

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
JANUARY 10, 2011 4:30 P.M.  
MISSION CITY HALL**

**PRESENT:**

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

**ABSENT:**

**ALSO PRESENT:**

Kathy Olivarez, Progress Times  
Beth & Jim Barnes  
Maxi Lou Link  
Pat Townsend Jr.

**STAFF PRESENT:**

Carmen Morales, Administrative Asst.  
Aida Lerma, Deputy City Manager  
Sonia Carnes, Deputy City Manager  
Guillermo Seguin, Deputy City Manager  
Sergio Zavala, Planning Director  
Bobby Salinas, Planning Dept.  
Roberto Salinas, Public Works Director  
Paul Schaefer, Golf Course Director  
Gilbert Sanchez, Fire Marshal  
Rick Saldana, Fire Chief  
Eduardo Belmarez, Purchasing Director  
Janie Flores, Finance Director  
Randy Perez, Accountant  
Julian Gonzalez, Parks & Rec. Director  
Mayra Rocha, Library Director  
Juan C. Avila, B & G Club Director  
Noemi Munguia, HR Director  
Rosie Salazar, Risk Manager  
Jesse Lerma, Civil Service Director  
Roland Rodriguez, I. T. Director  
Hector Guzman, Utilities Office Manager

**1. Call to order**

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:38 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 Maria Elena Ramirez moved to approve the departmental reports as presented. Motion was seconded by Councilman Ruben Plata and approved unanimously 4-0.

#### 4. Citizens Participation

Maxi Lou Link with the Upper Valley Art League reported on a successful Water Color Event that was held and attended by 189 guests.

David Garza requested information regarding any upgrades or plans to 1<sup>st</sup> Street Park improvements and asked if city staff could please go clean up the area since it is being used to dump debris.

Aida Lerma advised the council that the Mayor's International Brunch would be held on January 29, at the Mission Community Center.

##### 1.0 Public Hearing

##### 1.1 Planning & Zoning Recommendations

##### **A. Conditional Use Permit: The Complimentary Offering of Alcoholic Beverages for on-site consumption for a social and/or cultural event, 202 W. Tom Landry, Lots 1-12, Block 174, & Lots 7-12, Block 175, Mission Original Townsite Subd., C-3, The Greater Mission Chamber of Commerce**

Ord. #3436 permitted civic organizations to request such CUPs from city-owned building where complimentary alcoholic drinks would be offered (not sold) during a social/cultural event. The Greater Mission Chamber of Commerce was requesting that the City consider issuing a CUP good for January 28, 2011 & January 29, 2011 from 6:00 p.m. to 12:00 a.m. The Chamber had scheduled a Sister City Welcome Party and Reception. During these events, complimentary alcoholic beverages would be served (not sold), where moderation would be self-monitored. There was no public opposition at P&Z's 1/5/11 hearing. The P&Z unanimously approved the conditional use permit.

Staff, P & Z and City Manager recommended approval.

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

There were no comments.

Councilwoman Ramirez moved to approve Conditional Use Permit: The Complimentary Offering of Alcoholic Beverages for on-site consumption for a social and/or cultural event, 202 W. Tom Landry, Lots 1-12, Block 174, & Lots 7-12, Block 175, Mission Original Townsite Subd., C-3, The Greater Mission Chamber of Commerce. Motion was seconded by Councilman Plata and approved unanimously 4-0.

At 4:49 p.m., Councilwoman Norie Gonzalez Garza joined the meeting.

##### **B. Conditional Use Permit: Carnival and Fun Fair, 12.4 Acres out of Lot 25-6, West Addition to Sharyland Subd., AO-I, January 16, 2011 through January 30, 2011, Texas Citrus Fiesta (c/o Berta H. Filut)**

The TCF's Carnival and Fun fair was proposed once again north of the old Carl's Supermarket (NW corner of Conway and Griffin Parkway). The hours of operation were as follows: Weekdays 5:30 p.m. to 10:30 p.m., and Weekends 1:00 p.m. to 11:30 p.m. Parking for both events would be provided by utilizing the old Carl's parking lot adjacent to the two events. We encouraged that "No Parking" signs be placed along Conway and FM 495; and that there be early

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morning trash pick up throughout the entire site during the “Heart of America Shows” Carnival’s tenure.

The Zoning code stated that a carnival site should be a minimum of 300’ away from a residentially used property. There was a residential subdivision with a few homes within this radius; thus a waiver of the separation requirement needed consideration.

Security would be evident as in the past events via Mission PD officers (as hired by TCF) and sufficient restrooms would be available. All provisions of Chapter 10 of the Mission Code of Ordinances – Amusements and Entertainment – would need to be complied with, in particular the insurance coverage requirements. There was no public opposition at P&Z’s 1/5/11 hearing. The P&Z unanimously approved the conditional use permit.

Staff Recommendation: Approval subject to: 1) the installation of a perimeter fence/debris stop, 2) installation of “No Parking” signs along Conway and Griffin Parkway, 3) waive the separation requirement, and 4) meet noise, insurance, and other related codes.

Staff, P & Z and City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Leo Olivarez moved to approve Conditional Use Permit: Carnival and Fun Fair, 12.4 Acres out of Lot 25-6, West Addition to Sharyland Subd., AO-I, January 16, 2011 through January 30, 2011, Texas Citrus Fiesta (c/o Berta H. Filut). Motion was seconded by Councilman Plata and approved unanimously 5-0.

## **2.0 Disposition of Minutes**

### **2.1 City Council Meeting – December 20, 2010 and Special City Council Meeting – December 23, 2010**

Councilwoman Garza moved to approve the minutes of December 20 reflecting a change as per City Attorney David Guerra. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

Councilman Plata moved to approve the minutes of December 23 as presented. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

## **3.0 Acknowledge Receipt of Minutes**

### **3.1 Citizen’s Advisory Committee Special Meetings – August 24, 2010 and September 9, 2010**

**Mission Economic Development Corporation – November 16, 2010**

**Boys and Girls Club of Mission – November 18, 2010**

**Parks and Recreation Board – November 16, 2010**

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

#### 4.0 Approvals and Authorizations

##### 4.1 Adoption of Ord. # 3618 for CUP for the Complimentary Offering of Alcoholic Beverages for on-site consumption for a social and/or cultural event at 202 W. Tom Landry, Lots 1-12, Block 174 & Lots 7-12, Block 175, MOT Subd., C-3

Staff and City Manager recommended ordinance approval.

Councilman Plata moved to approve adoption of Ord. No. 3618 for CUP for the Complimentary Offering of Alcoholic Beverages for on-site consumption for a social and/or cultural event at 202 W. Tom Landry, Lots 1-12, Block 174 & Lots 7-12, Block 175, MOT Subd., C-3. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

#### **ORDINANCE NO. 3618**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE COMPLEMENTARY OFFERING OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION FOR A SOCIAL AND/OR CULTURAL EVENT, 202 W. TOM LANDRY, LOTS 1-12, BLOCK 175 & LOTS 7-12, BLOCK 175, MISSION ORIGINAL TOWNSITE

##### 4.2 Adoption of Ord. # 3619 for CUP to have a Carnival and Fun Fair, 12.4 acres out of Lot 25-6, WAS Subd., AO-I, January 16, 2011 through January 30, 2011

Staff and City Manager recommended ordinance approval.

Mayor Pro Tem Olivarez moved to approve adoption of Ord. No. 3619 for CUP to have a Carnival and Fun Fair, 12.4 acres out of Lot 25-6, WAS Subd., AO-I, January 16, 2011 through January 30, 2011 event at 202 W. Tom Landry, Lots 1-12, Block 174 & Lots 7-12, Block 175, MOT Subd., C-3. Motion was seconded by Councilman Plata and approved unanimously 5-0.

#### **ORDINANCE NO. 3619**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO HAVE A CARNIVAL AND FUN FAIR AT 12.4 ACRES OUT OF LOT 25-6, WEST ADDITION TO SHARYLAND SUBDIVISION, AO-I, JANUARY 16, 2011 THROUGH JANUARY 30, 2011

##### 4.3 Request by Dr. Lopez to have City Council Authorize City Manager to issue Building Permit for a Dental Office Bldg. at 0.608 acre tract out of the NW ¼ of Lot 24-8, W.A.S aka 600 East Griffin Parkway

Dr. Lopez had filed for a building permit to build her new medical office and accompanying suite valued at \$250,000+ at the above-described property that was undergoing the subdivision process. Since all utilities and paved public access were substantially evident, the plat had been administratively approved via prevailing ordinances. The applicant desired to commence construction on the structure which would take about 4 months to build.

As the City had done with others, staff did not object to the comments below.

Staff Recommended no objection subject to no occupancy until plat had been recorded.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to approve request by Dr. Lopez to have City Council authorize City Manager to issue Building Permit for a Dental Office Bldg. at 0.608 acre tract out of the NW ¼ of Lot 24-8, W.A.S aka 600 East Griffin Parkway. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.4 Request by Homer Jasso to have City Council Authorize City Manager to issue Building Permit for Superior Oil and Lube Complex at 1.779 Acres, Lot 205, JHShary aka 710 North Shary Rd.**

Mr. Jasso desired a permit to build a new \$800,000 Superior Oil & Lube Complex at the above – described property that had undergone the subdivision process but where said plat was not yet recorded. Staff had already had a pre-construction conference on the minor extension of utilities and the paving of the alley; all city codes would be complied with.

At this time, the applicant desired to commence construction on the structure which would take about 4-5 months to build which tenure would see the recording of the 1-lot plat.

Staff recommended no objection subject to no occupancy until plat had been recorded.

Staff and City Manager recommended ordinance approval.

Councilman Plata moved to approve request by Homer Jasso to have City Council authorize City Manager to issue Building Permit for Superior Oil and Lube Complex at 1.779 Acres, Lot 205, JHShary aka 710 North Shary Rd. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

**4.5 Authorization request by State Representative Sergio Munoz for Lease Agreement at 121 East Tom Landry**

House of Representatives' district office had provided the City of Mission with the contract that the Committee on House Administration approved for office leases.

State Representative Sergio Munoz was requesting to lease the office located at 121 East Tom Landry. The lease agreement was for two years expiring on January 11, 2013 at a cost of \$250.00 per month.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize request by State Representative Sergio Munoz for Lease Agreement at 121 East Tom Landry and found that such an office in the city is in the public interest. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

**4.6 Authorization of extension request by Congressman Henry Cuellar for Lease Agreement at 117 E. Tom Landry**

U.S. House of Representatives district office has provided the City of Mission with a District Office Lease Agreement as approved by the Regulations of the Committee on House Administration.

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Congressman Henry Cuellar is leasing the office located at 117 East Tom Landry. The lease agreement extension ends on December 31, 2012 at a cost of \$250.00 per month plus utility expenses.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize extension request by Congressman Henry Cuellar for Lease Agreement at 117 E. Tom Landry and found that such an office in the city is in the public interest. Motion was seconded by Councilman Plata and approved unanimously 5-0.

### **4.7 Tax Collections Report – November, 2010**

Janie Flores, Finance Director presented the Tax Collections Report for November, 2010 for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Tax Collections Report for November, 2010. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

### **4.8 Budget Amendments: Utility Fund and Golf Course**

Mrs. Flores presented the budget amendments BA-19 thru BA-20 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve budget amendments BA-19 thru BA-20. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

### **4.9 Authorization to extend the contract with Mission Paving for the TDRA Street Improvement Grant Project**

On the City Council Meeting of 9/27/10, staff requested authorization to extend the original contract with Mission Paving Co. for the TDRA Street Improvement Grant Project for 90 calendar days. Due to the pending completion of the drainage improvement of 1<sup>st</sup> Street between Conway and Mayberry, staff was requesting authorization to extend the contract with Mission Paving Co. for the TDRA Street Improvement Grant Project for an additional 60 calendar days.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to authorize to extend the contract with Mission Paving for the TDRA Street Improvement Grant Project. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

### **4.10 Authorization to solicit bids for land leveling at Northwest Park located at 2 ½ Mile N. Inspiration Rd.**

Staff was seeking authorization to solicit bids for the land leveling of an 8 acre tract known as Northwest Park. The land leveling would commence a series of improvements for the construction of Northwest Park located at 2 ½ Mile N. Inspiration Road.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to authorize to solicit bids for land leveling at Northwest Park located at 2 ½ Mile N. Inspiration Rd. 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**

Councilman Plata requested for staff to ensure that landscaping is being kept up on commercial areas, he had noticed dead palm trees throughout the city.

Mr. Cerda advised that City Hall would be closed on Monday, January 17, 2011 due to Martin Luther King, Jr, Day.

**6.2 Mayor's Comments**

None

**7.0 Adjournment**

At 5:04 p.m., Councilman Plata moved for adjournment. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

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Norberto Salinas, Mayor

ATTEST:

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Anna Carrillo, City Secretary