

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
JUNE 28, 2010 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
Ethel Callanan
Sandra Vecchio
Cathy Garcia
Gen Long
Arlene Rivera

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Hernestina Esparza, Administrative Asst.
Aida Lerma, Deputy City Manager
Sonia Carnes, Deputy City Manager
Guillermo Seguin, Deputy City Manager
Sergio Zavala, Planning Director
Bobby Salinas, Subdivision Coordinator
Roberto Salinas, City Engineer
Paul Schaefer, Golf Course Director
Joanne Longoria, CDBG Director
Ruben Diaz, Public Works Director
Victor Gonzalez, Streets Director
Glorina Flores, Purchasing Buyer
Noemi Munguia, HR Director
Rosie Salazar, Risk Manager
Robert Dominguez, Asst. Chief of Police
Janie Flores, Finance Director
Randy Perez, Accountant
Rolando Rodriguez, DP Manager
Julian Gonzalez, Parks & Rec. Director
Adela Ortega, Museum Director
Belinda Garza, Speer Memorial Library
Jesse Lerma, Civil Service Director
Juan C. Avila, Interim Boys & Girls Club Director

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

Councilwoman Norie Gonzalez Garza moved to approve the departmental reports as presented. Motion was seconded by Councilman Ruben Plata and approved unanimously 5-0.

4. Citizens Participation

Ethel Callanan, from 2000 Lambath Way, requested that the street where she resides be widened and completed.

Gen Long, from 807 Cimarron thanked the Mayor, City Council, City Manager, and staff for all their hard work.

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, 900 Doherty & 200 E. Tom Landry, Lots 1-7, Block 161, Mission Original Townsite Subd., C-3, Mission Historical Museum

- Ordinance No. 3436 permitted civic organizations to request such CUPs from city-owned buildings where complimentary alcoholic drinks would be offered during a social/cultural event.
- The Mission Historical Museum was requesting that the City consider issuing a CUP good for one (1) year, where they would be able to hold various Chamber social events in the evening hours. During these events, complimentary alcoholic beverages would be served, where moderation would be self-monitored.
- If approved, Staff would request the number /date /type of social /business events the City Council had during the year.

There was no public input at P&Z's hearing. The P&Z voted unanimously to approve the conditional use permit.

Staff and P&Z recommended approval subject to one (1) year re-evaluation.

City Manager recommended approval of a 90 day CUP.

Councilwoman Maria Elena Ramirez moved to deny the CUP for the complimentary offering of Alcoholic Beverages for on-site consumption for a social and/or cultural event, 900 Doherty and 200 E. Tom Landry, Lots 1-7, Block 161, Mission Original Townsite Subdivision, C-3, Mission Historical Museum as recommended. Motion was seconded by Councilwoman Garza and denied unanimously 5-0.

B. 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

- Ordinance No. 3436 permitted civic organizations to request such CUPs from city-owned buildings where complimentary alcoholic drinks would be offered during a social/cultural event. Since the Chamber had impromptu events that come up on short notice, they were requesting the ability to be able to hold the business socials on an annual basis with this CUP.
- The Greater Mission Chamber of Commerce was requesting that the City consider issuing a CUP for one (1) year, where they would be able to hold various Chamber social events in the evening hours.
- During these events, complimentary alcoholic beverages would be served, where moderation would be self-monitored.
- If approved, Staff would request the number /date /type of social /business events the City Council had during the year.

There was no public input at P&Z's hearing. The P&Z voted unanimously to approve the conditional use permit.

Staff and P&Z recommended approval subject to one (1) year re-evaluation.

City Manager recommended approval of a 90 day CUP.

Councilwoman Garza moved to deny the CUP for 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 and Lots 7-12 Block 175, Mission Original Townsite Subdivision, C-3, The Greater Mission Chamber of Commerce as recommended. Motion was seconded by Councilwoman Ramirez and denied unanimously 5-0.

2.0 Disposition of Minutes

2.1 City Council Meeting – June 14, 2010

Mayor Pro Tem Leo Olivarez moved to approve the minutes as presented. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.0 Acknowledge Receipt of Minutes

3.1 Planning & Zoning Commission – May 26, 2010

**Citizen's Advisory Committee – May 11, 2010 &
Special Meeting May 21, 2010**

**Mission Economic Development Corporation
May 18, 2010**

Speer Memorial Library Board – May 18, 2010

Mayor Pro Tem Olivarez 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. # _____ for CUP for 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., The Greater Mission Chamber of Commerce; and the Complimentary Offering of Alcoholic Beverages for On-Site Consumption for a Social and/or Cultural Event, 900 Doherty & 200 E. Tom Landry, Lots 1-7, Block 161, Mission Original Townsite Subd., Mission Historical Museum

No action was taken on this item.

4.2 Bid of Real Property Described as the West 50' of Lot 57', Block 1, Mission Acres Subd., located at the SE corner of Adams/Barnes (City Attorney may ask Council to go into executive session prior to considering this matter in open session)

City Attorney David Guerra requested to have this item considered under executive session pursuant to V.T.C.A. Gov. Code Sec. 551.071, Private consultation with the City Attorney.

On April 12, 2010, the City Council authorized Staff to solicit bids in effort to sell a 50' x 120' (6000 sq. ft) tract of land that Mission had since 1953. The public notice advertising the tract's sale was published on April 16, 2010 and April 23, 2010, with the bids being opened on April 30, 210. The City only received one (1) bid from the adjoining neighbor being Santiago Bazan for a total bid amount of \$5000.

The subject property was corner lot. The HCAD land market values for the other three (3) corners were as follows:

NE @ \$1.85/sq. ft. (\$22,200 for 12,000 sq. ft. property)
NW @ \$2.04/sq. ft. (\$42,659 for 20,908.80 sq. ft. property)
SW @ \$1.90/sq. ft. (\$15,675 for 8250 sq. ft. property)
SE CITY TRACT: Bazan Bid @ \$0.833/sq. ft. for 6000 sq. ft. tract

Since the initial bidding process resulted in only one (1) bid that came in at less than 50% of the other corner lot values, staff and City Manager recommended to reject and re-bid.

After reconvening from executive session, Mayor Pro Tem Olivarez moved to approve the bid of Real Property Described as the West 50' of Lot 57', Block 1, Mission Acres Subdivision, located at the SE corner of Adams/Barnes be awarded to Mr. Santiago Bazan for a total amount of \$5,000. Motion was seconded by Councilwoman Garza and approved unanimously 4-0.

4.3 May 2010 Financial Statements

Mrs. Janie Flores, Finance Director presented the Financial Statements for May 2010, for acceptance.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Financial Statements for May 2010, as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.4 Tax Collection Report – May, 2010

Mrs. Flores presented the Tax Collections Report for May, 2010, for acceptance.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve the Tax Collection Report for May, 2010, as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.5 Amendment(s) (#7) To Local City of Mission Civil Service Rules

Staff was requesting approval to amend the local City of Mission Civil Service Rules. The Civil Service Commission met and unanimously approved to amend the local rules on April 30, 2010. The Civil Service Commission held a workshop and met various times, with staff, union representatives, and legal counsel before approving the changes. The amendments included the following:

1. Section 5.10- Physical Agility/Ability-All applicants who successfully pass the written examination shall be notified by the Director to report for a COMMISSION APPROVED PHYSICAL ABILITY TEST.
2. Section 5.11-Examinations-PSYCHOLOGICAL EXAMS WOULD NOW BE REQUIRED FOR ENTRY LEVEL POSITIONS FOR THE FD.
3. Section 7.05-Promotional examinations PD-Seniority Points-STAFF WOULD DELETE- SENIORITY POINTS SHALL BE ADDED TO THE GRADES OF THOSE INDIVIDUALS PASSING THE EXAMINATIONS-(70).
4. Section 10.02-EMERGENCY LEAVE WOULD BE REMOVED FROM THE RULES
5. Section 1.05-Reappointment of police officers who voluntarily resign in good standing- (e). MUST MEET THE TWO YEAR CONTINUOUS SERVICE BEFORE BEING ELIGIBLE FOR PROMOTIONAL EXAMS

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to approve the Amendment No. 7 to local city of Mission Civil Service Rules as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

4.6 Acceptance of Housing Assistance Program applicants – Housing Rehabilitation through the Social Services Block Grant program

Citizen's Advisory Committee (CAC) met on June 17, 2010 and approved staff's recommendation to use the 120% income limit to determine income eligibility and provide assistance for the roof repair at the following four (4) addresses:

Rehabilitation (Roof repair):

1508 Charles
609 Melba Carter St
308 Erma St
3001 Crisantema St

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve the Acceptance of Housing Assistance Program applicants – Housing Rehabilitation through the Social Services Block Grant Program as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.7 Consideration of Final Regional Consolidated Plan 2010-2012/One-Year Action Plan 2010-11 and authorize City Manager to execute Subrecipient/Interdepartmental Agreements receiving FY'10 CDBG Allocations except LRGVDC-Area Agency on Aging and Amigos del Valle

City Council held a public hearing on May 26, 2010 and Citizen's Advisory Committee (CAC) held a public hearing on May 11, 2010 to solicit input on funding allocations for public service agencies and city departments for the proposed Regional Consolidated Plan 2010-2012/One Year Action Plan FY' 10-11 as required by HUD. No comments were received during the public hearing and during the thirty (30) day comment period which ended May 31, 2010.

The following agencies and departments were approved for funding through the FY' 10 allocation of \$914,217: LRGVDC – Area Agency and Aging (\$10,000), Amigos Del Valle (\$10,000), Dentists Who Care (\$10,000), Children's Advocacy (\$7,000), Housing Division (\$650,000) and Housing/Program Administration (\$227,217). A subrecipient orientation meeting would be scheduled to discuss their responsibilities to insure compliance with all federal regulations.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Consideration of Final Regional Consolidated Plan 2010-2012/One-Year Action Plan 2010-11 and authorize City Manager to execute Subrecipient/Interdepartmental Agreements receiving FY' 10 CDBG Allocations except LRGVDC-Area Agency on Aging and Amigos del Valle as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.8 Consideration of Final Regional Consolidated Plan 2010-2012/One-Year Action Plan 2010-11 and authorize City Manager to execute Subrecipient/Interdepartmental Agreements receiving FY'10 CDBG Allocations to LRGVDC-Area Agency on Aging and Amigos del Valle

City Attorney Guerra asked Mayor Salinas to ask Mayor Pro Tem Leo Olivarez to preside over this item and abstain from deliberation and voting on this item due to serving on the board of these agencies.

Mayor Pro Tem Olivarez presided over this item.

City Council held a public hearing on May 26, 2010 and Citizen's Advisory Committee (CAC) held a public hearing on May 11, 2010 to solicit input on funding allocations for public service agencies and city departments for the proposed Regional Consolidated Plan 2010-2012/One Year Action Plan FY' 10-11 as required by HUD. No comments were received during the public hearing and during the thirty day comment period which ended May 31, 2010.

The following agencies and departments were approved for funding through the FY' 10 allocation of \$914,217: LRGVDC – Area Agency and Aging (\$10,000), Amigos Del Valle (\$10,000), Dentists Who Care (\$10,000), Children's Advocacy (\$7,000), Housing Division (\$650,000) and Housing/Program Administration (\$227,217). A subrecipient orientation meeting would be scheduled to discuss their responsibilities to insure compliance with all federal regulations.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Consideration of Final Regional Consolidated Plan 2010-2012/One-Year Action Plan 2010-11 and authorize City Manager to execute Subrecipient/Interdepartmental Agreements receiving FY'10 CDBG Allocations to LRGVDC-Area Agency on Aging and Amigos Del Valle as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 3-0 with Mayor Salinas and Councilwoman Garza abstaining.

4.9 Authorization to solicit bids for Drainage Improvements at various city locations

City Attorney David Guerra advised the City Council to consider this item under executive session pursuant to V.T.C.A. Gov. Code Sec. 551.071, Private consultation with the City Attorney.

Bid entailed drainage improvements at 4th Street between Canal Street and Dunlap Street, Stewart Road between Pamela and Business 83 and between Conway and Mayberry from 6th Street south to US 83.

Staff and City Manager recommended approval.

After reconvening from executive session, Mayor Pro Tem Olivarez moved to authorize to solicit bids for Drainage Improvements at various city locations. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.10 Authorization to include metal canopy roof for Mayberry Swimming Pool at CWV Park as Alternate #3

Staff was requesting to include metal canopy roof for Mayberry Swimming Pool at CWV Park as alternate #3 to original specifications.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize to include metal canopy roof for Mayberry Swimming Pool at CWV Park as Alternate #3 as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

City Manager Cerda advised the council that the city would be providing sand bags on Tuesday June 29, 2010 at three (3) locations Old Central Fire Station 500 E. Tom Landry, Banworth Park on Shary Road and the Lions Park on Kika De La Garza Loop.

6.2 Mayor's Comments

None

At 5:03 p.m., Councilman Plata moved to convene into executive session. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

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. Adan Olvera, Sr. vs City of Mission

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

Private consultation with the City Attorney Sec. 551.071

A. Renewal of Lease Agreement with Macedonio Gonzalez on Lot 20, Block 173, Mission Original Townsite

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

At 5:30 p.m., Councilwoman Ramirez moved to reconvene in open session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

On item 7.1-A, No action was taken on this item.

On item 7.2-A, Councilman Plata moved to authorize the renewal of Lease Agreement with Macedonio Gonzalez for one (1) year. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

8.0 Adjournment

At 5:34 p.m., Mayor Pro Tem Olivarez moved for adjournment. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary