

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
NOVEMBER 09, 2015 4:30 P.M.  
MISSION CITY HALL**

**PRESENT:**

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

**ALSO PRESENT:**

Kathy Olivarez, Progress Times  
Vi Greenwald  
Terry Hanson  
Stephanie Luna  
Claudia Orozco  
Marisela G. Alvarez  
Rafael Cepeda, Jr.  
Marosa Linan  
Angelica Lagrange  
Juan Eliseo Gonzalez  
Robert Gastel  
Jaime Gutierrez

**ABSENT:**

**STAFF PRESENT:**

Nelia Hernandez, Asst. City Secretary  
Aida Lerma, Deputy City Manager  
Randy Perez, Deputy City Manager  
Elizabeth Hernandez, Executive Secretary  
Danny Tijerina, Planning Director  
Jaime Acevedo, Asst. Planning 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  
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  
Humberto Garcia, Media Relations  
Jonathan Wehrmeister, Judge  
Cesar Gutierrez, Sanitation Director  
Alex Meade, MEDC Chief Exec. Officer  
Charlie Longoria, Media Relations

**1. Call to order**

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:40 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 – Great American Smoke-out Day**

City Secretary Anna Carrillo read the Proclamation Great American Smoke-out Day.

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. 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.

### **5. Departmental Reports**

Councilman O’cana moved to approve the departmental reports as presented. Motion was seconded by Mayor ProTem Norie Gonzalez Garza and approved unanimously 5-0.

### **6. Citizens Participation**

Vi Greenwald of 101 Jupiter Street requested the repair of streets at Southern Oasis Subdivision.

Abraham Neave of 304 Conway spoke about a marketing proposal to shop at Mission.

#### **1.0 Public Hearing**

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

None

#### **2.0 Disposition of Minutes**

##### **2.1 City Council Meeting – October 26, 2015**

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

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

##### **3.1 Zoning Board of Adjustments – January 21, 2015, March 18, 2015 and May 20, 2015**

**Speer Memorial Library Board – September 15, 2015**

**Planning and Zoning Commission – September 23, 2015**

**Citizen’s Advisory Committee – October 13, 2015**

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

#### **4.0 Approvals and Authorizations**

##### **4.1 Approval of Ordinance # 4288 granting a wet designation for 600 N. Shary Road, Suite G #1, Royal Liquor Store**

Owner was requesting the above mentioned property be wet zoned for Beer Retail Dealer’s and Package Store Off-Premise Permit.

Staff Recommendation: Approval of Ordinance.

City Manager recommended approval.

Councilman O'cana moved to approve Ordinance No. 4288 granting a wet designation for 600 N. Shary Road, Suite G #1, Royal Liquor Store. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

ORDINANCE NO. 4288

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
AMENDING ORDINANCE NO.780 DESIGNATING PLACES WHERE BEER  
AND OTHER ALCOHOLIC BEVERAGES MAY BE SOLD WITHIN THE  
CORPORATE LIMITS OF THE CITY OF MISSION TO INCLUDE THE  
PREMISES LOCATED AT 600 N. SHARY ROAD, SUITE G #1,  
LOT 1 ESDRAS VEGA SUBDIVISION

**4.2 Approval of Resolution # 1417 distributing 130 authorized votes for the election of Appraisal District Board of Directors for 2016-17**

Mr. Amador Requenez was nominated by the city council to be placed on the ballot for Board of Director. Mayor Salinas was recommending the distribution of 130 authorized votes for Amador Requenez for council consideration.

Staff Recommendation: Approval of Resolution.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Resolution No. 1417 distributing 130 authorized votes for the election of Appraisal District Board of Directors for 2016-17. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**RESOLUTION NO. 1417**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
DISTRIBUTING 130 AUTHORIZED VOTES FOR THE ELECTION OF APPRAISAL  
DISTRICT BOARD OF DIRECTORS FOR 2016-2017

**4.3 Authorization to purchase via state approved contract from BSN Sports for The Boys & Girls Club sport leagues equipment**

The City of Mission was in a contract with BSN Sports via state contract to purchase sports equipment for the Boys & Girls Club sport leagues. The Boys & Girls Club of Mission was seeking authorization to purchase via state approved contract Buy Board #413-12 for Fiscal Year 2015-2016.

Staff Recommendation: Authorization to purchase.

City Manager recommended approval.

Councilman O'cana moved to authorize to purchase via state approved contract from BSN Sports for The Boys & Girls Club sport leagues equipment. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

**4.4 Authorization to surplus one RICOH Aficio Copier and sell via GovDeals online auction**

Executive Department was requesting authorization to surplus one RICOH Aficio Copier, model number 2027SP and sell via GovDeals online auction. The city was on a contract lease agreement with Dahil for new equipment therefore, it was not cost effective for the City to continue to pay for the maintenance and service of RICOH copier.

Staff Recommendation: Authorization to purchase.

City Manager recommended approval.

Councilman Plata moved to authorize to surplus one RICOH Aficio Copier and sell via GovDeals online auction. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.5 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 GSA contract GS-30F-0018W**

The City of Mission Police Department was requesting 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 GSA contract GS-30F-0018W. The Mission Police Department would utilize the aforementioned equipment for use at our international bridge, for security at city events, and to utilize in and around the US/Mexican Border for security operations. The total cost of the project was \$59,995.69. A total of \$53,940.00 would be paid through the 2014 Stonegarden grant provided to the organization. The remaining balance of \$6,055.69 would be paid through the Mission Police Department Federal Drug Forfeiture account. Staff respectfully request authorization to purchase via GSA contract GS-30F-0018W.

Staff Recommendation: Authorize the purchase of Two 2016 Polaris Sportsman 850 4-Wheelers and Two 2016 Polaris Rangers ETX's with accessories, to include safety equipment and storage trailers via GSA contract GS-30F-0018W.

City Manager recommended approval.

Councilman O'cana moved to authorize 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 GSA contract GS-30F-0018W. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.6 Authorization to surplus used office equipment, office Furniture, and miscellaneous items for the purpose of selling said items via GovDeals online auction**

The Mission Police Department was requesting authorization to surplus used office equipment, office furniture and miscellaneous items for the purpose selling said items via GovDeals online auction. These items were acquired by the City of Mission Police Department over the years and have served their purpose. Staff was recommending that the equipment be declared surplus.

Staff was respectfully requesting authorization to surplus the used office equipment, office furniture and miscellaneous items for the purpose of selling said items via GOVDeals online auction.

City Manager recommended approval.

Councilman O'cana moved to authorize to surplus used office equipment, office Furniture, and miscellaneous items for the purpose of selling said items via GovDeals online auction. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.7 Approval of Ordinance # 4289 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 to the northern most portion of Orange Avenue**

The City of Mission Police Department received a request for approval of an ordinance 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 to the northern most portion of Orange Avenue. The Mission Police Department had received several complaints in regards to vehicles parking in front of mailboxes and driveways due to overflow of parking for the Loretto Bistro Café. On September 29, 2015 the Traffic Safety Committee met and approved the request for the no parking zone on the east and west side of the 2300 Block of Orange Avenue as stated above. It was the recommendation of the Traffic Safety Committee to adopt this ordinance. The request was being forwarded for council's review.

Staff Recommendation: Staff was respectfully requesting the adoption of Ordinance providing for the establishment of a No Parking Zone of the east and west side of the 2300 block of Orange Avenue as outlined above.

City Manager recommended approval.

Councilman O'cana moved to approve Ordinance No. 4289 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 to the northern most portion of Orange Avenue. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 4289**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, 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 TO THE NORTHERN MOST PORTION OF ORANGE AVENUE; 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;

**4.8 Authorization to conduct Water quality samples for minerals and metals for the North and South Water Plants**

The Texas Commission on Environmental Quality (TCEQ) regulated all drinking water public

water systems in the State of Texas and sends random water quality samples to the Texas Department of Health Central Laboratory in Austin. The City of Mission would like to secure professional services with TCEQ-Texas Department of Health for Regulatory Water monitoring of both Water Treatment Plants. Services will be conducted from October 2015 to September 2016.

Staff Recommendation: Secure professional services with TCEQ-Texas Department of Health.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to conduct water quality samples for minerals and metals for the North and South Water Plants. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

#### **4.9 Approval of an Interlocal Agreement (1) One Year Extension between the City of Mission and Texas A&M University-Kingsville**

The City of Mission was currently a member of the Lower Rio Grande Valley Storm water Task Force via an Interlocal Agreement between the City of Mission and Texas A&M-Kingsville University (TAMUK). Section 2.02 of the existing agreement allowed for a one year extension upon written and mutual consent from the City of Mission and TAMUK. The 1 Year extension of this agreement entailed continuous participation in the regional task force which aids the City with compliance of TCEQ and federal EPA laws and regulations.

Staff Recommendation: Approval of a (1) one year Agreement Extension.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Interlocal Agreement (1) One Year Extension between the City of Mission and Texas A&M University-Kingsville. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

#### **4.10 Authorization to Solicit bids for the purchase of Sodium Chlorite for North and South Water Plants**

Staff was seeking authorization to solicit bids for the purchase of Sodium Chlorite. Chemical was needed by the Public Works Department as part of the Water Treatment Process. The contract terms would be for one year with two one-year renewal options.

Staff Recommendation: Authorization to Solicit for Bids.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to solicit bids for the purchase of Sodium Chlorite for North and South Water Plants. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.11 Authorization to Purchase Equipment via State Approved Contract for the Public Works Department**

Staff was seeking authorization to purchase via state approved cooperative contracts for Capital

Outlay Equipment for Water Distribution and Streets Department. Itemized equipment list was available with the actual costs and their respective contract number.

Staff Recommendation: Authorization to purchase via state approved Buy Board contracts 430-13, 424-13 and TxMAS contracts 5-51V010 & 7-51V080.

City Manager recommended approval.

Councilman O'cana moved to authorize to purchase equipment via State Approved Contract for the Public Works Department. Motion was seconded by Councilman Plata and approved unanimously 5-0.

#### **4.12 Authorization to conduct Water bacteriological Analysis via TCEQ certified Laboratory**

Per Texas Commission on Environmental Quality (TCEQ) regulations and based on City population, staff was required to collect 80 bacteriological samples per month and submit these sample for analysis 4 times per week to a state certified laboratory. Department State Health Services-South Texas Laboratory was the only state certified lab in the Rio Grande Valley. Services with be conducted from October 2015 to September 2016.

Staff Recommendation: Secure Services with DSHS-South Texas Laboratory to Conduct Lab Analysis.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to conduct Water bacteriological Analysis via TCEQ certified Laboratory. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

#### **4.13 Authorize the purchase of 624 – 96 Gallon Garbage Carts via Buy-Board Contract Number 425-13 for the City's Sanitation Department**

Sanitation Department was requesting to purchase 624 trash carts from Toter through Buy-Board Contract Number 425-13. The carts would be used for inventory for future city growth.

Staff Recommendation: Authorization to purchase via buy board contract 425-13.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize the purchase of 624 – 96 Gallon Garbage Carts via Buy-Board Contract Number 425-13 for the City's Sanitation Department. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

### **5.0 Unfinished Business**

None

### **6.0 Routine Matters**

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

City Manager Garza recognized and thanked all Veterans for their service and introduced Jaime Acevedo as the new Assistant Planning Director.

## 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".

At 5:07 p.m., Councilman O'cana moved to convene into executive session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

## 7.0 Executive Session pursuant to V.T.C.A. Gov. Code Sec. 551.001

### 7.1 Consultation with Attorney Sec. 551.071 (1)

A. Discussion regarding consideration of settlement offer in *McEwen v. City of Mission, et. al. (C-5987-14-G)*

### 7.2 Deliberations about Real Property Sec. 551.072

A. Discussion regarding possible acquisition from Texas Department of Transportation of a 1.10 acre tract of land out of lot 17-10, West Addition to Sharyland (Northwest corner of Bryan Rd and US 83) and negotiations with adjoining landowners and approval of Resolution # 1418.

B. Discussion regarding possible acquisition of Lot 133, Chaparral Heights Subdivision, City of Mission, Hidalgo County, Texas, as per map recorded in Volume 23 Page 127, Map Records, Hidalgo County, Texas

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

At 5:30 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

On item 7.1-A, Councilman O'cana moved to authorize City Manager, City Attorney, or designated outside counsel to enter into settlement agreement as per discussion in Executive Session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

On item 7.2-A, Councilman O'cana moved to approve Resolution No. 1418 waiving the City's priority right to purchase land deemed no longer needed for state highway purposes, specifically, a 1.10 acre tract of land situated in the Maria Luna Survey Porcion 57, Abstract No. 52 in Hidalgo County, Texas and being out of lot 17-10, West Addition to Sharyland as recorded in volume 1, page 56 Hidalgo County map records, from the Texas Department of Transportation, and providing an effective date; and further authorizing City Manager to negotiate with adjoining landowners consistent with this Resolution. Motion was seconded by Councilman Plata and approved unanimously 5-0.

## **RESOLUTION NO. 1418**

WAIVING THE CITY'S PRIORITY RIGHT TO PURCHASE LAND DEEMED NO LONGER NEEDED FOR STATE HIGHWAY PURPOSES, SPECIFICALLY, A 1.10 ACRE TRACT OF LAND SITUATED IN THE MARIA LUNA SURVEY PORCION 57, ABSTRACT NO. 52 IN HIDALGO COUNTY, TEXAS AND BEING OUT OF LOT 17-10, WEST ADDITION TO SHARYLAND AS RECORDED IN VOLUME 1, PAGE 56 HIDALGO COUNTY MAP RECORDS, FROM THE TEXAS DEPARTMENT OF TRANSPORTATION, AND PROVIDING AN EFFECTIVE DATE; AND FURTHER AUTHORIZING CITY MANAGER TO NEGOTIATE WITH ADJOINING LANDOWNERS CONSISTENT WITH THIS RESOLUTION ON ITEM 7.2-B, NO ACTION WAS TAKEN

On item 7.2-B, no action was taken.

**8.0 Adjournment**

At 5:32 p.m., Councilman O'cana moved for adjournment. Motion was seconded by Councilman Plata and approved unanimously 5-0.

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Norberto Salinas, Mayor

ATTEST:

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Anna Carrillo, City Secretary