

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
JANUARY 08, 2018 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
James Farrell
Melinda Zamora
Jorge Meza
Bill Filut

ABSENT:

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Aida Lerma, Deputy City Manager
Randy Perez, Deputy City Manager
Elizabeth Hernandez, Executive Secretary
Angie Vela, Finance Director
Jaime Acevedo, Planning Director
Virgil Gonzalez, Asst. Planning Director
Noemi Munguia, HR Director
Robert Hinojosa, Risk Manager
Eduardo Belmarez, Purchasing Director
Roland Rodriguez, I. T. Director
Charlie Longoria, Media Relations
Juan Pablo Terrazas, City Engineer
Roberto Salinas, Public Works Director
Jesse Lerma, Civil Service Director
Gilbert Sanchez, Fire Chief
James Cardoza, Emergency Mngmnt. Coord.
Robert Dominguez, Chief of Police
Joanne Longoria, CDBG Director
Mario Flores, Golf Course Director
Juan Arevalo, Boys & Girls Club Director
Mayra Rocha, Library Director
Cynthia Lopez, Museum Director
Cesar Gutierrez, Sanitation Director
Alex Meade, MEDC Chief Exec. Officer
Daniel Silva, MEDC Chief Operating Officer
JC Avila, Fleet Maintenance Director
Noel Barrera, Health Dept. Director
Hector Guzman, Water Dept. Manager
Adela Ortega, Food Pantry Manager
Joel Chapa, Jr., Police Officer
Pete Lopez, Parks & Rec. Supervisor

1. Call to order

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

2. Invocation and Pledge Allegiance

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

3. Report from the Greater Mission Chamber of Commerce

Robert Rosell, CEO from the Greater Mission Chamber of Commerce reported on the chamber events and ribbon cuttings that had recently taken place and on upcoming events to include the Team Go Mission 2018 Launch Party, Buenas Tardes Luncheon, Children's Advocacy Center Mission Satellite Office Open House, the 23rd Annual Mission Community Health Fair, and on the Mega Winter Texan Fiesta to be held on Saturday, February 10, 2018.

4. Departmental Reports

Mayor Pro Tem Norie Gonzalez Garza moved to approve the departmental reports as presented. Motion was seconded by Councilman Dr. Armando O'cana and approved unanimously 4-0.

5. Citizens Participation

None

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

- A. Conditional Use Permit: Texas Citrus Fiesta Carnival, 7.4 acres out of Lot 25-6, West Addition to Sharyland Subdivision, and Lot 1, North Star Plaza, AO-I & C-3, January 14, 2018 through January 30, 2018, Texas Citrus Fiesta, c/o Bill Filut Adoption of Ordinance # 4583 approving 1.1A**

On December 13, 2017 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site 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 Recommendation: Approval subject to: 1) Installation of a perimeter fence/debris stop; 2) Installation of "No Parking" signs along Conway and Griffin Parkway; and 3) Meet noise, Insurance, and any other related Codes.

City Manager recommended approval.

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

There were no comments.

Councilman Ruben Plata moved to approve the cup and to adopt Ordinance No. 4583 Conditional Use Permit: Texas Citrus Fiesta Carnival, 7.4 acres out of Lot 25-6, West Addition to Sharyland Subdivision, and Lot 1, North Star Plaza, AO-I & C-3, January 14, 2018 through January 30, 2018, Texas Citrus Fiesta, as per staff's recommendations. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

ORDINANCE NO. 4583

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE TEXAS CITRUS FIESTA CARNIVAL, 7.4 ACRES OUT OF LOT 25-6, WEST ADDITION TO SHARYLAND SUBDIVISION, AND LOT 1, NORTH STAR PLAZA, JANUARY 14, 2018 THROUGH JANUARY 30, 2018

B. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Kato Sushi, 2306 East Expressway 83, Suite 12, Lot 1, Cimarron Crossing Subdivision Phase I, C-3, Meza Garza Investments, LLC Adoption of Ordinance # 4584 approving 1.1B

On December 13, 2017 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located near the SW corner of Shary Road and U.S. Expressway 83. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff Recommendation: Approval of this CUP for a period of two years, at which time the applicant would have to renew their TABC license and conditional use permit.

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. 4584 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Kato Sushi, 2306 East Expressway 83, Suite 12, Lot 1, Cimarron Crossing Subdivision Phase I, C-3, as per staff's recommendations. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

ORDINANCE NO. 4584

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – KATO SUSHI, 2306 EAST EXPRESSWAY 83, SUITE 12, LOT 1, CIMARRON CROSSING SUBDIVISION PHASE I

C. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Wingstop Restaurant, 1801 N. Conway Avenue, Suite F, Lot 1, Enrique Mery Subdivision, C-3, Gabriela's Heavenly Wings II, LLC, Adoption of Ordinance # 4585 approving 1.1C

On December 13, 2017 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The existing restaurant site was located within a commercial plaza in the NW area of 18th Street and Conway. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff Recommendation: Approval of this CUP for a period of two years, at which time the applicant would have to renew their TABC license and conditional use permit.

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. 4585 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Wingstop Restaurant, 1801 N. Conway Avenue, Suite F, Lot 1, Enrique Mery Subdivision, C-3, as per staff’s recommendations. Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 4585

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

- D. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages –
Sr. Mostacho, 1512 E. Expressway 83, Suites 108 & 109, Lots 3 & 4, Stewart Plaza
Ph. I Subdivision, C-3, Sr. Mostacho, LLC
Adoption of Ordinance # 4586 approving 1.1D**

On November 15, 2017 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located on the SW corner of Stewart Road and Expressway 83. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff Recommendation: Approval subject to: 1) waiver of the 300’ separation, 2) Continued compliance with Building, Fire, & Health codes, 3) that this CUP be approved for a period of two years, at which time the applicant would have to renew their TABC license and conditional use permit, and 4) acquisition of a business license.

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. 4586 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Sr. Mostacho, 1512 E. Expressway 83, Suites 108 & 109, Lots 3 & 4, Stewart Plaza Ph. I Subdivision, C-3, as per staff’s recommendations. Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 4586

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR THE SALE & ON-SITE
CONSUMPTION OF ALCOHOLIC BEVERAGES – SR. MOSTACHO, 1512 E.
EXPRESSWAY 83, SUITES 108 & 109, LOTS 3 & 4, STEWART PLAZA PH. I
SUBDIVISION

2.0 Disposition of Minutes

2.1 City Council Meeting – December 18, 2017

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

3.0 Acknowledge Receipt of Minutes

3.1 Mission Ambulance Board – June 22, 2017

Planning & Zoning Commission – November 15, 2017

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

4.0 Approvals and Authorizations

4.1 Final Plat Approval: Las Comadres No. 4 Subdivision, A resubdivision of 30.01 acres being all of Lots 8, 9, and 10, Block 1, Texas Gardens Subdivision, Developer: Valley Caliche Products, Inc., Engineer: Melden & Hunt, Inc.

On February 13, 2017 the City Council held a Public Hearing to consider the Preliminary Plat Approval for Las Comadres No. 4 Subdivision. The proposed subdivision was located along the east side of Western Road between Mile 3 Road and Mile 4 Road. The City Council unanimously recommended approval as per Staff's recommendation.

Staff Recommendation: Approval subject to meeting the Model Subdivision Rules, complying with the street alignment policy and meeting any comments from the County Planning Department.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Final Plat Approval: Las Comadres No. 4 Subdivision, A resubdivision of 30.01 acres being all of Lots 8, 9, and 10, Block 1, Texas Gardens Subdivision, Developer: Valley Caliche Products, Inc., Engineer: Melden & Hunt, Inc., as per staff's recommendations. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

4.2 Approval of request by County of Hidalgo Elections Dept. to use City Facilities for early voting and election day for 2018 Elections

County of Hidalgo Elections Dept. requested the use of the Mission Social & Support Center and Mission City Hall for 2018 Elections.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the request by County of Hidalgo Elections Dept. to use City Facilities for early voting and Election Day for 2018 Elections. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

At 4:52 p.m., Councilwoman Jessica Ortega-Ochoa joined the meeting.

4.3 Board Appointments – Ambulance Board, Citizen Advisory Committee, Civil Service Commission, Juvenile Justice and Delinquency Prevention Advisory Board, 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

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

**BOARDS AND COMMITTEES
TERMS EXPIRING DECEMBER 31, 2017**

AMBULANCE BOARD

- Mario Lizcano
- Kane Dawson
- Tim Brown

MAYOR’S RECOMMENDATION: Re-appoint Mario Lizcano, Kane Dawson and Tim Brown

CITIZENS ADVISORY COMMITTEE

- Irma Fernik (NW)
- Rosie B. Lopez (SE)
- Jorge Martinez (NE)
- VACANT (SW)
- Severo Rodriguez (SE)
- Roel Rivera (SW)

MAYOR’S RECOMMENDATION: Re-appoint Irma Fernik, Rosie B. Lopez, Jorge Martinez, Severo Rodriguez and Roel Rivera

CITY OF MISSION BOARD OF DEVELOPMENT ADVISORY BOARD

- Jerry Saenz
- Rosalinda Gonzalez
- Rudy Garcia
- Julio Cerda
- Marisela G. Marin

MAYOR’S RECOMMENDATION: Re-appoint Jerry Saenz, Rosalinda Gonzalez, Rudy Gonzalez, Rudy Garcia, Julio Cerda and Marisela G. Marin

CIVIL SERVICE COMMISSION

- Jerry Saenz

MAYOR’S RECOMMENDATION: Re-appoint Jerry Saenz

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ADVISORY BOARD

- Dora Femat de la Garza
- MISSION CISD (1)
- Cynthia Wilson
- LA JOYA ISD (1)
- Alda T. Benavidez
- SHARYLAND ISD (1)
- Caroline Mendiola

MAYOR'S RECOMMENDATION: Re-appoint Dora Femat de la Garza, Cynthia Wilson, Alda T. Benavidez and Caroline Mendiola

PARKS AND RECREATION BOARD

- Rolando Reyna III
- Cris Voss
- Gustavo Martinez

MAYOR'S RECOMMENDATION: Re-appoint Rolando Reyna, III and Cris Voss and appoint Jesus Mendiola

PLANNING & ZONING COMMISSION

- Julio Cerda
- Marisela G. Marin
- John R. Guerra

MAYOR'S RECOMMENDATION: Re-appoint Julio Cerda, Marisela G. Marin and John R. Guerra

SHARY GOLF COURSE ADVISORY BOARD

- Carl Davis
- Isaac Martinez
- Mariano Garcia

MAYOR'S RECOMMENDATION: Re-appoint Carl Davis, Isaac Martinez and Mariano Garcia

SPEER MEMORIAL LIBRARY BOARD

- Michael Manuel
- Beth Blanton
- Jane Garza

MAYOR'S RECOMMENDATION: Re-appoint Michael Manuel, Beth Blanton and Jane Garza

TAX INCREMENT REINVESTMENT BOARD (TIRZ)

- Laura Villarreal
- David Crook
- Joel A. Gonzalez
- Al Beltran

MAYOR'S RECOMMENDATION: Re-appoint Laura Villarreal, David Crook and Al Beltran and appoint Julian Gonzalez

TRAFFIC SAFETY COMMITTEE

- Luis Dovalina
- Martin Garza
- Rene de la Cruz
- Jerry Cruz (resigned) term to expire 12/31/18

MAYOR'S RECOMMENDATION: Re-appoint Luis Dovalina, Martin Garza and Rene de la Cruz

YOUTH ADVOCACY ADVISORY BOARD

- Reynaldo Gonzalez, Jr.
- April Renee Chapa
- Deborah Cordova
- Estella Saenz
- Cipriano Saenz
- Henry Rodriguez
- Albert Pena

MAYOR'S RECOMMENDATION: Re-appoint Reynaldo Gonzalez, Jr., April Renee Chapa, Deborah Cordova, Estella Saenz, Cipriano Saenz, Henry Rodriguez and Albert Pena.

ZONING BOARD OF ADJUSTMENTS

- Jaime Gutierrez
- Sam Rodio

MAYOR'S RECOMMENDATION: Re-appoint Jaime Gutierrez and Sam Rodio

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

City Manager recommended approval.

Councilman Plata moved to approve Board Appointments – Ambulance Board, Citizen Advisory Committee, Civil Service Commission, Juvenile Justice and Delinquency Prevention Advisory Board, 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. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.4 Authorization to issue Permit to Ambulance Provider Applicants

On December 13, 2017 the City of Mission Ambulance Board met to review (12) Ambulance Company permit applicants for year 2017 and 2018 to conduct business in the City of Mission, Absolute EMS, Ambu-Med LLC, Ameristarr EMS, ATS EMS, Bravo EMS, Lifeline RGV, Med-Life EMS, Medical & Trauma Specialist, Quest EMS, Rescue EMS, Scripture EMS and Calvary EMS were approved by the Ambulance Board as they had met all the required specifications for permit issuance pursuant to Chapter 30 of the City of Mission Code of Ordinances.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to issue Permit to Ambulance Provider Applicants. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

4.5 Authorization to solicit bids for the Street Improvement of Kika De La Garza Loop

Staff was seeking authorization to solicit bids for Street Improvement project at Kika De La Garza Loop. Improvements included 2" asphalt pavement overlay, utility adjustments and replacement of damaged concrete curb & gutter.

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize to solicit bids for the Street Improvement of Kika De La Garza Loop. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.6 Approval of Resolution No. 1532 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 Texas Citrus Parade was scheduled for January 27, 2018. 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. The Mission Police Department was responsible for securing the route to ensure the safety of both motorists and pedestrians.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Resolution No. 1532 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. 1532

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 STATE RIGHT OF WAY FOR THE TEXAS
CITRUS FIESTA PARADE AND AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT
THEREFORE

4.7 Authorization to purchase 2018 Ford Mini Cargo Van via Buy Board Contract #430-13 for Utility Department

Staff was requesting authorization to Purchase 2018 Ford Mini Cargo Van XL SWB for \$22,960.00 from Caldwell Country Ford & Chevrolet via Buy Board Contract 430-13.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to purchase 2018 Ford Mini Cargo Van via Buy Board Contract #430-13 for Utility Department. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.8 Approval to surplus 2009 EZ-GO golf cart and battery charger and convey to M.C.I.S.D.

The City Manager's office received a request from M.C.I.S.D. for a golf cart and charger. Staff was seeking approval to declare 2009 EZ-GO golf cart (City of Mission Equipment ID #007430) with battery charger as surplus and was further seeking authorization to convey said items to M.C.I.S.D.

Staff and City Manager recommended approval.

Councilman Plata moved to approve to surplus 2009 EZ-GO golf cart and battery charger and convey to M.C.I.S.D. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.9 November 2017 Financial Statements

Finance Director Angie Vela presented November 2017 Financial Statements to the City Council for approval.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the November 2017 Financial Statements. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

City Attorney Abiel Flores advised council that they could go into executive session prior to considering item 4.10 in open session pursuant to V.T.C.A. Gov. Code Sec. 551.071, Private consultation with the City Attorney.

Mayor Salinas asked Council to go into Executive Session.

At 5:00 p.m., Councilman O'cana moved to convene into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001 for item 4.10. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

At 5:20 p.m., Councilman O'cana moved to reconvene in open session. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.10 Rescind award to First Vehicle Services, Inc., RFP # 17-278-09-07 for Fleet Maintenance and Preventive Services
(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)

On October 23, 2017 City Council awarded Fleet Maintenance and Preventive Services to First Vehicle Services, Inc. Staff was seeking authorization to rescind award to First Vehicle Services, Inc. due to vendor’s failure to comply with proposal as submitted.

Staff and City Manager recommended approval.

Councilman Plata moved to approve to rescind award to First Vehicle Services, Inc., RFP # 17-278-09-07 for Fleet Maintenance and Preventive Services. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.11 Authorization to acquire services on a temporary basis for Fleet Maintenance and Preventive Services

Staff was seeking authorization to acquire services off contract from Superior Oil on a temporary basis to ensure uninterrupted city services.

Staff and City Manager recommended approval.

Councilman O’cana moved to authorize to acquire services on a temporary basis for Fleet Maintenance and Preventive Services. Motion was seconded by Councilman Plata approved unanimously 5-0.

4.12 Budget Amendments – General Fund

Finance Director Vela presented budget amendment BA-18-10 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman O’cana moved to approve budget amendment BA-18-10. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager’s Comments

None

6.2 Mayor’s Comments

None

7.0 Adjournment

At 5:23 p.m., Councilman O'cana moved for adjournment. Motion was seconded by Councilman Plata and approved unanimously 5-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary