

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
SEPTEMBER 13, 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
Dolores Pugh
Warren Pugh
Donna Anderson
Linda S. Stone
Sharon Thompson
Pam Williams
Martha Magee
Jaime Garza
Isaac Garcia
Jack Withington
Nan Persinger
Jorge Vaca
Javier Cantu
Pedro Luna Sr.
Teodoro Salazar
Angelica P. Cerda
Michael V. Ochoa
Henry Roberts
Tim Mantle
Jose M. Salinas
Paul McKee
Richard Garcia
David Ortiz
Jessica Ortiz
Madeline Ortiz
Jacobo Garza
Christopher Woods
Curtis B. Whatley
Marco Palacios

ALSO PRESENT:

Maxilou Link
Ramon Hermida
Irma Hermida
Armando Arevalo
Jaime Ocanas
Nellie Cleo
David Puente Jr.
Cindy Romero
Kristy Ritchie
Kevin Wagoner
Lee Thatman
Sergio Molina
Cari Lambrecht
Roland Salinas
Joel Solis
Michael Uhrbrock
Janie B. Flores
Nicole Laas
Cordelia Rasa
Nichole Alvarado
Belinda Gonzalez
Shannan R. Curry
Ascary Lomeli
Martha Chapa
Kevin Townsend
Aaron Alvarado
Rejeana Ramirez
Jim Barnes
Beth Barnes

STAFF PRESENT:

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, City Engineer
Paul Schaefer, Golf Course Director
Joanne Longoria, CDBG Director
Gilbert Sanchez, Fire Marshal
Rick Saldana, Fire Chief
Glorina Flores, Purchasing Buyer
Leo Longoria, Chief of Police
Robert Dominguez, Asst. Chief of Police
Martin Garza, Chief of Police
Janie Flores, Finance Director
Randy Perez, Accountant
Julian Gonzalez, Parks & Rec. Director
Mayra Rocha, Speer Memorial Library Director
Juan C. Avila, B & G Club Director
Noemi Munguia, HR Director
Rosie Salazar, Risk Manager
Jesse Lerma, Civil Service
Linda Castaneda, Museum

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:30 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.

At 4:31 Mayor Salinas asked to go on to item 7 of the agenda.

3. Presentation of the Julia Montgomery Rose Cup presented to the McAllen / Mission Garden Club

Ms. Dolores Pugh with the McAllen/Mission Garden Club presented to the City Council the Julia Montgomery Rose Cup that they received during their Spring Convention. This was awarded to them for beautification purposes at the Rio Grande Children's Home in the City of Mission.

4. Presentation of City of Mission TAAF Participants

Jorge Chapa gave a brief presentation of the TAAF Participants. A total of 42 medals were brought back by the athletes that represented the Mission Boys and Girls Club at Waco, Texas.

5. Proclamation – Michael A. Allen

Mrs. Anna Carrillo, City Secretary read the proclamation.

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

6. Departmental Reports

Councilwoman Maria Elena Ramirez moved to approve the departmental reports as presented. Motion was seconded by Councilman Plata and approved unanimously 5-0.

7. Citizens Participation – Glenn Romero regarding lease between City of Mission and Mission Skeet and Trap Club

Mr. Michael Uhrbrock from 206 Stonegate Dr., President, and spoke person of the Mission Trails expressed the concerns on a recent case with the Mission Skeet and Trap Club.

At 4:32 p.m. Councilman Ruben Plata joined the meeting.

Dr. Jim Biddle from 222 E Ridge Rd. in McAllen and President of the McAllen Gun Club spoke in behalf of the club members and explained that this was a non profit organization that shared similar interests regarding the quality of life as the Mission Trails Club.

Mayor Salinas expressed his concern to both parties and mentioned that this hadn't been done intentionally. He emphasized the purpose was to bring more people into the city. He offered to meet with both parties to see how he could help and also advised them to meet with Mr. Julian Gonzalez, the Parks and Recreation Director to discuss ideas and come to an understanding.

At 4:45 p.m. Mayor Salinas asked to continue with item 3 of the agenda.

8. Citizens Participation

Maxilou Link, informed the council of a surprise that would be prepared for everyone at the next City Council Meeting of September 27, 2010.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

A. Conditional Use Permit: To modify equipment & co-locate antennas into the existing self-support tower, 1711 Merlin Drive, Lot 13, Stewart Terrace Subd., R-1, Life of Use, San Antonio MTA, L.P. D/B/A Verizon Wireless

- The site was located on the NW corner of Balcones and Merlin Drive.
- Verizon was in the process of upgrading their wireless communications network in South Texas and throughout the Rio Grande Valley. Verizon wished to modify its equipment within one of the existing shelters and upgraded one of the antennas on the existing self-support tower.
- Primary access to the site was provided through Merlin.
- In a highly visible residential area, the area around the antenna containment area should be landscaped in order to improve aesthetics, and better acclimate to R-1.
- Sidewalks would be required along all perimeter streets.

