moved to approve the Rezoning: Lot 7, Stewart Place Subdivision, Phase II, R-2 to R-3 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

#### **C. Rezoning: A 0.51 acre tract out of a 39.81 acre tract, Lot 205, John H. Shary Subdivision, AO-I to C-3, J.J. Universal, LLC**

The subject site was located 200' east of Shary Road along the south side of Business 83. The site's dimensions were approximately 112' x 200'. The surrounding zones included C-4 (Heavy Commercial) to the north; AO-I (Agricultural Open Interim) to the east, and C-3 (General Commercial) to the west and south. The surrounding land uses consisted of a commercial warehouse to the north, a 'Stripes' convenience store to the west, open acreage (future commercial reserve) to the east, and an Advance Auto Parts store to the south. The subject site was currently open acreage. The site was part of a commercial 'reserve' since the inception of the Master Plan for Shary Crossing. It should be rezoned to C-3 due to FLUM compliance, frontage to a widened major thoroughfare, and it's adjacency to existing commercial uses and zones. There was no public opposition during the 1/11/12 P&Z's hearing. P&Z unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

Councilwoman Garza moved to approve the Rezoning: A 0.51 acre tract out of a 39.81 acre tract, Lot 205, John H. Shary Subdivision, AO-I to C-3 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**D. Re-Designation of Land Use: Cimarron Country Club PUD (Various Tracts): Tract II – A 0.269 acre tract of land being an open tract adjacent to Lots 1-4, Block 21; and Tract III – A 0.30 acre tract of land being an open tract adjacent to Shary Road, Sabine Ct., and Rio Grande Dr. out of Block 21, both out of Cimarron Country Club Phase I, Section IV, PUD (Non-Designated) to PUD (Townhouse), Ruben Lozano**

The L-shaped site was located on the NW corner of Shary Road and Rio Grande Drive. The surrounding zones (designations) included Townhouse to the north and south; Agricultural Open Interim to the east; and Single Family/Townhouse to the west. The predominant land use was “Townhouse” within the Sabine Court area. According to the PUD’s land use (approved by City Council January, 1992), the subject site was a non-designated part of the Cimarron Golf Course. Cimarron later sold it to the applicant, who wanted to utilize the portion east of his Lot 4 to make his lot larger for his future home. Staff had no objection to the request since it would complement the existing Townhomes to the north and west of the tracts; and would not increase the number of lots at Cimarron. Staff noted that the E-W panhandle was not being subdivided for usage; thus would remain ‘open’ and un-used. There was no public opposition during the 1/11/12 P&Z’s hearing. P&Z unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

Councilwoman Garza moved to approve the Re-Designation of Land Use: Cimarron Country Club PUD (Various Tracts): Tract II – A 0.269 acre tract of land being an open tract adjacent to Lots 1-4, Block 21; and Tract III – A 0.30 acre tract of land being an open tract adjacent to Shary Road, Sabine Ct., and Rio Grande Dr. out of Block 21, both out of Cimarron Country Club Phase I, Section IV, PUD (Non-Designated) to PUD (Townhouse) as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**E. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – La Parrilla Taco & Grill, 523 N. Conway Avenue, Lot 12, Block 92, Mission Original Townsite, C-3, Rene Benavidez/Gerardo Gonzalez**

The 1,414 sq. ft. restaurant site was located at the SW corner of Conway Avenue and 6<sup>th</sup> Street. This site previously had a CUP for the Sale & On-Site Consumption of Alcohol for “Cocina Del Caribe”. The intent was to establish a small family-oriented Mexican restaurant where alcoholic beverages would be available to customers with meals.

- Hours of Operation: Tuesday – Thursday from 11:00 a.m. to 10:00 p.m., Friday and Saturday from 11:00 a.m. to 12:00 a.m., and Sunday from 11:00 a.m. to 8:00 p.m. Alcoholic beverages would only be served during allowable State selling hours.
- Staff: 4 employees
- Parking: The floor plan, the 1,414’ sq.ft. site had a total of 5 tables that seat 4 and 12 booths that could accommodate 4 people each for a grand total of 68 seating spaces in the

dining area. A 10 space parking lot was available for additional parking. Staff noted that there was a City parking lot with 44 parking spaces available at the NW corner of Conway Ave. and 6<sup>th</sup> Street. Staff did not receive any complaints regarding parking from the previous CUP operator.

- Sect. 6-4: This request was compliant to Sect. 6-4 which required that no alcoholic beverages be sold within 300' to a church, public school, private school or public hospital (measured door-to-door for church or hospital).

There was no public opposition during 1/11/12 P&Z's hearing. P&Z unanimously recommended approval as per staff's recommendation.

Staff Recommendation: Approval subject to a 1 year re-evaluation to re-assess the CUP

City Manager recommended CUP approval.

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

There were no comments.

Councilman Plata moved to approve the Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – La Parrilla Taco & Grill, 523 N. Conway Avenue, Lot 12, Block 92, Mission Original Townsite, C-3 as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved 5-0.

**F. Conditional Use Permit: Sale & On-Site Consumption of Beer & Wine – Wing Stop Restaurant, 1801 N. Conway Ave., Suite F, Lot 1, Enrique Mery Subdivision, C-3, Wing Stop**

The proposed restaurant was located within a commercial plaza in the NW area of 18<sup>th</sup> Street and Conway Ave. The applicant would be relocating the Wing Stop restaurant from its current location on 301 W. Griffin Parkway to this new location.

- Hours of Operation: Everyday from 11:00 a.m. to 12:00 a.m. Alcoholic beverages would only be served during allowable State selling hours.
- Staff: 13-17 employees
- Parking: There were 50 total seating spaces, which required 17 parking spaces (50 seats /1 space for every 3 seats = 16.6 parking spaces). It was noted that the parking area was held in common (66 existing parking spaces) with other smaller suites.
- Landscaping: There was some existing landscaping along Conway Ave., however the applicant had recently purchased the entire plaza area and specified that he was looking to improve the area with some additional landscaping. A minimum of 3 shade trees similar to those along Conway located to the north of this site, and additional shrubs/hedges would be provided.

Wing Stop was a family-oriented restaurant that successfully acclimates well to its commercial location – this site would hopefully induce some commercial activity to the vacant lots to the north. There was no public opposition during 1/11/12 P&Z's hearing. P&Z unanimously recommended approval as per staff's recommendation.

## Minutes, 1/23/12 Pg. 6

Staff Recommendation: Approval subject to: 1) 1 year re-evaluation to re-assess the CUP, 2) provide landscaping as noted above, 3) wet zone the property, 4) comply with sign code and buffer requirements, if applicable, and 5) acquisition of a business license.

City Manager recommended CUP approval.

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

There were no comments.

Councilman Plata moved to approve the Conditional Use Permit: Sale & On-Site Consumption of Beer & Wine – Wing Stop Restaurant, 1801 N. Conway Ave., Suite F, Lot 1, Enrique Mery Subdivision, C-3 as recommended. Motion was seconded by Councilwoman Garza and approved 5-0.

### **G. Conditional Use Permit: Home Occupation – Registered Home Daycare, 1806 Gladiola St., Lot 201, Southern Oaks Phase III Subdivision, R-1, Reyna Lopez**

This CUP was approved by P&Z on 11/18/09 and then on 11/17/10. The subject site was located 70' east of Jacob Street. The home had a two car driveway off of Gladiola Street capable of accommodating the safe drop off and pick up of children. There was also an existing 4' sidewalk for pedestrian traffic. There was a six foot opaque buffer fence along the rear of the home and a 6' chain link fence along the front to maximize protection of the children. Reyna Lopez primarily uses her living room to care for the children.

- Hours of Operation: Monday – Friday from 7:30 a.m. to 5:00 p.m.
- Staff: Mrs. Lopez was the only person running the registered home
- DHS certification had been obtained as previously required.
- Must comply with the Section 1.56-1, Zoning Code (home occupation regs.)
- Planning had never received any complaints to this service.

There was no public opposition during 1/11/12 P&Z's hearing. P&Z unanimously recommended approval as per staff's recommendation.

Staff Recommendation: Approval subject to a 3 year re-evaluation to keep monitoring the child care facility

City Manager recommended CUP approval.

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

There were no comments.

Councilwoman Ramirez moved to approve the Conditional Use Permit: Home Occupation – Registered Home Daycare, 1806 Gladiola St., Lot 201, Southern Oaks Phase III Subdivision, R-1 as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved 5-0.

**H. Conditional Use Permit: The Complimentary Offering of Alcoholic Beverages for On-Site Consumption for a Social and/or Cultural Event, 921 E. 12<sup>th</sup> Street, Lot 1, Mission Library Subdivision, R-2, Upper Valley Art League**

- Site reflected the common parking spaces that serve the facility.
- Ord. # 3436 permits civic organizations to request such CUPs from city-owned buildings where complimentary alcoholic beverages would be offered (not sold) during a social/cultural event.
- On 11/17/10, P&Z voted to approve a request by the UVAL for the offering of alcoholic beverages for 1 year. UVAL was now requesting a renewal for another year that would allow the serving of complimentary alcoholic beverages during Art events for 2012. All events were scheduled from 7:00 p.m. to 9:00 p.m.
- It appeared that the 2011 social events occurred with no incidents. UVAL firmly attested that they were very watchful of how much the patrons were responsibly served, and intended to have continued vigilance at their social exhibit events in 2012. There was no public opposition during 1/11/12 P&Z's hearing. P&Z unanimously recommended approval as per staff's recommendation.

Staff Recommendation: Approval subject to compliance to Ord. # 3436

City Manager recommended CUP approval.

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

There were no comments.

Councilman Plata moved to approve the Conditional Use Permit: The Complimentary Offering of Alcoholic Beverages for On-Site Consumption for a Social and/or Cultural Event, 921 E. 12<sup>th</sup> Street, Lot 1, Mission Library Subdivision, R-2 as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved 5-0.

**I. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Kalos Salon De Eventos, 1516 E. Expressway 83, Ste. 5K, being Lots 5, 5J, 5K, 5L, Stewart Plaza Subdivision, C-3, Oscar L. Cardenas**

The subject site was located 400' south of U. S. Expressway 83 along the west side of Stewart Road within a commercial plaza. A 9,240 sq. ft. social events center was being built for activities such as weddings, reunions, birthday parties, seminar, etc. There was a total of 5,842 sq. ft. of the total area proposed for seating and kitchen areas.

- Parking: There were currently 180 existing parking spaces; the new construction would remove 10 spaces to allow for a drop-off area for wedding parties, etc. Parking reflected a need of 58 parking spaces (5,842 sq. ft./1 space per 100 sq. ft. = 58.4). There were now a total of 170 parking spaces held in common at this development. Since most activities were held at later hours and on weekends when most businesses at this development were closed, staff did not anticipate having any parking issues. This business would also be sharing with the other existing events center, The Corinthian, which required 70 parking spaces, thus required a minimum of 128 spaces for the two businesses.
- Hours of Operation: For the most part, these events typically took place during evening hours from approximately 6 p.m. to 2 a.m., primarily on Fridays and Saturdays.

## Minutes, 1/23/12 Pg. 8

- Such uses needed to be 300' from residential and Institutional (church) areas. There was a residential subdivision within this radius (Legends at Cimarron); thus a waiver of the separation requirement needed consideration.
- Must comply with Fire and Health Codes prior to obtaining a business license.

There was no public opposition during the 1/11/12 P&Z's hearing. P&Z unanimously recommended approval as per staff's recommendation.

Staff Recommendation: Approval subject to: 1) A 1 year re-evaluation after activation to assess CUP; 2) No objection to a waiver of the 300' separation requirement from the residential neighborhood (Legends at Cimarron has a masonry wall); and 3) Must acquire a business license which included wet zoning the site.

City Manager recommended CUP approval.

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

There were no comments.

Councilman Plata moved to approve the Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Kalos Salon De Eventos, 1516 E. Expressway 83, Ste. 5K, being Lots 5, 5J, 5K, 5L, Stewart Plaza Subdivision, C-3 as recommended. Motion was seconded by Councilwoman Ramirez and approved 5-0.

## **2.0 Disposition of Minutes**

### **2.1 City Council Meeting – January 9, 2012**

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

## **3.0 Acknowledge Receipt of Minutes**

### **3.1 MEDC – November 15, 2011**

**Planning and Zoning Commission – November 16, 2011 and Special Meeting – January 4, 2012**

**Boys and Girls Club of Mission – December 17, 2011**

**Mission Historical Museum – November 10, 2011**

**Shary Golf Advisory Board – September 14, 2011 and November 22, 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 Ordinance # 3724 for Rezoning A 2.47 acre tract out of Lot 165, John H. Shary Subdivision, C-3 to R-3**

Staff and City Manager recommended ordinance approval.

Councilwoman Garza moved to adopt Ordinance No. 3724 for Rezoning A 2.47 acre tract out of Lot 165, 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. 3724**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING A 2.47 ACRE TRACT OUT OF LOT 165, JOHN H. SHARY SUBDIVISION, C-3 TO R-3

**4.2 Adoption of Ordinance # 3725 for Rezoning Lot 7, Stewart Place Phase II from R-2 to R-3**

Staff and City Manager recommended ordinance approval.

Councilwoman Garza moved to adopt Ordinance No. 3725 for Rezoning Lot 7, Stewart Place Phase II from R-2 to R-3 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 3725**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING LOT 7, STEWART PLACE PHASE II, FROM R-2 TO R-3

**4.3 Adoption of Ordinance # 3726 for Rezoning A 0.51 acre tract out of a 39.81 acre tract, Lot 205, John H. Shary Subdivision, AO-I to C-3**

Staff and City Manager recommended ordinance approval.

Councilman Plata moved to adopt Ordinance No. 3726 for Rezoning a 0.51 acre tract out of a 39.81 acre tract, Lot 205, John H. Shary Subdivision, AO-I to C-3 as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

**ORDINANCE NO. 3726**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING A 0.51 ACRE TRACT OUT OF A 39.81 ACRE TRACT, LOT 205, JOHN H. SHARY SUBDIVISION, AO-I TO C-3

**4.4 Adoption of Ordinance # 3727 for Re-Designation of Land Use: Cimarron Country Club (Various Tracts): Tract II – A 0.269 acre tract of land being an open tract adjacent to Lots 1-4, Block 21; and Tract III – A 0.030 acre tract of land being an open tract adjacent to Shary Road, Sabine Court, and Rio Grande Drive out of Block 21, both out of Cimarron Country Club Phase I, Section IV, from PUD (Non-Designated) to PUD (Townhouse)**

Staff and City Manager recommended ordinance approval.

Councilwoman Garza moved to adopt Ordinance No. 3727 for Re-Designation of Land Use: Cimarron Country Club (Various Tracts): Tract II – A 0.269 acre tract of land being an open tract adjacent to Lots 1-4, Block 21; and Tract III – A 0.030 acre tract of land being an open tract adjacent to Shary Road, Sabine Court, and Rio Grande Drive out of Block 21, both out of Cimarron Country Club Phase I, Section IV, from PUD (Non-Designated) to PUD (Townhouse) as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 3727**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A RE-DESIGNATION OF LAND USE: CIMARRON COUNTRY CLUB PUD (VARIOUS TRACTS) TRACT II – A 0.269 ACRE TRACT OF LAND BEING AN OPEN TRACT ADJACENT TO LOTS 1-4, BLOCK 21; AND TRACT III – A 0.030 ACRE TRACT OF LAND BEING AN OPEN TRACT ADJACENT TO SHARY ROAD, SABINE COURT, AND RIO GRANDE DRIVE, OUT OF BLOCK 21, CIMARRON COUNTRY CLUB PHASE I, SECTION IV FROM PUD (NON-DESIGNATED) TO PUD (TOWNHOUSE)

**4.5 Adoption of Ordinance 3728 for Conditional Use Permit for the Sale & On-Site Consumption of Alcoholic Beverages – La Parrilla Taco & Grill, 523 N. Conway Ave. Lot 12, Block 92, Mission Original Townsite**

Staff and City Manager recommended ordinance approval.

Councilman Plata moved to adopt Ordinance No. 3728 for Conditional Use Permit for the Sale & On-Site Consumption of Alcoholic Beverages – La Parrilla Taco & Grill, 523 N. Conway Ave. Lot 12, Block 92, Mission Original Townsite as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

**ORDINANCE NO. 3728**

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 – LA PARRILLA TACO & GRILL, 523 N. CONWAY AVENUE, LOT 12, BLOCK 92, MISSION ORIGINAL TOWNSITE

**4.6 Adoption of Ordinance # 3729 for Conditional Use Permit for the Sale & On-Site Consumption of Beer & Wine – Wing Stop Restaurant, 1801 N. Conway Ave., Suite F, Lot 1, Enrique Mery Subdivision**

Staff and City Manager recommended ordinance approval.

Councilman Plata moved to adopt Ordinance No. 3729 for Conditional Use Permit for the Sale & On-Site Consumption of Beer & Wine – Wing Stop Restaurant, 1801 N. Conway Ave., Suite F, Lot 1, Enrique Mery Subdivision as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

**ORDINANCE NO. 3729**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE SALE & ON-SITE CONSUMPTION OF BEER & WINE – WING STOP RESTAURANT, 1801 N. CONWAY AVENUE, SUITE F, LOT 1, ENRIQUE MERY SUBDIVISION

**4.7 Adoption of Ordinance # 3730 for Conditional Use Permit for the Home Occupation – Registered Home Daycare, 1806 Gladiola Street, Lot 201, Southern Oaks Phase III Subdivision**

Staff and City Manager recommended ordinance approval.

Councilman Plata moved to adopt Ordinance No. 3730 for Conditional Use Permit for the Home Occupation – Registered Home Daycare, 1806 Gladiola Street, Lot 201, Southern Oaks Phase III Subdivision as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

**ORDINANCE NO. 3730**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION – REGISTERED HOME DAYCARE, 1806 GLADIOLA STREET, LOT 201, SOUTHERN OAKS PHASE III SUBDIVISION

**4.8 Adoption of Ordinance # 3731 for Conditional Use Permit for Complimentary Offering of Alcoholic Beverages for On-Site Consumption for a Social and/or Cultural Event, 921 E. 12<sup>th</sup> Street, Lot 1, Mission Library Subdivision**

Staff and City Manager recommended ordinance approval.

Councilwoman Garza moved to adopt Ordinance No. 3731 for Conditional Use Permit for Complimentary Offering of Alcoholic Beverages for On-Site Consumption for a Social and/or Cultural Event, 921 E. 12<sup>th</sup> Street, Lot 1, Mission Library Subdivision as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 3731**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE COMPLIMENTARY OFFERING OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION FOR SOCIAL AND/OR CULTURAL EVENT, 921 E. 12<sup>TH</sup> STREET, LOT 1, MISSION LIBRARY SUBDIVISION

**4.9 Adoption of Ordinance # 3732 for Conditional Use Permit for the Sale & On-Site Consumption of Alcoholic Beverages – Kalos Salon De Eventos, 1516 E. Expressway 83, Ste. 5K, being Lots 5, 5J, 5K, 5L, Stewart Plaza Subdivision**

Staff and City Manager recommended ordinance approval.

Councilman Plata moved to adopt Ordinance No. 3732 for Conditional Use Permit for the Sale & On-Site Consumption of Alcoholic Beverages – Kalos Salon De Eventos, 1516 E. Expressway 83, Ste. 5K, being Lots 5, 5J, 5K, 5L, Stewart Plaza Subdivision as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

**ORDINANCE NO. 3732**

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 – KALOS SALON DE EVENTOS, 1516 E. EXPRESSWAY 83, STE. 5K, BEING LOTS 5, 5J, 5K, 5L, STEWART PLAZA SUBDIVISION

**4.10 Approval of Resolution # 1304 Authorizing Mayor to submit an application to Hidalgo County – Urban County Program and execute related documents for Homeless Prevention & Rapid Re-housing (HPRP) program funds**

Staff was requesting approval of the Resolution authorizing to submit an application to Hidalgo County – Urban County Program through the HPRP to provide financial assistance to individuals and families who were at risk of becoming homeless or to re-house those who were homeless for the amount of \$75,000 and authorize the Mayor to submit application, execute interlocal agreement and all necessary documents. These funds were made available from the American Recovery and Reinvestment Act of 2009 (ARRA) and were distributed by the U. S. Department of Housing and Urban Development.

Staff and City Manager recommended resolution approval.

Councilman Plata moved to approve Res. No. 1304 authorizing Mayor to submit an application to Hidalgo County – Urban County Program and execute related documents for Homeless Prevention & Rapid Re-housing (HPRP) program funds as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

**RESOLUTION NO. 1304**

AUTHORIZING MAYOR TO SUBMIT AN APPLICATION TO HIDALGO COUNTY – URBAN COUNTY PROGRAM AND EXECUTE RELATED DOCUMENTS FOR HOMELESS PREVENTION & RAPID RE-HOUSING (HPRP) PROGRAM FUNDS

**4.11 December 2011 Financial Statements**

Finance Director Janie Flores presented the December 2011 Financial Statements for approval.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve the December 2011 Financial Statements. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

**4.12 Budget Amendments: General Fund and Designated Purpose Fund**

Mrs. Flores presented the budget amendments BA–2012-17 thru BA–2012-18 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve budget amendments BA–2012-17 thru BA–2012-18. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

**4.13 Approval of Ordinance # 3733 granting a wet designation for 1516 E. Expressway 83, Suite 5K, being Lots 5, 5J, 5K and 5L, Stewart Plaza Subdivision, Kalos Salon de Eventos**

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

Staff and City Manager recommended ordinance approval.

Councilwoman Garza moved to adopt Ordinance No. 3733 granting a wet designation for 1516 E. Expressway 83, Suite 5K, being Lots 5, 5J, 5K and 5L, Stewart Plaza Subdivision as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 3733**

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 1516 E. EXPRESSWAY 83, SUITE 5K BEING LOTS 5, 5J, 5K, AND 5L STEWART PLAZA SUBDIVISION

**4.14 Approval of Ordinance # 3734 granting a wet designation for 1801 N. Conway Ave., Suite F, Lot 1, Wing Stop**

Staff was requesting the above mentioned properties be wet zoned for Wine and Beer Retailer's On-Premise Permit.

Staff and City Manager recommended ordinance approval.

Councilwoman Garza moved to adopt Ordinance No. 3734 granting a wet designation for 1801 N. Conway Ave., Suite F, Lot 1 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 3734**

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 1801 N. CONWAY AVE., SUITE F, LOT 1, ENRIQUE MERY SUBDIVISION

**4.15 Authorization to solicit bids or purchase via a state approved contract a Mesh-Network Camera System**

The City of Mission Police Department was requesting authorization to purchase a Mesh-Network Camera System. It was the intent of our organization to deploy cameras in different areas of the city in an effort to monitor traffic density. The utilization of these cameras would assist in monitoring traffic, deploying police services immediately to traffic accidents, deploying police services to intersections where the traffic signals fail and to monitor for suspect vehicles in the vicinity of the areas being monitored. Staff request included the purchases of the cameras, to

include; radios to transmit the data, a server, mounting brackets, engineering services, electronic hardware and software and installation. The equipment would be purchased through our Federal Drug Forfeiture Accounts.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize to solicit bids or purchase via a state approved contract a Mesh-Network Camera System as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

#### **4.16 Authorization to solicit bids or purchase via a state approved contract police equipment for three (3) new police units**

The City of Mission Police Department was requesting authorization to purchase police equipment for three (3) police vehicles. The equipment purchased included police light bars, directional bars, prisoner seats, rifle racks, shotgun racks, push bumpers, cage partitions, siren speakers, trunk trays, headlight flashers, camera systems, laptops, radars, data radio systems, police mobile radios, stripping kits and miscellaneous equipment. The equipment would be purchased through our Federal Drug Forfeiture Accounts.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to authorize to solicit bids or purchase via a state approved contract police equipment for three (3) new police units as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

#### **4.17 Authorization to enter into a Memorandum of Understanding with the Lower Rio Grande Development Council for Police Academy Training and In-Service Police Training**

The Mission Police Department was requesting authorization to enter into a Memorandum of Understanding with the Lower Rio Grande Valley Development Council for Police Academy Training and In-Service Police Training. The establishment of this agreement would benefit the City of Mission Police Department in that it would provide police academy training to Mission Police Cadets and the required in-service training required by the Texas Commission on Law Enforcement Officer Standards and Education to our current one hundred and forty police officers (140). Staff was recommending that authorization be granted to engage in the Memorandum of Understanding with LRGVDC.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize to enter into a Memorandum of Understanding with the Lower Rio Grande Development Council for Police Academy Training and In-Service Police Training as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

#### **4.18 Approval of Resolution # 1305 declaring the adoption of H. Ayuntamiento de Villa del Carbon, Estado de Mexico as a Sister City**

Approval to declare the adoption of Villa del Carbon, State of Mexico, Mexico as a Sister City. Authorizing Mayor Salinas to act as the official representative of Mission to carry

out this program.

Mayor Ramiro Robledo Marquez and a delegation from Villa del Carbon would be our guests on during the Mayor's International Brunch on January 28, 2012 at which time the declaration and adoption of Villa del Carbon, State of Mexico, Mexico as our sister city would be made official.

The Sister City Concept was inaugurated by the President of the United States in 1956 to establish greater friendship and understanding between the people of the United States and other nations through the medium of direct personal contact. That the Council on behalf of the people of Mission accepted the people of Villa del Carbon, State of Mexico, Mexico to participate with Mission as its Sister City for the purpose of creating greater mutual understanding between the peoples of our two great cities and nations.

Staff and City Manager recommended resolution approval.

Councilman Plata moved to approve Res. No. 1305 declaring the adoption of H. Ayuntamiento de Villa del Carbon, Estado de Mexico as a Sister City as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

**RESOLUTION NO. 1305**

THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS DECLARES THE ADOPTION OF H. AYUNTAMIENTO DE VILLA DEL CARBON, ESTADO DE MEXICO AS A SISTER CITY.

**4.19 Authorization to submit a National Leadership Grant Application from the Institute of Museum and Library Services**

The Speer Memorial Library was seeking authorization to submit a National Leadership Grant application from the Institute of Museum and Library Services. The grant funds would be used to purchase equipment for a mobile library to be used in collaboration with the Library and the Museum. The grant had no local match.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to submit a National Leadership Grant Application from the Institute of Museum and Library Services as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.20 Discussion and action to approve Ordinance # 3735 of the City Council of the City of Mission, Texas amending Ordinance 3667 regarding the method of calculating sewer charges, and providing for an effective date.**

Staff and City Manager recommended ordinance approval.

Councilman Plata moved to adopt Ordinance No. 3735 of the City Council of the City of Mission, Texas amending Ordinance 3667 regarding the method of calculating sewer charges, and providing for an effective date as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

**ORDINANCE NO. 3735**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
AMENDING ORDINANCE 3667 REGARDING THE METHOD OF CALCULATING  
SEWER CHARGES; AND PROVIDING FOR AN EFFECTIVE DATE

**4.21 Award bid for Lease of Copiers for CDBG, Boys & Girls Club, Planning and Fire Departments**

On November 28, 2011, City Council authorized staff to solicit bids for the Lease of Copiers for CDBG, Boys & Girls Club, Planning and Fire Departments. The City of Mission had accepted and opened eight (8) bid responses for Lease of Copiers. Staff recommended award bid to Dahill in the amount of \$17,435.40 who was the lowest responsible bidder meeting all the Terms & Conditions and Specifications.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to approve to award bid for Lease of Copiers for CDBG, Boys & Girls Club, Planning and Fire Departments as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.22 Approval to accept donation of ambulance from Med Care EMS, Inc. and declare as surplus ambulance, bunker gear and Jaws of Life, authorizing Mayor to donate surplus items to our Sister Cities**

Staff was requesting to accept donation of ambulance to the City of Mission and our Sister City Committee, and to declare ambulance, bunker gear and Jaws of Life as surplus.

Authorization was also being requested for Mayor to donate surplus items to our Sister Cities.

Staff and City Manager recommended approval.

Councilwoman Garza moved to accept donation of ambulance from Med Care EMS, Inc. and declare as surplus ambulance, bunker gear and Jaws of Life, authorizing Mayor to donate surplus items to our Sister Cities as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.



**5.0 Unfinished Business**

None

**6.0 Routine Matters**

**6.1 City Manager's Comments**

None

**6.2 Mayor's Comments**

None

**7.0 Adjournment**

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

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Norberto Salinas, Mayor

ATTEST:

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Anna Carrillo, City Secretary