

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
SEPTEMBER 14, 2009 4:30 P.M.  
MISSION CITY HALL**

Pursuant to V.T.C.A. Gov. Code Section 551.001 et. seq., the City Council of the City of Mission, Texas will hold a regular meeting on Monday, September 14, 2009 at 4:30 p.m. at the Mission Council Chambers, 1201 E. 8<sup>th</sup> Street, Mission, Texas to consider the following matters.

<b>Regular Meeting</b>	<b>Att.</b>	<b>Page</b>	<b>Originator</b>	<b>Status</b>
1. Call to order			Salinas	
2. Pledge Allegiance and Invocation			Salinas	
3. Departmental Reports	1		Cerda	
4. Update on TIRZ Projects			Cerda	
5. Citizens Participation			Salinas	
<b>1.0 Public Hearing</b>				
<b>1.1 Planning &amp; Zoning Recommendations</b>				
A. Rezoning: A.57 acre tract of land out of Lot 23-1, W.A.S. Subd., AO-I to R-1, Saul Montes Rodriguez	1.1A	33	Zavala	
B. Rezoning: A. 105.5'x 250' tract of land out of Lots 26-10 & 27-10, W.A.S. Subd., R1-A to R-3, Frances Garcia	1.1B	38	Zavala	
C. Re-Designation of Land Uses: Sharyland Plantation PUD (Various Tracts) <b>Tract 1</b> – A 30.78 acre tract of land out of Lot 84, J.H.S. Subd., PUD (Non-Residential to High Density); <b>Tract 2</b> – A 37.38 acre tract of land out of Lots 72 & 82, J.H.S. Subd., PUD (Non-Residential to High Density); <b>Tract 3</b> – A 15.43 acre tract of land out of Lots 65 & 75., J.H.S. Subd., PUD (Industrial to Multi-Family Residential); <b>Tract 4</b> – A 30.12 acre tract of land out of Lots 62 & 72, J.H.S. Subd., PUD ( High Density to Non-Residential); <b>Tract 5</b> – Lot 14, Sharyland Service Center No. 9, PUD (Industrial to Non-Residential); <b>Tract 6</b> – Lot 1, Plantation Grove Sports Complex, & A 2.67 acre tract out of Lots 75 & 76, J.H.S. Subd., PUD (Non-Residential to Medium Density), Hunt Valley Dev.	1.1C	43	Zavala	
D. Conditional Use Permit: Drive-Thru Service Window, 307 E. Expwy. 83, Lot 6-D, El Pueblo Subd., C-3, Life of Use, McDonald's	1.1D	54	Zavala	
E. Conditional Use Permit: 'Sale and On-Site Consumption of Alcoholic Beverages' at "La Herradura Restaurant & Bar," 1215 E. Expwy. 83, Lots 14-16, Heritage Commercial Plaza Subd., #1, C-3, Life of Use, Diego Salinas	1.1E	61	Zavala	
F. Conditional Use Permit: 'Sale and On-Site Consumption of Alcoholic Beverages' at Los Pescadores Restaurant, 601 "C" E. 9 <sup>th</sup> St., Lots 4-8, Block 165, M.O.T. Subd., C-3, Life of Use, Eleazar Zavala	1.1F	69	Zavala	

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G. Proposed Annexation of the following areas: <b>Tract A</b> ; All of Lots 32-1, 32-2, 31-2, and North 30 acres of Lot 30-12, W.A.S. (to include all of lots in Basham No. 2 Subd., Vela-Zamora Subd., Alex Cavazos Subd., and Premier Subd.); and <b>Tract B</b> ; Lots 2, 3, 4, & 6 Mission Farm Estates	1.1G 74	Zavala	
H. Conditional Use Permit: ‘Sale and On-site Consumption of Beer & Wine’ at Varikai By Go Go Restaurant, 4001 S. Shary Rd., Suite 700, Lot 1, Tech Center No. 2, PUD, Life of Use, Ana Catalina Perez	1.1H 79	Zavala	
<b>2.0 Disposition of Minutes</b>			
2.1 City Council Meeting – August 24, 2009, Special Meetings – August 25 <sup>th</sup> and 31 <sup>st</sup> , 2009	2.1 86	Carrillo	
<b>3.0 Acknowledge Receipt of Minutes</b>			
3.1 Mission Civil Service Commission – June 29, 2009 Mission Economic Development Corporation – July 21, 2009 Planning and Zoning Commission – August 6, 2009	3.1 104	Cerda	
<b>4.0 Approvals and Authorizations</b>			
4.1 Adoption of Ord.# _____ for Rezoning A .57 acre tract of land out of Lot 23-1, W.A.S. Subd., AO-I to R-1	4.1 117	Zavala	
4.2 Adoption of Ord.# _____ for Rezoning A 105.5’ x 250’ tract of land out of Lots 26-10, & 27-10, W.A.S. Subd., R1-A to R-3	4.2 119	Zavala	
4.3 Adoption of Ord.# _____ for Re-Designation of Land Uses: Sharyland Plantation PUD (Various Tracts) <b>Tract 1</b> – A 30.78 acre tract of land out of Lot 84, J.H.S. Subd., PUD (Non-Residential to High Density); <b>Tract 2</b> – A 37.38 acre tract of land out of Lots 72 & 82, J.H.S. Subd., PUD (Non-Residential to High Density); <b>Tract 3</b> – A 15.43 acre tract of land out of Lots 65 & 75, J.H.S. Subd., PUD (Industrial to Multi-Family Residential); <b>Tract 4</b> – A 30.12 acre tract of land out of Lots 62 & 72, J.H.S. Subd., PUD ( High Density to Non-Residential); <b>Tract 5</b> – Lot 14, Sharyland Service Center No. 9, PUD (Industrial to Non-Residential); <b>Tract 6</b> – Lot 1, Plantation Grove Sports Complex, & A 2.67 acre tract out of Lots 75 & 76, J.H.S. Subd., PUD (Non-Residential to Medium Density)	4.3 121	Zavala	
4.4 Adoption of Ord.# _____ for CUP for a Drive-Thru Service Window, 307 E. Expwy. 83, Lot 6-D, El Pueblo Subd.	4.4 123	Zavala	
4.5 Adoption of Ord.# _____ for CUP ‘Sale and On-Site Consumption of Alcoholic Beverages’ at ‘La Herradura Restaurant & Bar,’ 1215 E. Expwy. 83, Lots 14-16, Heritage Commercial Plaza Subd. #1	4.5 125	Zavala	

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4.6 Adoption of Ord.# _____ for CUP 'Sale and On-Site Consumption of Alcoholic Beverages at Los Pescadores Restaurant, 601 "C" E. 9 <sup>th</sup> St., Lots 4-8, Block 165, M.O.T. Subd.	4.6	127	Zavala	
4.7 Adoption of Ord.# _____ for CUP for the 'Sale and On-Site Consumption of Beer & Wine, at Varikai By Go Go Restaurant, 4001 S. Shary Rd., Suite 700, Lot 1, Tech Center No. 2 Subd.	4.7	129	Zavala	
4.8 Preliminary Plat Approval: Eduardo's No. 9 Subd., 23.56 Acre tract being all of Lots 66 & 67, Block 1, La Homa Ranch Citrus Groves Unit No. 1, Rural ETJ, Developer: Aniceto Izaguirre Engineer: Izaguirre Engineering Group, Inc.	4.8	131	Zavala	
4.9 Approval of Ord.# _____ to Amend the Zoning Ord. by adding 'A family-owned car-wash business when the owner resides adjoining said site that also has frontage to an arterial street and resident family members only will participate in its operation' as a Conditional Use in the Single-Family Residential Zoning District	4.9	140	Zavala	
4.10 Approval of Ord.# _____ granting a wet designation for 601 "C" E. 9 <sup>th</sup> St., Lots 4-8 Block 165, M.O.T., Los Pescadores Restaurant	4.10	148	Carrillo	
4.11 Approval of Ord.# _____ granting a wet designation for 4001 S. Shary Rd., Suite 700 Lot 1, Tech Center #2, Varikai by Go Go	4.11	150	Carrillo	
4.12 Approval of Res.# _____ expressing the city's nomination for the Appraisal District Board of Directors for 2010 - 2011	4.12	152	Carrillo	
4.13 Amendment to Interlocal Agreement between City of Mission and Sharyland ISD to jointly undertake the youth services at Martinez and Jensen Elementary	4.13	159	Garcia	
4.14 Amendment to Interlocal Agreement between City of Mission and Mission CISD to jointly undertake the youth services at Leal Elementary	4.14	166	Garcia	
4.15 Approval of Ord.# _____ adopting the Fiscal Year 2009-2010 Annual Budget	4.15	174	Cerda	
4.16 Approval of Ord.# _____ adopting the Tax Rate	4.16	216	Cerda	
4.17 Approval of Ord.# _____ adopting the Mission Economic Development Corporation Fiscal Year 2009-10 Annual Budget	4.17	219	Cerda	
4.18 Budget Amendments: Designated Purpose Fund, Group Health, Post Employment Trust Fund and 2009 CO	4.18	226	Flores	
4.19 Authorization to solicit Request for Qualifications (RFQ's) for Arbitrage Rebate Compliance Services	4.19	233	Flores	
4.20 Approval of Res.# _____ adopting a comprehensive policy of guidelines and criteria for governing tax abatement incentives within the City of Mission and its extraterritorial jurisdiction	4.20	234	Townsend	

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4.21 Approval of Ord.# _____ authorizing execution of contractual agreement with TxDOT for ROW on FM 396	4.21	240	R. Salinas	
4.22 Authorization to accept the 2010 STEP Comprehensive Grant from the Texas Department of Transportation	4.22	251	L. Longoria	
4.23 Authority to rescind Section 1 (A) (4) of Ord. No. 2356 and adopt Ord. No. _____ regulating speed on Two Mile Line between Conway Ave. and Taylor Rd.	4.23	257	L. Longoria	
4.24 Authorization to enter into a Memorandum of Understanding with the United States Marshals Service for FY 2009	4.24	260	L. Longoria	
4.25 Approval of Ord.#_____ providing for no parking signs on the north and south side of the road of the 200 block of E. 15 <sup>th</sup> St. between the hours of 7:00 a.m. to 8:30 a.m. and 3:30 p.m. to 5:00 p.m. on the days the Mission CISD is in session	4.25	267	L. Longoria	
4.26 Approval of Ord.#_____ providing for no thru traffic sign at the 200 block of E. 15 <sup>th</sup> St. between the hours of 7:00 a.m. to 8:30 a.m. and 3:30 p.m. to 5:00 p.m. on the days the Mission CISD is in session	4.26	269	L. Longoria	
4.27 Approval of Ord.#_____ providing for no parking signs on the south side of the 1200 block of Bryce St. between the hours of 7:00 a.m. and 5:00 p.m. on the days the Mission CISD Administration is in session	4.27	271	L. Longoria	
4.28 Approval of Ord.# _____ providing for a no left turn sign at the 1500 block of Doherty Ave. onto the 200 block of E. 15 <sup>th</sup> St. between the hours of 7:00 a.m. to 8:30 a.m. and 3:30 p.m. to 5:00 p.m. on the days the Mission CISD is in session	4.28	273	L. Longoria	
4.29 Approval of Ord.#_____ providing the striping on the roadway at the 1500 block of Miller Ave. (existing one way street) depicting the west lane with a white arrow turning left and the east lane with an arrow showing right turn only	4.29	275	L. Longoria	
4.30 Approval of Ord.#_____ providing for a Three-Way Stop Intersection of 15 <sup>th</sup> and Doherty Ave.	4.30	277	L. Longoria	
4.31 Approval of Ord.#_____ providing the IDEA Academy, be designated as a school zone between the 1300 and 1600 Block of South Schuerbach Rd. and proper signage be posted to reflect school zone regulating speed at 20 mph during school hours	4.31	279	L. Longoria	
4.32 Approval of Ord.#_____ providing for no parking signs on the east side of the 200 block of S. Mayberry Rd. between the hours of 7:00 a.m. to 8:30 a.m. and 2:30 p.m. to 4:30 p.m. on the days the Mission CISD is in session	4.32	281	L. Longoria	
4.33 Approval of Ord.#_____ providing for a Three-Way Stop Intersection at Cimarron Dr. and J.R. Dr.	4.33	283	L. Longoria	
4.34 Approval of Ord.#_____ providing for a Three-Way Stop Intersection at Glasscock Rd. and Trinity Dr.	4.34	286	L. Longoria	

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4.35 Approval of Ord.#_____ providing for a Four-Way Stop Intersection at Glasscock Rd. as it intersects with Rio Balsas and Jonathon Dr.	4.35	289	L. Longoria	
4.36 Approval of Ord.#_____ providing for a Three-Way Stop Intersection at Rio Grande Dr. and Frio Dr.	4.36	292	L. Longoria	
4.37 Approval of Ord.#_____ providing for a Three-Way Stop Intersection at Rio Grande Dr. and Glasscock Rd.	4.37	295	L. Longoria	
4.38 Approval of Amendment #6 to the Fleet Management and Maintenance Contract between the City of Mission, Texas and First Vehicle Services	4.38	298	Cabrera	
4.39 Approval of Intergovernmental Cooperative Agreement with Palm Valley Animal Center	4.39	303	Cabrera	
4.40 Authorization to extend contract for one year for Hot and Cold Mix for Streets, Utility and Waste Water Departments	4.40	310	Cabrera	
4.41 Authorization to extend contract for one year for Caliche for Streets, Utility, and Waste Water Departments	4.41	312	Cabrera	
4.42 Authorization to solicit bids for the purchase of Waterline Material for Inspiration Rd. Project – from Schuerbach to Inspiration through Military Rd.	4.42	314	Cabrera	
4.43 Authorization to extend contract for one year for Liquid Emulsion Polymer for Waste Water Department	4.43	315	Cabrera	
4.44 Bid for reparation of roof for the City of Mission - Fire Station No. 3	4.44	317	Cabrera	
4.45 Authorization to solicit bids for improvements to the Golf Pro Shop at the Shary Golf Course	4.45	319	Cabrera	
4.46 Approval of Change Order No. 2 for interior improvements to Kika de la Garza/Upper Valley Arts Organization Facility	4.46	320	Cabrera	
4.47 Bid for Employee Insurance Benefit Contracts and Supplemental Voluntary Insurances and authorize City Manager to execute contracts incident thereto	4.47	322	Salazar	

**5.0 Unfinished Business**

None

**6.0 Routine Matters**

6.1 City Manager's Comments	6.1	--	Cerda
6.2 Mayor's Comments	6.2	--	Salinas

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

- 7.1 Personnel or to hear complaints against personnel, Sec. 551.074
  - A. City Manager's Employment Agreement
- 7.2 Purchase, exchange, lease, or value of real property Sec. 551.072
  - A. Parcel # 14, Parcel # 32, and Parcel # 43 regarding Mile 2 North Rd. Project
- 7.3 Private consultation with the City Attorney, Sec. 551.071
  - Personnel or to hear complaints against personnel, Sec. 551.074
    - A. Bryan Rd. (FM 396) and Trinity Overpass Projects ROW Acquisitions – Attorney
- 7.4 Private consultation with the City Attorney, Sec. 551.071
  - A. Housing Case 4002 Lopez St.
- 7.5 The City Council will reconvene in open session to take any actions necessary

<b>8.0 Adjournment</b>	8.0	--	Salinas
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## CERTIFICATE

I, the undersigned City Secretary do certify that the above notice of meeting was posted on the bulletin board of City Hall, 1201 E. 8<sup>th</sup> Street, Mission, Texas on this the 11<sup>h</sup> day of September, 2009 at \_\_\_\_\_ p.m.

\_\_\_\_\_  
Anna Carrillo, City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations for a disability must be made 48 hours prior to this meeting. Please notify the City Secretary's Office at 580-8668.

NOTICE OF REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF MISSION

Notice is hereby given that on the 14<sup>th</sup> day of September, 2009 the City Council of the City of Mission will hold a regular meeting at 4:30 p.m. at the Mission Council Chambers, 1201 E. 8<sup>th</sup> Street, Mission, Texas 78572. The subjects to be discussed are listed on the agenda, which is attached to and made a part of this Notice.

If, during the course of the meeting covered by this Notice, the City Council should determine that a closed or executive meeting or session of the Council is required, then such closed or executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., will be held by the Council at the date, hour and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Council may conveniently meet in such closed or executive meeting or session concerning any and all purposes permitted by the Act, including, but not limited to the following sections and purposes.

Texas Government Code Section:

- 551.071 Private consultation with the City Attorney.
- 551.072 Purchase, exchange, lease, or value of real property.
- 551.073 Negotiate contracts for prospective gifts or donations.
- 551.074 Personnel or to hear complaints against personnel
- 551.075 To confer with employees of the city to receive information or to ask questions.
- 551.076 Considering the deployment, specific occasions for, or implementation of, security personnel or devices.
- 551.084 Excluding witnesses from a hearing.

Should any final action, final decision, or final vote be required in the opinion of the City Council with regard to any matter considered in such closed or executive meeting or session, then the final action, final decision, or final vote shall be either:

- (a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or
- (b) at a subsequent public meeting of the City Council upon notice thereof; as the Council shall determine.

On this the 11<sup>th</sup> day of September, 2009 this Notice was mailed to news media who had previously requested such Notice and an original copy was posted on the bulletin board at City Hall, 1201 E. 8<sup>th</sup> Street at \_\_\_\_\_ p.m. on said date.

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Anna Carrillo, City Secretary