

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
NOVEMBER 10, 2008 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

ABSENT:

Celestino Ramirez, Councilman

ALSO PRESENT:

Kathy Olivarez, Progress Times
Tomas & Maggie Birmingham
Arlene Rivera
Pat Townsend Jr.
Sandra Vecchio
Tomas Tijerina

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Sergio Zavala, Planning Director
Bobby Salinas, Subdivision Coordinator
Roberto Salinas, City Engineer
Paul Schaefer, Golf Course Director
Rick Saldana, Fire Chief
Gilbert Sanchez, Fire Marshal
Ruben Diaz, Public Works Director
Victor Gonzalez, Streets Director
Elizabeth Cabrera, Purchasing Director
Leo Longoria, Chief of Police
Janie Flores, Finance Director
Randy Perez, Accountant
Rolando Rodriguez, DP Manager
Julian Gonzalez, Parks & Rec. Director
Rusty Dove, Library Director
Omar Garcia, Boys & Girls Club Director
Jonathan Wehrmeister, Judge

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:32 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

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

4. Tomas Tijerina – 3rd Annual Table at Renee’s Thanksgiving Dinner

Minutes, 11/10/08, Pg. 2

Mr. Tomas Tijerina requested authorization for the city to participate in the 3rd Annual Thanksgiving Dinner. He requested assistance from the Police, Fire and Parks Departments. He stated that last year 1152 meals were served. The council was in support of his request.

5. Citizens Participation

None

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

None

2.0 Disposition of Minutes

2.1 City Council Minutes – October 29, 2008

Councilwoman Norie Gonzalez Garza 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 Speer Memorial Library Board – September 16, 2008

Mission Economic Development Corporation – September 16, 2008

Councilwoman Garza 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 Approval of Ord. # 3414 Amend Section 86-6 of the Sign Regulations whereby Non-profit sponsored Private Signs may be Placed in the City Right -of-way

The Planning Department was approached by the Aladdin Villas development in which they were considering in asking the City to place a sign announcing their activities and seasonal events but where said sign would be installed in Stewart Road's ROW. When discussed this with the City Attorney, it was realized that the Ordinance would be amended to formally retain such right to the City....the amendment was intended to do the following.

The proposed amendment would have the city factor in the intent of the civic-oriented sign, tenure, size, height, location, lighting, etc.

The amendment would also ratify the other actions taken to conditionally approve other similar sign requests.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Ordinance No. 3414 Amending Section 86-6 of the Sign Regulations whereby Non-profit sponsored Private Signs may be Placed in the City Right -of-way as presented. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

ORDINANCE NO. 3414

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AMENDING SECTION 86-6 OF THE CODE OF ORDINANCES OF THE CITY OF MISSION, TEXAS, ENTITLED 'RESTRICTIONS GENERALLY'; PROVIDING A CODIFICATION CLAUSE; AND PROVIDING A PUBLICATION DATE

4.2 Final Plat Approval: Sunset Gardens (formerly given Pre-plat approval as 'Taylor Estates'), 10.157 ac. Tract of Land out of Lot 226, and a 0.157 of an acre out of an Abandoned Canal ROW, JHS, R-1A Developer: Takasumo Corp Engineer: Melden & Hunt, Inc.

The subject plat was given Preliminary Plat approval by the City Council on September 24, 2007, allowing the development to go forth into construction. This Final Plat consideration of Sunset Gardens viewed the improvements meeting city codes.

Sunset Gardens had 24 lots all meet R-1A standards. Looped 8" water lines were installed with 3 hydrants. The private cul-de-sac street meet code where 24" storm lines were evident, and the 37' B-B street meet all paving codes. On Sanitary sewer, a new 8" lines would be providing the service.

Staff and City Manager recommended approval subject to provision of water rights.

Mayor Pro Tem Olivarez moved to approve the final plat approval for Sunset Gardens as presented. Motion was seconded by Councilwoman Garza and approved unanimously 4-0.

4.3 Final Plat Approval: with Incidental Request for Plat Approval Extension: Mor-will Heights Subd., 3.65 acres out of Lot 20-10, W.A.S., C-3 & R-2, Engineer: Melden & Hunt, Inc.

The subject plat was given Preliminary Plat Approval by the City Council on April 9, 2007, allowing the development to go forth into construction. Since more than a year had elapsed but construction had steadily progressed, Council action should include 'Plat approval extension of 8 months retroactive of April 2008's expiration date'.

Mor-will was a two-fold development whereby the eastern portion was commercially zoned with future common parking and interface driveways to adjoining others; and the western part was zoned R-2 where upscale apartments would have a gated entry from their private street intersecting onto the perimeter Pecan Avenue. New 8" water lines were looped onto an existing 16" lines with hydrants located at juncture approved by the Fire Marshal. The private cul-de-sac street meet code where 24" storm lines were evident to drain the 37' B-B street. On sanitary sewer, new 8" lines connected to the City's 12" line would be providing the service.

Staff and City Manager recommended approval subject to 1) 8-months plat approval extension retroactive to April 2008, and 2) comply with all city codes including water district exclusion.

Councilwoman Garza moved to approve Incidental Request for Plat Approval Extension as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.4 Approval of the Certified 2008 Tax Roll Totals

Minutes, 11/10/08, Pg. 4

Mrs. Janie Flores, Finance Director, presented the Certified 2008 Tax Roll Totals to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Certified 2008 Tax Roll Totals as presented. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

4.5 Budget Amendments – General Fund, Designated Purpose Fund, Golf Course Fund, Utility Fund

Mrs. Flores presented the budget amendments BA-04 thru BA-08 to the City Council for approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to approve budget amendments BA-04 thru BA-08 as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 4-0.

4.6 Approval of Ord. # 3415 granting a wet designation for 210 N. Conway, Lot 4 Block 50, Mission Original Townsite, Speedy Drive Thru # 2

Owner requested a 'wet area designation' for the above mentioned property.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve Ordinance No. 3415 granting a wet designation for 210 N. Conway, Lot 4 Block 50, Mission Original Townsite, Speedy Drive Thru No. 2 as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

ORDINANCE NO. 3415

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 210 N. CONWAY, LOT 4, BLOCK 50, MISSION ORIGINAL TOWNSITE

4.7 Authorization to solicit bids or purchase via State approved contract for firefighter personnel protective equipment

The City of Mission Fire Department was seeking authorization to solicit bids or purchase via State approval contract for firefighter personnel equipment. The equipment would consist of helmets, gloves, nomex hoods, boots plus coats and pants.

Staff and City Manager recommended approval.

Councilman Plata moved to approve bids or purchase via State approved contract for firefighter personnel protective equipment as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 4-0.

4.8 Recommendation to extend contract for one year for Sludge Disposal Services for Public Work's Departments

On January 18, 2008, the City of Mission entered into an agreement with Terra Renewal (TRS Envirogenics) for the purchase of sludge disposal services. The contract terms were for one year with two one-year optional extension based on 3% increase in price. The price would change by 3% increase. Staff was seeking authorization to extend contract for one year with Terra Renewal (TRS Envirogenics). Terms of Contract: October 2008 thru September 2009.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to extend contract for one year for Sludge Disposal Services for Public Work's Departments as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.9 Recommendation to extend contract for one year for Meter Connect Supplies for Water Works Distribution Department

On March 10, 2008, the City of Mission entered into an agreement with HD Supply Waterworks for the purchase of meter connect supplies. The contract terms were for one year with two one-year optional extension based on a maximum of 10% increase in price. The price was increased by an 8% increase for brass service material and 0% increase for all other items. Staff was seeking authorization to extend contract for one year with HD Supply Waterworks. Terms of Contract: October 2008 thru September 2009.

Staff and City Manager recommended approval.

Councilman Plata moved to extend contract for one year for Meter Connect Supplies for Water Works Distribution Department as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 4-0.

4.10 Recommendation to extend contract for one year for Waterline Maintenance Supplies for Water Works Distribution Department

On March 10, 2008, the City of Mission entered into an agreement with HD Supply Waterworks for the purchase of waterlines maintenance supplies. The contract terms were for one year with two one-year optional extension based on a maximum of 10% increase in price. The price was increased by an 8% increased for brass service material and 0% increase for all other items. Staff was seeking authorization to extend contract for one year with HD Supply Waterworks. Terms of Contract: October 2008 thru September 2009.

Staff and City Manager recommended approval.

Councilwoman Garza moved to extend contract for one year for Waterline Maintenance Supplies for Water Works Distribution Department as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

4.11 Recommendation to extend contract for one year for Cold Water Meters for Water Works Distribution Department

Minutes, 11/10/08, Pg. 6

On March 10, 2008, the City of Mission entered into an agreement with US Metering & Technology for the purchase of cold water meters. The contract terms were for one year with two one-years optional extension based on 0% increase in price. The price would remain the same for all items. Staff was seeking authorization to extend contract for one year with US Metering & Technology. Terms of Contract: October 2008 thru September 2009.

Staff and City Manager recommended approval.

Councilman Plata moved to extend contract for one year for Cold Water Meters for Water Works Distribution Department as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

4.12 Bid for the purchase of Odor Control Materials for Waste Water Treatment, for Industrial Pre-Treatment, and Lift Stations

On September 08, 2008 City Council authorized staff to solicit bids for the purchase of odor control materials for Waste Water Treatment, for Industrial Pre-Treatment, and Lift Station. The City of Mission had accepted and opened three (3) bid responses for this project. Staff was recommending awarding to low bidder Corporate Express for a total cost of \$54,322.00.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve bid for the purchase of Odor Control Materials for Waste Water Treatment, for Industrial Pre-Treatment, and Lift Stations as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

4.13 Bid for the purchase of Hot/Cold Mix for Streets, Utility, and Waste Departments

On September 22, 2008 City Council authorized staff to solicit bids for the purchase of the purchase of hot/cold mix for Public Works' Department. The City of Mission had accepted and opened one (1) bid response for this project. Staff was recommending awarding to low bidder Frontera Materials, Inc for an estimated total cost of \$265,000.00.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to approve bid for the purchase of Hot/Cold Mix for Streets, Utility, and Waste Departments as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.14 Approval of Ord. # 3416 providing for a Three-Way Stop Intersection at East 28th St., and Lilac Ave.

The City of Mission Police Department received a request for approval of an ordinance establishing a 3-Way Stop intersection at East 28th Street and Lilac Avenue. The residents of Heritage Park Subdivision I and II requested assistance in regulating traffic within the subdivision. The increase in traffic density within the subdivision based on the growth of the subdivision and the utilization of East 28th Street to access either Stewart Road or Bryan Road by the general public was creating a number of concerns for the safety of the residents, motorist and pedestrians alike. The implementation of the 3-Way Stop intersection would assist in regulating the flow of traffic, which in turn would assist in making the roadway safer to travel.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve Ordinance No. 3416 providing for a three-Way Stop Intersection at East 28th Street and Lilac Avenue as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 3416

AN ORDINANCE OF THE CITY OF MISSION, TEXAS PROVIDING FOR TRAFFIC CONTROL BEING STOP SIGNS AT THE FOLLOWING INTERSECTION: EAST 28TH STREET AND LILAC AVENUE; PROVIDING FOR INSTALLATION OF SAID TRAFFIC CONTROL DEVICES BEING STOP 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

4.15 Presentation and approval of work authorization # 32 for professional services for GIS project phase IV with L & G Engineering

Authorization was being requested for the ongoing GIS (Geographical Information System) project. GIS Phase IV entailed the continued development and deployment of the City-wide GIS system.

Staff and City Manager recommended approval.

Mr. David Bartle from La Playa Mapping gave a brief presentation on the GIS project which was available for viewing in the city's website.

Mayor Pro Tem Olivarez moved to approve work authorization No. 32 for professional services for GIS project phase IV with L & G Engineering as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.16 Request by Landmark Structures to Open-Cut 2 Mile N. Rd., to install waterline for new Water Tower Loop Connection

Request was being made by Landmark Structures to open cut two (2) Mile North Road 1200' west of Shary Road. The proposed improvements were part of the City of Mission's Water Loop Connection into the new Water Tower. Due to the limited right of way space and other existing utilities Landmark Structures would be subject to meet city compaction and repaving standards. Landmark Structure would provide traffic control for the temporary road closure.

Staff and City Manager recommended approval.

Mayor Salinas asked if boring could be don instead of the open cut.

Mayor Pro Tem Olivarez moved to approve the request by Landmark Structures to Open-Cut Two (2) Mile North Road to install waterlines for new Water Tower Loop Connection as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 4-0.

5.0 Unfinished Business

5.1 Remove from Table: Adoption of Ord. # _____ Amending Section 110-384 (b) (6) of the Traffic and Vehicle Code to Include 'unless otherwise provided by an approved CUP' citing a controlled possibility of where 18-wheelers may park

Mayor Pro Tem Olivarez moved to remove item from the table. Motion was seconded by Councilman Plata and approved unanimously 4-0.

No Action was taken on this Item.

5.2 Remove form Table: Adoption of Ord. # _____ Amending the Zoning Ord. # 1128 to include Regulatory Guidelines for Non-residential parking by larger vehicles in relation to Section 110-384

Mayor Pro Tem Olivarez moved to remove item from the table. Motion was seconded by Councilman Plata and approved unanimously 4-0.

No Action was taken on this Item.

6.0 Routine Matters

6.1 City Manager's Comments

Advised the City Council that Interviews were held and that the new Deputy City Managers should start on the week of November 24th 2008, or after the Thanksgiving Holidays.

6.2 Mayor's Comments

None

At 5:12 p.m., Mayor Pro Tem Olivarez moved to convene into executive session. Motion was seconded by Councilman Plata and approved unanimously 4-0.

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

7.1 Private consultation with the City Attorney Sec. 551.071

A. Central Fire Station

B. Public Safety Building

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

At 5:19 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilman Garza and approved unanimously 4-0.

On item 7.1-A, Councilman Plata move to authorize the City Attorney to hire Attorney Tom Hill construction law expert for the Central Fire Station. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 4-0.

No Action was taken on Item 7.1-B.

8.0 Adjournment

At 5:20 p.m., Councilman Garza moved for adjournment. Motion was seconded by Councilman Plata and approved unanimously 4-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary