

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
JULY 12, 2010 4:30 P.M.
MISSION CITY HALL**

PRESENT:

Norberto Salinas, Mayor
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

ALSO PRESENT:

Kathy Olivarez, Progress Times
Lety T. Ibarra
Rosendo Menchaca
Eustacio Escobar, Jr.
Ricardo H. Garcia
Agustin Olivarez
Maria Belen Olivarez
Doug and Sylvia Vick
Sally Brooks
Martin Godina
Conrado Martinez
Martha Abrego
Jose and Estela Lopez
Fred Kurth
Linda Castaneda
Pat Townsend, Jr.
Boys Scouts of America Troop 113
Cathy Garcia
Sandra Vecchio

ABSENT:

Maria Elena Ramirez, Councilwoman

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Aida Lerma, Deputy City Manager
Sonia Carnes, Deputy City Manager
Guillermo Seguin, Deputy City Manager
Alex Hernandez, Planning Dept.
Bobby Salinas, Planning Dept.
Roberto Salinas, City Engineer
Paul Schaefer, Golf Course Director
Joanne Longoria, CDBG Director
Elizabeth Garza, Engineering Dept.
Rick Saldana, Fire Chief
Ruben Diaz, Public Works Director
Victor Gonzalez, Streets Director
Glorina Flores, Purchasing Buyer
Leo Longoria, Chief of Police
Robert Dominguez, Asst. Chief of Police
Martin Garza, Chief of Police
Mayra Rocha, Speer Memorial Library
Randy Perez, Accountant
Julian Gonzalez, Parks & Rec. Director
Adela Ortega, Museum Director
Juan C. Avila, Interim B & G Club Director
Roland Rodriguez, D.P. Manager
Noemi Munguia, HR Director
Jonathan Wehrmeister, Judge
Rosie Salazar, Risk Manager

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:31 p.m.

2. Pledge Allegiance and Invocation

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

3. Departmental Reports

Councilwoman Norie Gonzalez Garza moved to approve the departmental reports as presented. Motion was seconded by Mayor Pro Tem Leo Olivarez and approved unanimously 4-0.

4. Citizens Participation

Mr. Conrado Martinez III from 1303 Don' Dr., spoke in behalf of the residents from Orange Blossom Subdivision and San Felipe Dr. and voiced their concerns regarding the issue of Sharyland ISD's proposal on opening San Felipe Dr. on Elm St.

Mr. Rosendo Menchaca from 423 N. Mayberry, voiced his concerns regarding the vehicles that park on the side walks South on Mayberry St. and passing vehicles on Rafael Ramirez, Laredo, and Matamoros.

Mrs. Lety Ibarra from 1913 Royal Palm, a coach representing the Mission Boys and Girls Club softball team, shared the exciting news that the team had made it to the championship bracket and got 2nd place qualifying them to nationals.

Mrs. Belen Olivarez, spoke her concern regarding the Sharyland ISD's bus barn.

Mr. Ricardo H. Garcia, from 1101 Ash, voiced his concerns regarding the R.O.W. on San Felipe St. and the devaluation of the properties adjacent to the proposed bus barn.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

A. Rezoning: A 0.918 acre tract of land out of Lot 281, John H. Shary Subdivision, AO-I to R-1A, Julio Cesar Constantino

The vacant site was located on the SE corner of Mile 2 and Stewart Road. The surrounding zones included R-1A (Large Lot Single Family) to the west, and AO-I (Agricultural Open Interim) to all other directions.

The surrounding land used consisted of residences to the north, open acreage to the east, a residential subdivision (un-recorded) to the west and a residence to the south.

The Future Land Use Map reflected a Lower Density (LDA) designation for this area. The proposed zone complied with the City's Future Land Use map, which reflected a Lower Density (LDA) Residential designation. There was no public opposition at P&Z's 6/23/10 hearing. The P&Z unanimously approved of the zoning change.

Staff, P & Z and City Manager recommended approval.

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

Mayor Pro Tem Olivarez moved to approve Rezoning: A 0.918 acre tract of land out of Lot 281, John H. Shary Subdivision, AO-I to R-1A, Julio Cesar Constantino. Motion was seconded by Councilman Ruben Plata and approved unanimously 4-0.

2.0 Disposition of Minutes

2.1 City Council Meeting – June 28, 2010

Councilman Plata moved to approve the minutes as presented. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

3.0 Acknowledge Receipt of Minutes

3.1 Mission Redevelopment Authority – May 25, 2010

Mission Tax Increment Reinvestment Zone – May 25, 2010

Planning and Zoning Commission – June 9, 2010

Shary Golf Advisory Board – March 9, 2010 and May 18, 2010

Councilman Plata moved to acknowledge the receipt of minutes as presented. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

4.0 Approvals and Authorizations

4.1 Adoption of Ord. # 3568 for Rezoning: A 0.918 acre tract of land out of Lot 281, J.H.S. Subd., AO-I to R-1A

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to approve adoption of Ord. No. 3568 for Rezoning: A 0.918 acre tract of land out of Lot 281, J.H.S. Subd., AO-I to R-1A. Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 3568

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION,
TEXAS GRANTING REZONING A 0.918 ACRE TRACT OF LAND OUT OF
LOT 281, JOHN H. SHARY SUBDIVISION, AO-I TO R-1A

4.2 Preliminary Plat Approval: Shary Villas Subd. Phase II, 5.416 acres out of Lot 245, J.H.S. Subd., R-1, Developer: Mike Moffitt Engineer: Melden & Hunt, Inc.

The proposed subdivision was located on the NE corner of Shary Rd. and E. 22nd St. The proposed subdivision consisted of 13 SF Residential lots. The lots sizes ranged from 16,423.60 sq. ft. to 23,579.27 sq. ft. This subdivision was approved by P&Z on 11-12-03 and by City Council on 11-24-03, however was never recorded. The developer now desired to pursue recording the plat.

An existing 8” water line system provided service to all lots with existing hydrants located via direction from Fire Marshal. The system was looped with an existing 10” line located on Shary Rd. and was also looped to an existing 8” line via Hackberry Manor’s network.

An existing 8” sewer line provided service to all lots as it tied to an existing 8” sewer network along the east side of Grapefruit Dr. and flowed south to Shary Villas, Ph. I’s network. Public Works noted that the sewer connections for each lot needed to be extended enough to bypass the existing waterline in order to avoid any conflict when connecting into the sewer system. The \$200.00/Lot capital sewer recovery fee would be imposed (\$200.00 X 13 = \$2,600.00).

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The subdivision adjoined Shary Rd. a future 120' ROW / 81' B/B street. An additional 10' of ROW would be required along Shary Rd. in order to comply with the MPO's thoroughfare plan.

Grapefruit and E. 22nd St. were both existing streets. Storm drainage was accomplished through an existing series of 24" storm lines which lead into Shary Villas, Ph. I existing system.

Other comments included the following: Must provide proof of exclusion from the water district; Park Fees in the amount of \$3,900.00 (13 Lots X \$300.00/Lot); and Drainage Reimbursements from due to 'City' in the amount of \$5,578.48 (\$1,030/Ac. X 5.416ac.). The P&Z unanimously approved of the plat.

Staff Recommendation: Preliminary Approval subject to: 1) Payment of the Park Fees, Drainage Reimbursement, Capital Sewer Recovery Fees, 2) Provide proof of exclusion from the water district, and 3) extend sewer services beyond water line.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve Preliminary Plat Approval: Shary Villas Subd. Phase II, 5.416 acres out of Lot 245, J.H.S. Subd., R-1, Developer: Mike Moffitt Engineer: Melden & Hunt, Inc.. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

4.3 Authorization to accept the FY 2010 Emergency Management Performance Grant (EMPG)

The City of Mission Fire Department was requesting authorization to accept a grant from the 2010 Emergency Management Performance Grant Program administered by the Texas's Division of Emergency Management in the amount of \$21,112.00. The funding would be utilized to pay for a portion of the salaries of the City's emergency management staff (Administrative Assistant and Fire Chief). There was no cost match required from the City for participating in this program.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to authorize to accept the FY 2010 Emergency Management Performance Grant (EMPG): Melden & Hunt, Inc. Motion was seconded by Councilwoman Garza and approved unanimously 4-0.

4.4 Authorization to purchase furniture for the New Police and Fire substations via a State approved contract and/or Buyboard contract

The Mission Police Department was requesting authorization to purchase furniture for the new Police and Fire sub-stations via TXMAS Contract 9-711030 and/or Buyboard Contract 328.09. The amount of the purchase was a total of 473,074.47. The pricing of the furniture also included delivery and installation.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to purchase furniture for the New Police and Fire substations via a State approved contract and/or Buyboard contract. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

4.5 The Mission Police Department is requesting authorization to re-enter into a Contract Services Agreement between the City of Mission and the Sharyland Independent School District

The Mission Police Department was requesting authorization to re-enter into a Contract Services Agreement between the City of Mission and the Sharyland Independent School District for the 2010-2011 school year. The contract was for the delivery of services by the Mission Police Department to Sharyland ISD through the Education Resource Officer Program. A total of six (6) police officers would be assigned to the school district during the school year. The total amount of the contract was \$294,376.00. Staff was recommending a favorable recommendation for the purpose of continuing the Education Resource Officer Program at Sharyland ISD.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to authorize the Mission Police Department to re-enter into a Contract Services Agreement between the City of Mission and the Sharyland Independent School District. Motion was seconded by Councilwoman Garza and approved unanimously 4-0.

4.6 The Mission Police Department is requesting authorization to re-enter into a Contract Services Agreement between the City of Mission and the Mission Consolidated Independent School District

The Mission Police Department was requesting authorization to re-enter into a Contract Services Agreement between the City of Mission and the Mission Consolidated Independent School District for the 2010-2011 school year. The contract was for the delivery of services by the Mission Police Department to Mission CISD through the Education Resource Officer Program. A total of nine (9) police officers would be assigned to the school district during the school year. The total amount of the contract was \$450,963.00 Staff was recommending a favorable recommendation for the purpose of continuing the Education Resource Officer Program at Mission CISD.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize the Mission Police Department to re-enter into a Contract Services Agreement between the City of Mission and the Mission Consolidated Independent School District. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.7 The Mission Police Department is requesting authorization to re-enter into a Interlocal Agreement for the G.R.E.A.T. Program between the City of Mission and the Mission Consolidated Independent School District

The Mission Police Department was requesting authorization to re-enter into a Interlocal Agreement for the G.R.E.A.T. Program between the City of Mission and the Mission Consolidated Independent School District for the 2010-2011 school year. The contract was for the delivery of services by the Mission Police Department to Mission CISD through the G.R.E.A.T. Officer Program. A total of four (4) police officers would be assigned to elementary students, junior high students and to parents. The total amount of the contract was \$199,998.00. Staff was recommending a favorable recommendation for the purpose of continuing the G.R.E.A.T. Program at Mission CISD.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize the Mission Police Department to re-enter into a Interlocal Agreement for the G.R.E.A.T. Program between the City of Mission and the Mission Consolidated Independent School District. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.9 Approval of Res. # 1270 designating the Mayor of the City of Mission as authorized representative of the City of Mission to give notice of intent to reimburse expenditures With proceeds of tax exempt obligations

The Resolution designated the Mayor as authorized representative of the City of Mission to give notice of intent to reimburse expenditures with proceeds of tax exempt obligations. The tax exempt obligations would be used for drainage improvements, vehicles, and equipment.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve Res. No. 1270 designating the Mayor of the City of Mission as authorized representative of the City of Mission to give notice of intent to reimburse expenditures With proceeds of tax exempt obligations. Motion was seconded by Councilman Plata and approved unanimously 4-0.

RESOLUTION NO. 1270

A RESOLUTION DESIGNATING THE MAYOR OF THE CITY OF MISSION AS AUTHORIZED REPRESENTATIVE OF THE CITY OF MISSION TO GIVE NOTICE OF INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF TAX EXEMPT OBLIGATIONS.

4.9 Discussion and action to enter into a Professional Services contract with Vazaldua & Associates for a grant application to the EPA for the Climate Showcase Communities Program

Enter into a six month Professional Service Contract with Vazaldua & Associates to submit a grant application to the EPA for the Climate Showcase Communities Program. This program was for the implementation of innovative programs, projects, and approaches which demonstrated documentable reductions in Greenhouse Gas (GHG) emissions.

Staff and City Manager recommended approval.

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Councilwoman Garza moved to approve to enter into a Professional Services contract with Vazaldua & Associates for a grant application to the EPA for the Climate Showcase Communities Program. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

None

6.2 Mayor's Comments

None

At 5:10 p.m., Councilman Plata moved to convene into executive session. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

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

7.1 Purchase, exchange, lease, or value of real property Sec. 551.072

A. Resolution # ____ authorizing tax re-sale of 0.264 acre out of Lot 192, John H. Shary Subdivision, Hidalgo County Texas.

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

At 5:16 p.m., Mayor Pro Tem Olivarez moved to reconvene in open session. Motion was seconded by Councilman Plata and approved unanimously 4-0.

No action was taken on item 7.1-A.

8.0 Adjournment

At 5:17 p.m., Councilman Plata moved for adjournment. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary