

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
JANUARY 11, 2016 4:30 P.M.  
MISSION CITY HALL**

**PRESENT:**

Norberto Salinas, Mayor  
Jessica Ortega-Ochoa, Councilwoman  
Ruben D. Plata, Councilman  
Norie Gonzalez Garza, Mayor Pro Tem  
Dr. Armando O'caña, Councilman  
Abiel Flores, City Attorney  
Jaime Tijerina, Deputy City Attorney  
Anna Carrillo, City Secretary  
Martin Garza, Jr., City Manager

**ABSENT:**

**ALSO PRESENT:**

Kathy Olivarez, Progress Times  
Ben Metoyer  
Silvestre De La Rosa  
Laura Gonzalez  
Lupe Gonzalez  
Lupe Garcia  
Beth Barnes  
Rosie Hickle  
Leonel Cantu  
Juan Eliseo Gonzalez  
Jim Barnes  
Jorge Saldaña  
Neida Medina  
Hermilo Flores  
Cayra Canales-Flores  
Lee McCormick  
Virginia Townsend  
Isaac Alvarez  
Sonia Pecina  
Nacho Pecina  
Mario Rodriguez  
Jean Peno  
Ed Peno  
Kayla Hickle  
Morgan Forshage  
Jasmine Long  
Maddy Flores  
Angelica & Elvia Hernandez  
Raul Gonzalez

Ben A. Cavazos
Silvia A. Carrera
Julian Carrera
Lisa Ayden
Abraham Ayala
Fred Kurth
Ben Garcia
Amador Requenez
Pat Townsend, Jr.
Jorge Martinez
Joe L. Sanchez
Bea Pena
Norma Saldaña
Jaime Gutierrez
Nereo Rodriguez
Pat Townsend, Sr.
Patty Rodriguez
Jenn Navarro
Yolanda Gonzalez
Rick Gonzalez
Sheila Fernald
Jaime Sanchez

**STAFF PRESENT:**

Nelia Hernandez, Asst. City Secretary  
Randy Perez, Deputy City Manager  
Elizabeth Hernandez, Executive Secretary  
Danny Tijerina, Planning Director  
Jaime Acevedo, Asst. Planning Director  
Angie Vela, Asst. Finance Director  
Roberto Salinas, Public Works Director  
Juan Pablo Terrazas, City Engineer  
Noemi Munguia, HR Director  
Robert Hinojosa, Risk Manager  
Joanne Longoria, CDBG Director  
Eduardo Belmarez, Purchasing Director  
Rene Lopez, Jr., Fire Chief  
Gilbert Sanchez, Fire Marshal  
Robert Dominguez, Chief of Police  
Joel Laralde, Asst. Chief of Police  
Mario Flores, Golf Course Director  
Luduvico Martinez, B & G Club Director  
Brad Bentsen, Parks & Recreation Director  
Jesse Lerma, Civil Service Director  
Mayra Rocha, Library Director  
Roland Rodriguez, I. T. Director  
Jonathan Wehrmeister, Judge  
Cesar Gutierrez, Sanitation Director  
Alex Meade, MEDC Chief Exec. Officer  
Humberto Garcia, Media Relations  
Charlie Longoria, Media Relations  
Luis Contreras, Museum Director  
Daniel Silva, MEDC

**1. Call to order**

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:35 p.m.

## **2. Pledge Allegiance and Invocation**

Mayor Salinas led the meeting with the pledge of allegiance and City Manager Martin Garza, Jr. gave the invocation.

## **3. Proclamation – Juan Diego Academy Lions Volleyball Team**

City Secretary Anna Carrillo read the Proclamation Juan Diego Academy Lions Volleyball Team.

Councilman Dr. Armando O’cana moved to approve the proclamation as presented. Motion was seconded by Councilman Ruben Plata and approved unanimously 5-0.

## **4. Presentation of 20, 25, 30 & 35 Year Service Award Recipients**

Mayor Salinas, Council and Martin Garza, City Manager presented plaques to City Employees with 20, 25, 30 & 35 years of service.

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

George Meyers, CEO from the Greater Mission Chamber of Commerce reported on the chamber events that had recently taken place. He also advised Mayor and Council on upcoming events and reported on a successful 21<sup>st</sup> Annual Mission Health Fair held on January 10, 2016.

## **6. Departmental Reports**

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

## **7. Citizens Participation**

Virginia Townsend, 1603 Vintage Lane thanked the Mayor and Council for recording the City Council meetings and making the meetings available to view.

### **1.0 Public Hearing**

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

- A. Rezoning: A 12.11 acre tract of land out of Lot 304, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to R-1T (Townhouse Residential), Mario Rodriguez, Adoption of Ordinance # 4299 approving 1.1A**

On December 16, 2015 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located approximately ½ mile north of 2 Mile on the west side of Shary Road. There was public opposition during the P&Z Mtg. The concerns voiced were regarding the density, townhomes were not consistent with the surrounding subdivision, and the possibility that the townhouses could be converted into apartments in the future. The Board voted 4-2 in favor of the R-1T zone.

Staff and City Manager recommended approval.

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

### **Minutes, 1/11/16 pg. 3**

Dr. Hermilio Flores of 2206 Monaco Dr. and owner of Sharyland Villas spoke in favor of the request and stated that this would benefit his property rather than the 12 acres of jungle that was currently there.

Mario Rodriguez applicant spoke in favor of the request and presented to council pictures and explained what the project would look like. He mentioned that this would be a gated subdivision with roughly between 85 to 100 luxury townhouse lots. He also mentioned that it would be something elegant and similar to the surrounding neighborhoods and managed by an in-house manager.

Ed Peno of 2412 El Dorado Dr. spoke against the request and among his concerns was the depreciation of the property value. He quoted Edward T. MacManner, "Growth is inevitable and desirable the destruction of community character is not the question is not whether your part of the world is going to change. The question is how."

Jesus Navarro from McAllen spoke against the request and mentioned that he'd currently purchased a home at Dorado Subd. and might have reconsidered his investment if he'd been aware about this rezoning request. He cited different subdivisions that have kept their nice settings but others have changed.

Sheila Fernald of 2311 Monaco Dr. spoke against the request and voiced her concerns with the surroundings and the people who would be moving in. Also, that there was no guarantee that this area would remain nice and pretty.

Nacho Pecina of 2401 Durango Dr. spoke in favor of the request and mentioned that he was there not only as a citizen but also as a developer. He noted that this would be the best suitable project for this type of land.

Dr. Layra Canales of 2206 Monaco Dr. and owner of Sharyland Villas spoke in favor of the request. She mentioned that she felt blessed that an investor of that nature was looking into the land.

Yolanda Gonzalez of 2302 Monaco Dr. spoke against the request and mentioned her concern of having to look at other places to live due to the future run down looks of this project.

Mayor Salinas recommended to approve the rezoning request and informed the citizens that this project would not only benefit their property values but also help with the reduction of their property taxes.

Councilman Plata moved to approve the Rezoning: A 12.11 acre tract of land out of Lot 304, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to R-1T (Townhouse Residential), as recommended. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

Mayor Pro Tem Garza moved to approve to adopt Ordinance No. 4299 Rezoning: A 12.11 acre tract of land out of Lot 304, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to R-1T (Townhouse Residential), as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 4299**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF A 12.11 ACRE TRACT OF LAND OUT OF LOT 304, JOHN H. SHARY SUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO R-1T (TOWNHOUSE RESIDENTIAL)

**B. Rezoning: A 1.12 acre tract of land out of the North ½ of Lot 15-7, West Addition to Sharyland Subdivision (aka the North ½ of Lots 1-3, Unrecorded Melba Carter Subdivision), C-3 (General Business) to I-1 (Light Industrial), Alfredo Arzamendi, Adoption of Ordinance # \_\_\_\_\_ approving 1.1B**

On December 16, 2015 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located on the east side of Conway Blvd. 150' north of Melba Carter. There was no public opposition during the P&Z Mtg. The Board unanimously recommended denial of the I-1 zone.

Staff and City Manager recommended denial.

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

There were no comments.

Councilman Plata moved to deny the rezoning request Rezoning: A 1.12 acre tract of land out of the North ½ of Lot 15-7, West Addition to Sharyland Subdivision (aka the North ½ of Lots 1-3, Unrecorded Melba Carter Subdivision), C-3 (General Business) to I-1 (Light Industrial). Motion was seconded by Councilwoman Ochoa and denied unanimously 5-0.

**C. Rezoning: A 1.32 acre tract of land, more or less, being the South 95' out of Lot 30, Bell Woods Co's Subdivision C, AO-I (Agricultural Open Interim) to C-3 (General Business), Raul Gonzalez, Adoption of Ordinance # 4300 approving 1.1C**

On December 16, 2015 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located along the west side of Conway Blvd. 500' north of 2 Mile Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval of the C-3 zone.

Staff 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 and to adopt Ordinance No. 4300 Rezoning: A 1.32 acre tract of land, more or less, being the South 95' out of Lot 30, Bell Woods Co's Subdivision C, AO-I (Agricultural Open Interim) to C-3 (General Business), as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4300**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF A 1.32 ACRE TRACT OF LAND, MORE OR LESS, BEING THE SOUTH 95' OUT OF LOT 30, BELL WOODS CO'S SUBDIVISION C, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO C-3 (GENERAL BUSINESS)

- D. Conditional Use Permit: Texas Citrus Fiesta Carnival 7.4 acres out of Lot 25-6, West Addition to Sharyland Subdivision & Lot 1, North Star Plaza Phase I, AO-I & C-3, January 14, 2016 – February 1, 2016, Texas Citrus Fiesta, Adoption of Ordinance # 4301 approving 1.1D**

On December 16, 2015 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The property was located near the NW corner of Conway and Griffin Parkway (F.M. 495). There was no public opposition during the P&Z Mtg. The Board 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.

Mayor Pro Tem Garza moved to approve the cup and to adopt Ordinance No. 4301 Conditional Use Permit: Texas Citrus Fiesta Carnival 7.4 acres out of Lot 25-6, West Addition to Sharyland Subdivision & Lot 1, North Star Plaza Phase I, AO-I & C-3, January 14, 2016 – February 1, 2016, Texas Citrus Fiesta, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4301**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR TEXAS CITRUS FIESTA CARNIVAL, 7.4 ACRES OUT OF LOT 25-6, WEST ADDITION TO SHARYLAND SUBDIVISION & LOT 1, NORTH STAR PLAZA PHASE I, AO-I & C-3, JANUARY 14, 2016 –FEBRUARY 1, 2016

- E. Conditional Use Permit: Texas Citrus Fiesta Fun Fair, 807 N. Conway Avenue (aka La Lomita Plaza & The Rotary Park), C-3, January 30, 2016, Texas Citrus Fiesta, Adoption of Ordinance # 4302 approving 1.1E**

On December 16, 2015 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit. The subject site was located at La Lomita Plaza (Leo Pena Park). There was no public opposition during the P&Z Mtg. The Board 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.

Councilman Plata moved to approve the cup and to adopt Ordinance No. 4302 Conditional Use Permit: Texas Citrus Fiesta Fun Fair, 807 N. Conway Avenue (aka La Lomita Plaza & The Rotary Park), C-3, January 30, 2016, Texas Citrus Fiesta, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4302**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE TEXAS CITRUS FIESTA FUN FAIR, 807 N. CONWAY AVENUE (AKA LA LOMITA PLAZA & THE ROTARY PARK), C-3, JANUARY 30, 2016

**F. Conditional Use Permit: Drive-Thru Window – La Esquina Taqueria, 2310 E. Expressway 83, Ste. 8, Lot 3, Cimarron Crossing Subdivision, C-3, Ruben De La Garza, Adoption of Ordinance # 4303 approving 1.1F**

On December 16, 2015 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit. The subject site was located approximately 250' west of Shary Road on the south side of U.S. Expressway 83 within an existing commercial plaza. There was no public opposition during the P&Z Mtg. The Board 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.

Councilman O'cana moved to approve the cup and to adopt Ordinance No. 4303 Conditional Use Permit: Drive-Thru Window – La Esquina Taqueria, 2310 E. Expressway 83, Ste. 8, Lot 3, Cimarron Crossing Subdivision, C-3, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4303**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU WINDOW – LA ESQUINA TAQUERIA, 2310 E. EXPRESSWAY 83, STE. 8, LOT 3, CIMARRON CROSSING SUBDIVISION

**G. Public Hearing – Mission Economic Development Corporation Industrial Development Revenue Bonds (AmeriTex Pipe & Products, LLC and Concrete Real Estate Investments, LLC)**

Public Hearing: A public hearing related to the issuance of one or more series of industrial development revenue bonds in an aggregate principal amount not to exceed \$10,000,000, pursuant to the terms and provisions of one or more loan agreements to AmeriTex Pipe & Products, LLC and its affiliate, Concrete Real Estate Investments, LLC to finance and/or refinance a portion of the costs of the acquisition, construction, equipping and improvement of an approximately 67,000 square foot facility located on a site of approximately 83 acres at 8489 and

## **Minutes, 1/11/16 pg. 7**

10151 Waukegan Road, Conroe, Texas, which was to be used to manufacture reinforced concrete pipe, culvert and manhole products.

There was a copy of the ad that was published in The Monitor on December 18, 2015.

The public hearing was to give citizens the opportunity to be heard.

Staff Recommendation: Public hearing only.

Mr. Lee McCormic was present to answer any questions.

No action was needed since this was only a public hearing.

### **2.0 Disposition of Minutes**

#### **2.1 City Council Meeting – December 14, 2015 and Special City Council Meeting – December 18, 2015**

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

### **3.0 Acknowledge Receipt of Minutes**

#### **3.1 Zoning Board of Adjustments – October 21, 2015**

**Speer Memorial Library Board – November 17, 2015**

**Planning and Zoning Commission – November 18, 2015**

**Mission Tax Increment Reinvestment Zone – November 19, 2015**

**Mission Redevelopment Authority – November 19, 2015**

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

At 5:30 p.m. Mayor Salinas stepped out of the meeting.

### **4.0 Approvals and Authorizations**

#### **4.1 Homestead Exemption Variance: A 1.0 acre tract of land, more or less, out of Lot 23-3, West Addition to Sharyland Subdivision, R-1, Alejandro Benavidez**

On December 16, 2015 the Planning and Zoning Commission held a Public Hearing to consider this homestead exemption variance request. The property was located along the east side of Los Ebanos Road between Fincher Street and Griffin Parkway (F.M. 495). The Board unanimously recommended approval as per staff's recommendation.

Staff Recommendation: Approval subject to compliance with Homestead Exemption Variance provisions: Affidavit, etc.

City Manager recommended approval.

Councilman Plata moved to approve the Homestead Exemption Variance: A 1.0 acre tract of land, more or less, out of Lot 23-3, West Addition to Sharyland Subdivision, R-1, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**4.2 Final Plat Approval: Tres Picos Subdivision Ph. II, A 2.56 acre tract of land out of Lot A, Park Subdivision, R-2,  
Developer: Tres Rios, LLC,  
Engineer: Nain Engineering**

On July 27, 2015 the City Council convened and approved the Preliminary Plat for Tres Picos Subdivision Ph. II. The proposed subdivision was located approximately 1,000' west of Taylor Road along the north side of Griffin Parkway (the Old Mr. Fun's Site). The City Council unanimously recommended approval as per Staff's recommendation.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the Final Plat Approval: Tres Picos Subdivision Ph. II, A 2.56 acre tract of land out of Lot A, Park Subdivision, R-2, Developer: Tres Rios, LLC, Engineer: Nain Engineering, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**4.3 Final Plat Approval: Mission Valley Subdivision, A 7.765 acre out of Lot 296, and out of a 50' Abandoned Canal ROW, John H. Shary Subdivision, R-1,  
Developer: Lana S. Heina & Marion D. Heina,  
Engineer: Melden & Hunt, Inc.**

On March 23, 2015 the City Council convened and approved the Preliminary Plat for Mission Valley Subdivision. The proposed subdivision was located approximately 350' north of East Bluebonnet Lane along the West side of Taylor Road. The City Council unanimously recommended approval as per Staff's recommendation.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the Final Plat Approval: Mission Valley Subdivision, A 7.765 acre out of Lot 296, and out of a 50' Abandoned Canal ROW, John H. Shary Subdivision, R-1, Developer: Lana S. Heina & Marion D. Heina, Engineer: Melden & Hunt, Inc., subject to Melody Ln. be repaired prior to plat being recorded. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**4.4 Final Plat Approval: Pueblo Bonito Subdivision (formerly presented as Upper Rockingham Subdivision), A 5.748 acre tract of land out of Lot 281, John H. Shary, Subdivision R-1A,  
Developer: Charles Carter Dev., L.P.,  
Engineer: South Texas Infrastructure Group**

On January 26, 2015 the City Council convened and approved the Preliminary Plat for Upper Rockingham Subdivision. The proposed subdivision was located in the SE area of Stewart Road and 2 Mile Road. The City Council unanimously recommended approval as per Staff's recommendation.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to approve the Final Plat Approval: Pueblo Bonito Subdivision (formerly presented as Upper Rockingham Subdivision), A 5.748 acre tract of land out of Lot 281, John H. Shary, Subdivision R-1A, Developer: Charles Carter Dev., L.P., Engineer: South



**Minutes, 1/11/16 pg. 9**

Texas Infrastructure Group, as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

At 5:39 p.m. Mayor Salinas rejoined the meeting.

**4.5 Final Plat Approval: Mountain View Subdivision, Ph. II, A 20.67 acre tract of land out of Lot 30-3, West Addition to Sharyland, R-1, Developer: TDB Properties, LTD, Engineer: Quintanilla, Headley & Associates**

On January 26, 2015 the City Council convened and approved the Preliminary Plat for Mountain View Subdivision, Ph. II. The proposed subdivision was located at the NE corner area of 2 Mile and Los Ebanos Road. The City Council unanimously recommended approval as per Staff's recommendation.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the Final Plat Approval: Mountain View Subdivision, Ph. II, A 20.67 acre tract of land out of Lot 30-3, West Addition to Sharyland, R-1, Developer: TDB Properties, LTD, Engineer: Quintanilla, Headley & Associates, as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

**4.6 Approval of Resolution # 1424, A City Council of Mission Supplemental Resolution Approving the Resolution of Mission Economic Development Corporation Authorizing the Issuance of Bonds on Behalf of Natgasoline LLC; and Matters Related Thereto**

Lee McCormick, President of Community Development Associates, LLC had facilitated the issuance of Bonds on behalf of Natgasoline LLC.

Mr. McCormick was present at the meeting to answer any questions City Council may have.

There was a staff report and proposed resolution.

Staff and City Manager recommended approval of Resolution.

Mayor Pro Tem Garza moved to approve Resolution # 1424, A City Council of Mission Supplemental Resolution Approving the Resolution of Mission Economic Development Corporation Authorizing the Issuance of Bonds on Behalf of Natgasoline LLC; and Matters Related Thereto. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

**RESOLUTION NO. 1424**

SUPPLEMENTAL RESOLUTION APPROVING THE RESOLUTION OF MISSION ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING THE ISSUANCE OF BONDS ON BEHALF OF NATGASOLINE LLC; AND MATTERS RELATED THERETO

**4.7 Approval of request by County of Hidalgo Elections Department to use City Facilities for early voting and election day for March 1, 2016 Primary Election, for May 24, 2016 Primary Runoff, and for November 8, 2016 General Election**

**Minutes, 1/11/16 pg. 10**

There was a request for the use of Bannworth Gym and Mission City Hall for early voting and election day and Central Fire Station and Kika de la Garza Building (Upper Valley Art League) for Election Day.

Staff and City Manager recommended approval of request.

Mayor Pro Tem Garza moved to approve the request by County of Hidalgo Elections Department to use City Facilities for early voting and election day for March 1, 2016 Primary Election, for May 24, 2016 Primary Runoff, and for November 8, 2016 General Election. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

**4.8 Approval of Interlocal Agreement between City of Mission and County of Hidalgo**

Mission I Head Start Center was located at 115 South Mayberry Road. The lease agreement was to cover a two year period from January 1, 2016 thru December 31, 2018. The rent amount of the lease was \$500.00 per month for a total of \$12,000 for the two year period.

Staff Recommendation: Approval of Interlocal Agreement.

City Manager recommended approval.

Councilman O'cana moved to approve the Interlocal Agreement between City of Mission and County of Hidalgo. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.9 Second and Final Reading and adopt Ordinance # 4304 granting to Sharyland Utilities, L.P., A Limited Partnership Duly Organized Under The Laws Of The State Of Texas, An Electric Power Delivery Franchise**

First reading of the Ordinance was on November 23, 2015. This was the second and final reading. Franchise agreement would be effective March 1, 2016 thru March 1, 2021.

Staff Recommendation: Approval second reading and adoption of Ordinance.

City Manager recommended approval.

Councilman O'cana moved to approve Second and Final Reading and adopt Ordinance No. 4304 granting to Sharyland Utilities, L.P., A Limited Partnership Duly Organized Under The Laws Of The State Of Texas, An Electric Power Delivery Franchise. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 4304**

AN ORDINANCE GRANTING TO SHARYLAND UTILITIES, L.P., A LIMITED PARTNERSHIP DULY ORGANIZED UNDER THE LAWS OF THE STATE OF TEXAS, AN ELECTRIC POWER DELIVERY FRANCHISE

**4.10 Board Appointments – Ambulance Board, Building Board of Adjustments, Citizen Advisory Committee, Civil Service Commission, Parks and Recreation Board, Planning and Zoning Commission, Shary Golf Course Advisory Board, Speer Memorial Library Board, Tax Increment Reinvestment Board (TIRZ), Traffic Safety Committee, Youth Advocacy Advisory Board, Zoning Board of Adjustments, Juvenile Justice and Delinquency Prevention Advisory Board**

**Minutes, 1/11/16 pg. 11**

Following is the list of Boards and Committee Appointments along with the recommendation by Mayor Norberto Salinas.

**BOARDS AND COMMITTEES  
TERMS EXPIRING DECEMBER 31, 2015**

**AMBULANCE BOARD**

- |                  |                   |
|------------------|-------------------|
| ➤ Mario Lizcano  | December 31, 2015 |
| ➤ Javier Iruegas | December 31, 2015 |
| ➤ Tim Brown      | December 31, 2015 |

**MAYOR'S RECOMMENDATION:** Re-Appoint Mario Lizcano, Javier Iruegas and Tim Brown

**BUILDING BOARD OF ADJUSTMENTS**

- |                 |                   |
|-----------------|-------------------|
| ➤ Carl Davis    | December 31, 2015 |
| ➤ Michael Davis | December 31, 2015 |

**MAYOR'S RECOMMENDATION:** Re-Appoint Carl Davis, Michael Davis

**CITIZENS ADVISORY COMMITTEE**

- |                    |      |                   |
|--------------------|------|-------------------|
| ➤ Irma Fernik      | (NW) | December 31, 2015 |
| ➤ Rosie B. Lopez   | (SE) | December 31, 2015 |
| ➤ Hector Leal      | (NE) | December 31, 2015 |
| ➤ Lupe Ozuna       | (SW) | December 31, 2015 |
| ➤ Severo Rodriguez | (SE) | December 31, 2015 |
| ➤ Roel Rivera      | (SW) | December 31, 2015 |
| ➤ VACANT           | (NW) | December 31, 2016 |

**MAYOR'S RECOMMENDATION:** Re-Appoint Irma Fernik, Rosie Lopez, Lupe Ozuna, Severo Rodriguez, and Roel Rivera and appoint Jorge Martinez for the NE position.

**CIVIL SERVICE COMMISSION**

- |                      |                   |
|----------------------|-------------------|
| ➤ Rosalinda Gonzalez | December 31, 2015 |
|----------------------|-------------------|

**MAYOR'S RECOMMENDATION:** Re-Appoint Rosalinda Gonzalez

**PARKS AND RECREATION BOARD**

- |                        |                   |
|------------------------|-------------------|
| ➤ Oton "Tony" Guerrero | December 31, 2015 |
| ➤ Pat Townsend, Sr.    | December 31, 2015 |

**MAYOR'S RECOMMENDATION:** Re-Appoint Oton "Tony" Guerrero and Pat Townsend, Sr.

**PLANNING & ZONING COMMISSION**

- |                   |                   |
|-------------------|-------------------|
| ➤ Carlos Lopez    | December 31, 2015 |
| ➤ Diana Yzaguirre | December 31, 2015 |

**MAYOR'S RECOMMENDATION:** Re-Appoint Carlos Lopez and Diana Yzaguirre

SHARY GOLF COURSE ADVISORY BOARD

- Richard Hernandez December 31, 2015
- Tony O’Cana December 31, 2015

MAYOR’S RECOMMENDATION: Re-Appoint Richard Hernandez and Tony O’Cana

SPEER MEMORIAL LIBRARY BOARD

- Lina Cantu Cruz December 31, 2015
- Anne Whitfield December 31, 2015
- Linda Fraser December 31, 2015

MAYOR’S RECOMMENDATION: Re-Appoint Lina Cantu Cruz, Anne Whitfield and Linda Fraser

TAX INCREMENT REINVESTMENT BOARD (TIRZ)

- Eunice Sanchez Unable to continue December 31, 2015
- David Crook December 31, 2015
- Joel A. Gonzalez December 31, 2015
- Al Beltran December 31, 2015

MAYOR’S RECOMMENDATION: Re-Appoint David Crook, Joel A. Gonzalez and Al Beltran and appoint Laura Villarreal to replace Eunice Sanchez

TRAFFIC SAFETY COMMITTEE

- Carlo Garza December 31, 2015
- Eduardo Arrambide December 31, 2015
- Jerry Cruz December 31, 2015

MAYOR’S RECOMMENDATION: Re-Appoint Carlo Garza, Eduardo Arrambide and Jerry Cruz

YOUTH ADVOCACY ADVISORY BOARD

- Reynaldo Gonzalez, Jr. December 31, 2015
- April Renee Chapa December 31, 2015
- Deborah Cordova December 31, 2015
- Estella Saenz December 31, 2015
- Cipriano Saenz December 31, 2015
- Humberto Garza December 31, 2015
- Albert Pena December 31, 2015

MAYOR’S RECOMMENDATION: Re-Appoint Reynaldo Gonzalez, Jr, April Renee Chapa, Deborah Cordova, Estella Saenz, Cipriano Saenz, Humberto Garza and Albert Pena

ZONING BOARD OF ADJUSTMENTS

- Jaime Acevedo Resigned December 31, 2015
- Sam Rodio December 31, 2015

➤ Raul Sesin Resigned December 31, 2016

MAYOR'S RECOMMENDATION: Re-Appoint Sam Rodio and appoint Jaime Gutierrez and appoint Mike Friedrichs to board member from alternate member.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ADVISORY BOARD

➤ Ramon Rosales December 31, 2015  
➤ Horacio Pena December 31, 2015  
➤ Janie Connelly December 31, 2015  
➤ Eddie Olivarez December 31, 2015  
➤ Dr. Armando O'Cana December 31, 2015

MAYOR'S RECOMMENDATION: Re-Appoint Ramon Rosales, Horacio Pena, Janie Connelly, Eddie Olivarez and Dr. Armando O'cana to the City Council position

Staff Recommendation: To approve Board and Committee Appointments as recommended by Mayor Norberto Salinas.

City Manager recommended approval.

Councilman Plata moved to approve the Board Appointments – Ambulance Board, Building Board of Adjustments, Citizen Advisory Committee, Civil Service Commission, Parks and Recreation Board, Planning and Zoning Commission, Shary Golf Course Advisory Board, Speer Memorial Library Board, Tax Increment Reinvestment Board (TIRZ), Traffic Safety Committee, Youth Advocacy Advisory Board, Zoning Board of Adjustments, Juvenile Justice and Delinquency Prevention Advisory Board, as recommended by Mayor Salinas. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

**4.11 November 2015 Financial Statements**

Angie Vela, Assistant Finance Director presented the November, 2015 Financial Statements for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the November 2015 Financial Statements, as presented. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.12 Authorization to rescind Ordinance No. 4289 and adopt a new Ordinance No. 4305 providing for a No Parking Zone on the east and west side of the 2300 block of Orange Avenue from Monday through Saturday between the hours of 11:00 a/m to 3:00 p/m commencing One Hundred and Eighty-Two (182) feet north of East Griffin Parkway and ending Two Hundred and Eighty-Two (282) feet north of East Griffin Parkway and the extension of the no parking zone on the west side of the 2300 block of Orange Avenue from thirty (30) feet to forty (40) feet commencing at East Griffin Parkway**

The City of Mission Police Department is requesting authorization to rescind Ordinance No. 4289 and adopt a new Ordinance No. providing for no parking on the east and west side of the 2300 block of Orange Avenue from Monday through Saturday between the hours of 11:00 a/m to 3:00 p/m commencing One Hundred and Eight-Two (182) feet north of East Griffin

Parkway and ending Two Hundred and Eighty-Two (282) feet north of East Griffin Parkway and the extension of the no parking zone on the west side of the 2300 block of Orange Avenue from thirty (30) feet to forty (40) feet commencing at East Griffin Parkway. The Mission Police Department has met with the nine (9) residents from that neighborhood and seven (7) have agreed to allow parking in front of their residence. The no parking will be restricted to the two lots directly north of the Bistrion on both the east and west side of the roadway. The extension of the no parking zone off of East Griffin Parkway is to provide a safer intersection for traffic to enter and exit Orange Avenue. The request is being forwarded for your review.

Staff Recommendation: Staff is respectfully requesting to rescind Ordinance No. 4289 and adopt a new Ordinance No. providing for the establishment and extension of a No Parking Zone.

City Manager recommended approval.

Councilman O'cana moved to authorize to rescind Ordinance No. 4289 and adopt a new Ordinance No. 4305 providing for a No Parking Zone on the east and west side of the 2300 block of Orange Avenue from Monday through Saturday between the hours of 11:00 a/m to 3:00 p/m commencing One Hundred and Eighty-Two (182) feet north of East Griffin Parkway and ending Two Hundred and Eighty-Two (282) feet north of East Griffin Parkway and the extension of the no parking zone on the west side of the 2300 block of Orange Avenue from thirty (30) feet to forty (40) feet commencing at East Griffin Parkway. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

#### **ORDINANCE NO. 4305**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, RESCINDING ORDINANCE NO. 4289 AND ADOPTING A NEW ORDINANCE NO.4305 ESTABLISHING A NO PARKING ZONE ON THE EAST AND WEST SIDE OF THE 2300 BLOCK OF ORANGE AVENUE FROM MONDAY THROUGH SATURDAY BETWEEN THE HOURS OF 11:00 A.M. TO 3:00 P.M., COMMENCING ONE HUNDRED AND EIGHTY-TWO (182) FEET NORTH OF EAST GRIFFIN PARKWAY AND ENDING TWO HUNDRED AND EIGHTY-TWO (282) FEET NORTH OF EAST GRIFFIN PARKWAY; PROVIDING FOR INSTALLATION OF SAID TRAFFIC CONTROL DEVICES BEING NO PARKING ZONE TRAFFIC SIGNS AND PROPER SIGNAGE THEREOF AND MAKING PROVISIONS OF THE STATE TRANSPORTATION CODE AND TRAFFIC ORDINANCE OF THE CITY OF MISSION IN REGARD TO PENALTY FOR VIOLATION APPLICABLE THERETO;

#### **4.13 Approval of Resolution No.1425 authorizing the Mission Police Department to submit an Agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the Texas Citrus Fiesta Parade**

The Mission Police Department was requesting approval of a resolution for the purpose of submitting an Agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the Texas Citrus Fiesta Parade. The agreement was required by the Texas Department of Transportation for the closure of Texas Highway 107 (Conway Avenue) between the Two and a Half Mile Line and U.S. Expressway 83, the 100 and 200 Block of West Tom Landry and the 100 and 200 Block of West Business 83. Our organization along with other city departments would be responsible for securing the parade route to ensure the safety of both motorists and pedestrians.

Staff Recommendation: Staff was respectfully requesting Approval of Resolution No. 1425 authorizing the Mission Police Department to submit an Agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the Texas Citrus Fiesta Parade.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Resolution No.1425 authorizing the Mission Police Department to submit an Agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the Texas Citrus Fiesta Parade. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

**RESOLUTION NO. 1425**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS,  
AUTHORIZING THE SUBMITTAL TO THE TEXAS DEPARTMENT OF  
TRANSPORTATION BY THE MISSION POLICE DEPARTMENT OF AN AGREEMENT  
FOR THE TEMPORARY CLOSURE OF THE RIGHT OF WAY FOR THE TEXAS CITRUS  
FIESTA PARADE AND AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT  
THEREOF

**4.14 Revoke prior authorization to purchase Polaris Equipment via GSA Contract and authorize the purchase of said equipment through TXMAS Contract # 3-78010**

The City of Mission Police Department received authorization to purchase two 2016 Polaris Sportsman 850 4-Wheelers and Two 2016 Polaris Rangers ETX's with accessories, to include safety equipment and storage trailers via a GSA contract on 11/09/2015. Our organization since the November 9<sup>th</sup> meeting had found that Amigo Power Equipment, a local vendor did have a GSA contract however, that Polaris product line was not part of the contract. Therefore, staff was requesting that council revoke the prior authorization to purchase, and allow them to purchase the Polaris equipment through Polaris Sales Inc., the manufacture of the equipment through TXMAS Contract #3-78010. The total amount of the expenditure was \$61,464.24. A total of \$53,940.00 of the expenditure would be paid through Stonegarden Grant Funds and the remaining balance of \$7,524.24 would be paid through the department's Federal Drug Forfeiture Account.

Staff Recommendation: Staff was respectfully requesting authorization to revoke the prior authorization to purchase the Polaris Equipment via GSA contract, and authorize the purchase of the said equipment through TXMAS Contract #3-78010.

City Manager Recommended approval.

Mayor Pro Tem Garza moved to approve to revoke prior authorization to purchase Polaris Equipment via GSA Contract and authorize the purchase of said equipment through Polaris Sales Inc., TXMAS Contract # 3-78010. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.15 Authorization to purchase Light Poles from Bush Supply Co. for the main police station via Buyboard Contract # 501-15**

The City of Mission Police Department was requesting authorization to purchase a total of

thirteen (13) Light Poles for the main police station. The current Light Poles were over fifteen years old and presently, we had a total of three (3) that had fallen down based on rust issues. One pole struck a parked car. The other remaining ten poles were showing signs of deterioration due to rust related issues. In order to avoid any potential accidents involving these existing light poles, it had become imperative that we replaced them with new poles. We were requesting authorization to purchase from Bush Supply Co. the new light poles via Buyboard contract # 501-15. The total expenditure for the project was \$18,519.02 that would be paid through our Federal Drug Forfeiture account.

Staff Recommendation: Staff was respectfully requesting authorization to purchase the aforementioned light poles for the main police station from Bush Supply Co. via Buyboard Contract # 501-15.

City Manager recommended approval.

Councilman Plata moved to authorize to purchase light poles from Bush Supply Co. for the main police station via Buyboard Contract # 501-15, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.16 Authorization to accept the 2016 Local Border Security Program from the Office of the Governor Homeland Security Grant Division for FY-2016 grant year, (LBSP-16-2992601)**

The City of Mission Police Department was requesting authorization to accept the 2016 Local Border Security Program from the Office of the Governor Homeland Security Grant Division for FY-2016 grant year, (LBSP-16-2992601). The Mission Police Department had been awarded a total of \$178,000.00. These monies would be utilized to provide overtime funds to Mission Police Officers for the purpose of increasing police patrols throughout the city and to assist with

criminal investigations into detecting crime. The grant would be in effect from January 12, 2016 through August 31, 2016.

Staff Recommendation: Staff was respectfully requesting authorization to accept the 2016 Local Border Security Program from the Office of the Governor Homeland Security Grant Division for FY-2016 grant year, (LBSP-16-2992601).

City Manager recommended approval.

Councilman O'cana moved to authorize to accept the 2016 Local Border Security Program from the Office of the Governor Homeland Security Grant Division for FY-2016 grant year, (LBSP-16-2992601), as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.17 Approval of Interlocal Agreement for Wastewater Treatment between the City of Mission and AGUA SUD (City Attorney may ask City Council to go into executive session on this item under the "Consultation with Attorney" exception before considering this matter in open session)**

The City of Mission was in the process of expanding the Wastewater Plant to increase its capacity to process wastewater. Agua SUD had approached the City of Mission to purchase a dedicated capacity of 1.0 MGD from said expansion.



**Minutes, 1/11/16 pg. 17**

Agua SUD agreed to pay, the City of Mission the total sum of \$3,500,000.00 representing an equity buy-in payment for the dedicated capacity of 1.0 MGD.

Mission shall charge Agua for wholesale Wastewater services at Mission's then-current variable rate which was currently at \$1.45 per thousand gallons.

The term for said agreement shall be for a period of 25 years.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the Interlocal Agreement for Wastewater Treatment between the City of Mission and AGUA SUD for a period of 30 years. Motion was seconded by Councilwoman Ochoa 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

Mayor Salinas asked Council to go into Executive Session pursuant to V.T.C.A. Gov. Code Sec. 551.001 under "Consultation with Attorney" for items 4.17, 7.1-A, 7.2-A, and 7.2-B of the agenda.

At 5:59 p.m., Councilman O'cana moved to convene into executive session. Motion was seconded by Councilwoman Ochoa 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. Enforcement Of Dilapidated Structures Legal Requirements Regarding:**

- 1. The NW .27 AC – N. ½-5, Block K, Wright Addition;**
- 2. Lot 14, Shary Terrace;**
- 3. Lot 17, Block 5, Madero**

**7.2 Deliberations about Real Property Sec. 551.072**

- A. Consideration of the use of eminent domain, on behalf of the State of Texas, to acquire a .0011 of one acre tract of land (460 sq. ft.) parcel of land situated in Hidalgo County, Texas, and also being a part or portion of Lot 7, Alex Cavazos Subdivision, according to the plat or map thereof recorded in Volume 22, Page 195, of the Map Records of Hidalgo County, for the public purpose of construction or improvement of Inspiration Rd, and to resolve or acquire any necessary right of ways related to this project.**

**B. Consideration of Bid for Tax Resale for the following property:**

**Lot 1, Block 183, Original Townsite of Mission, Hidalgo County, Texas, said Townsite According to the Map and Plat of Record in the Office of the County Clerk of Hidalgo County, Texas. (M5200-00-183-0001-00);**

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

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

At 6:28 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

On item 7.1-A, Councilman Plata moved to approve to find that the following properties pose a substantial danger of injury and/or an adverse health impact to the people and surrounding buildings and therefore authorize the City Attorney to pursue legal action pursuant to Chapter 54 in order to protect the public health and safety regarding the following real properties: Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

On item 7.2-A, Councilman Plata moved to authorize City Manager, City Attorney or outside designated counsel the use of eminent domain, on behalf of the State of Texas, to acquire a .0011 of one acre tract of land (460 sq. ft.) parcel of land situated in Hidalgo County, Texas, and also being a part or portion of Lot 7, Alex Cavazos Subdivision, according to the plat or map thereof recorded in Volume 22, Page 195, of the Map Records of Hidalgo County, for the public purpose of construction or improvement of Inspiration Rd, and to resolve or acquire any necessary right of ways related to this project. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

On item 7.2-B, Councilman O'cana moved to approved Resolution No. 1426 accepting bid as submitted and further authorize Mayor to execute all tax resale deed conveying the approved property. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**RESOLUTION NO. 1426**

**ACCEPTING BID AS SUBMITTED AND FURTHER AUTHORIZE MAYOR TO EXECUTE ALL TAX RESALE DEED CONVEYING THE APPROVED PROPERTY.**

**8.0 Adjournment**

At 6:32 p.m., Councilman Plata moved for adjournment. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

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Norberto Salinas, Mayor

ATTEST:

\_\_\_\_\_  
Anna Carrillo, City Secretary