There was no public opposition at P&Z's 8/25/10 hearing. The P&Z unanimously approved the conditional use permit adding that a nylon canvas be affixed to the chain link fence to better screen the equipment.

Staff Recommendation: Approval subject to: 1) fastening a nylon canvas screen to the chain link fence to visually buffer the cabinets, etc., from public view, 2) match and extend sidewalks along lot's perimeter with shade trees at 35 – 40' intervals with irrigation provided to maintain the trees, and 3) approval for life of use.

Staff, P & Z and City Manager recommended approval subject to landscaping.

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

Councilwoman Norie Gonzalez Garza moved to approve Conditional Use Permit: To modify equipment & co-locate antennas into the existing self-support tower, 1711 Merlin Drive, Lot 13, Stewart Terrace Subd., R-1, Life of Use, San Antonio MTA, L.P. D/B/A Verizon Wireless. Motion was seconded by Councilman Plata and approved 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

- Ord. # 3436 permitted civic organizations to request such CUPs from city-owned buildings where complimentary alcoholic drinks would be offered (not sold) during a social/cultural event.
- The Mission Chamber was requesting that the City consider issuing a CUP that would allow the serving of complimentary alcoholic beverages during a Business Appreciation mixer to be held on September 23, 2010 from 6:00 p.m. to 8:00 p.m.
- At the P&Z hearing, there were no opposing comments.

Thereafter, the P&Z voted 3-1 with Mr. Lopez dissenting to approve the conditional use permit application.

Cathy Garcia Chamber of Commerce Board President asked to change the date to September 23.

Staff, P & Z and City Manager recommended approval subject to changing the date to September 23.

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

Councilwoman Garza 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 Councilwoman Ramirez and approved unanimously 5-0.

C. Conditional Use Permit: Drive-thru Service window “Pico’s Restaurant” 1500 W. Griffin Parkway, W. 180’ – E. 440’ – S. 100’ out of Lot 25-2, West Addition to Sharyland Subd., C-3, Life of Use, Logistica Frontera, LLC

The site was located on the NW corner of Wednesday and Griffin Parkway. The applicant was remodeling the building which included removing a portion of the building in order to provide a drive-thru window. The location of the drive-thru service window provided enough stacking for at least three vehicles. However when exiting, the paved lane needed to be widened northward to facilitate maneuvering on a paved surface. The applicant was receptive in meeting this finding. Access to the site was provided from Griffin Parkway (26’ driveway) and Wednesday (24’ driveway). There were a total of 52 seating spaces, which required 17 parking spaces ($52/3 = 17.3$). The site currently had 21 parking spaces, thus meeting code. There was a 6’ buffer fence to the residential north.

- Days/Hours of operation: Everyday from 6:00 a.m. to 10:00 p.m.
- Staff: 6 employees
- Sidewalks had been provided along Griffin Parkway, Wednesday, and Tuesday Street, however, there was a 28’ portion along the Tuesday frontage that had yet to be installed.
- 7 – 3” caliper shade trees should be provided (Lot had access to 3 streets and was very visible).
- The front portion of the trash buffer was missing. This must be installed prior to business license acquisition.
- A business license was required prior to occupancy.
- There were no opposing comments at the P&Z hearing.

Thereafter, the P&Z unanimously approved the conditional use permit application.

Staff Recommendation: Approval subject to: 1) provide 7 shade trees landscaping, 2) provide the missing portion of sidewalk along Tuesday Street, 3) provide the missing portion of the trash buffer, 4) comply with the City’s Sign Ordinance, 5) acquire a business license prior to occupancy, and 6) expanding the driveway onto Wednesday Street in order to facilitate paved maneuverability.

Staff, P & Z and City Manager recommended approval subject to landscaping.

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

Councilman Plata moved to approve Conditional Use Permit: Drive-thru Service window “Pico’s Restaurant” 1500 W. Griffin Parkway, W. 180’ – E. 440’ – S. 100’ out of Lot 25-2, West Addition to Sharyland Subd., C-3, Life of Use, Logistica Frontera, LLC. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

At 5:14 Mayor Salinas asked to go to item 4.27 of the agenda.

2.0 Disposition of Minutes

2.1 City Council Meeting – August 23, 2010

Councilman Plata moved to approve the minutes 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 – July 26, 2010, August 9, 2010, and August 17, 2010

Boys and Girls Club – April 29, 2010

Mission Redevelopment Authority – July 27, 2010

Mission Tax Increment Reinvestment Zone – July 27, 2010

Speer Memorial Library Board – June 15, 2010

Planning and Zoning Commission – July 28, 2010

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

4.0 Approvals and Authorizations

4.1 Adoption of Ord. # 3576 for CUP’s To Modify Equipment & Co-locate Antennas into the Existing Self – support Tower at 1711 Merlin Drive, being Lot 13, Stewart Terrace Subd.; The Complementary Offering of Alcoholic Beverages for On-Site Consumption for a Social and/or Cultural Event at The Greater Mission Chamber of Commerce at 202 W. Tom Landry, being Lots 1-12, Block 174 & Lots 7-12, Block 175, Mission Original Townsite for September 16, 2010; and Drive-Thru Service Window “Pico’s Restaurant” at 1500 W. Griffin Parkway, being W. 180’ – E. 440’ – S. 100’, out of Lot 25-2, W.A.S. Subd.

Staff and City Manager recommended ordinance approval subject to change of date to September 23 for the Chamber of Commerce CUP.

Councilman Plata moved to approve adoption of Ord. No. 3576 for CUP’s To Modify Equipment & Co-locate Antennas into the Existing Self – support Tower at 1711 Merlin Drive, being Lot 13, Stewart Terrace Subd.; and to approve the change to September 23 the Complementary Offering of Alcoholic Beverages for On-Site Consumption for a Social and/or Cultural Event at The Greater Mission Chamber of Commerce at 202 W. Tom Landry, being Lots 1-12, Block 174 & Lots 7-12, Block 175, Mission Original Townsite for September 23, 2010; and Drive-Thru Service Window “Pico’s Restaurant” at 1500 W. Griffin Parkway, being W. 180’ – E. 440’ – S. 100’, out of Lot 25-2, W.A.S. Subd. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 3576

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMITS TO MODIFY EQUIPMENT & CO-LOCATE ANTENNAS INTO THE EXISTING SELF-SUPPORT TOWER, AT 1711 MERLIN DRIVE, BEING LOT 13, STEWART TERRACE SUBDIVISION; THE COMPLIMENTARY OFFERING OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION FOR A SOCIAL AN/OR CULTURAL EVENT AT THE GREATER MISSION CHAMBER OF COMMERCE ON SEPTEMBER 23, 2010, AT 202 W. TOM LANDRY, BEING LOTS 1-12, BLOCK 174 & LOTS 7-12, BLOCK 175, MISSION ORIGINAL TOWNSITE; AND DRIVE-THRU SERVICE WINDOW AT 'PICO'S RESTAURANT' AT 1500 W. GRIFFIN PARKWAY, BEING THE W. 180' – E. 440' –S. 100' OUT OF LOT 25-2, WEST ADDITION TO SHARYLAND SUBDIVISION

4.2 Authorization to accept a Target Grant

The City of Mission Police Department was requesting authorization to accept a Target and Blue Grant from our local Target Store. The \$1,000.00 grant could be utilized to purchase any form of equipment and or literature to promote safe communities. Our organization had partnerships with a number of our local retailers to promote safe community initiatives.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize to accept a Target Grant. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.3 Authorization to enter into Interlocal Agreement with the County of Hidalgo for the utilization of a police vehicle

The City of Mission Police Department was requesting authorization to enter into an Interlocal Agreement between the City of Mission, Texas and the County of Hidalgo, Texas for utilization of a police vehicle. The police vehicle would be utilized to address street level narcotics in the City of Mission and the surrounding county areas around the city. The City of Mission would be responsible for maintenance on the vehicle and insurance. Staff respectfully requested approval to enter into the Interlocal with the County of Hidalgo.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to authorize to enter into Interlocal Agreement with the County of Hidalgo for the utilization of a police vehicle. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.4 Discussion and action to approve Ord. # 3577 providing for a new Customer Class, a new Sewer rate and an effective date

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve adoption of Ord. No. 3577 providing for a new Customer Class, a new Sewer rate, and an effective date. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 3577

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AMENDING SECTION 114-54 OF ORDINANCE 3402; AMENDING CUSTOMER CLASSES; CREATING A NEW SEWER RATE CLASSIFICATION FOR ACCOUNTS BILLED BY WATER PROVIDERS OTHER THAN THE CITY OF MISSION; AND PROVIDING FOR AN EFFECTIVE DATE

4.5 Recommendation to extend contract for one year to purchase chemicals for the North Side & Mayberry Swimming Pools

On May 26, 2009, the City of Mission entered into an agreement with ACS Networks Inc. for the purchase of chemicals for Mayberry and North Side pools. The contract terms were for one year with two one year extensions based on a maximum of 10% increase in price. ACS Networks inc. had notified the City that there would be no increase in any of the items and that all pricing would remain the same. Staff was seeking authorization to extend contract for one year with ACS Networks Inc.

Staff and City Manager recommended approval.

Councilman Plata moved to approve recommendation to extend contract for one year to purchase chemicals for the North Side & Mayberry Swimming Pools. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.6 Approval of Ord. # 3578 granting a wet designation for 201 E. Expressway 83, 2105 W. Griffin Parkway, and 1700 E. Griffin Parkway, Dollar General Stores

Owner was requesting the above mentioned properties be wet zoned for Wine and Beer Retailer's Off-Premise Permit.

Staff and City Manager recommended approval.

Councilman Plata moved to approve adoption of Ord. No. 3578 granting a wet designation for 201 E. Expressway 83, 2105 W. Griffin Parkway, and 1700 E. Griffin Parkway, Dollar General Stores. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 3578

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 201 E. EXPRESSWAY 83, 2105 W. GRIFFIN PARKWAY AND 1700 E. GRIFFIN PARKWAY

4.7 Approval of Ord. # 3579 granting a wet designation for 800 South Mile Rd., Sonora Meat Market

Owner was requesting the above mentioned property be wet zoned for Wine and Beer Retailer's Off-Premise Permit.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve adoption of Ord. No. 3579 granting a wet designation for 800 South Mile Rd., Sonora Meat Market. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 3579

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
800 SOUTH MILE RD

4.8 Approval of Adoption of Rates for Fiscal Year 2010 – 2011 for Shary Municipal Golf Course

- The 2010-2011 Fiscal Year rates for Shary Municipal Golf Course were presented for consideration and approval.
- Rates basically remained the same with a 5% increase in memberships.
- New for this year was a 5 day Monday – Friday only play (6 month membership). Also staff had added a Mission resident discount on Green fees and cart fees with valid proof of residence.
- The rates would take effect October 1, 2010

Staff Recommendation: Approval of Rates for 2010-2011 Fiscal Year.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve adoption of rates for Fiscal Year 2010 – 2011 for Shary Municipal Golf Course. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.9 Approval of supplemental Agreement with Texas Department of Transportation (TXDOT) for maintenance of traffic signals

Agreement entailed the daily maintenance of traffic signals by the City on state roads and highways within city limits. The supplemental agreement amended the original agreement due to new constructed traffic signals. The maximum amount payable under this supplement from TXDOT to the City was increased from \$ 115,980.00 to \$ 121,260.00 per year. (+ \$5,280.00).

Staff and City Manager recommended approval.

Councilman Plata moved to approve supplemental agreement with Texas Department of Transportation (TXDOT) for maintenance of traffic signals. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.10 Authorization to solicit bids for the purchase of Cold Water Meters for Water Distribution and Utility Billing Dept.

The City of Mission was seeking authorization to solicit for bids for the purchase of Cold Water Meters. This item was needed by the Water Distribution and Utility Billing Department for daily operations.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to solicit bids for the purchase of Cold Water Meters for Water Distribution and Utility Billing Dept. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.11 Authorization to solicit for bids for the purchase of Meter Connect Supplies for Water Distribution Dept.

The City of Mission was seeking authorization to solicit for bids for the purchase of Meter Connect Supplies. These items were needed by the Water Distribution Department for daily operations.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to authorize to solicit for bids for the purchase of Meter Connect Supplies for Water Distribution Dept. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.12 Authorization to solicit for bids for the purchase of Water-line Maintenance Supplies for Water Distribution Dept.

The City of Mission was seeking authorization to solicit for bids for the purchase of Waterline Maintenance Supplies. These items were needed by the Water Distribution Department for daily operations.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize to solicit for bids for the purchase of Water-line Maintenance Supplies for Water Distribution Dept. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.13 Authorization to extend contract for one year for Caliche for Streets, Utility, and Wastewater Depts.

In 2009, the City of Mission entered into agreement with Frontera Materials, Inc. for Caliche for Streets, Utility and Wastewater Departments. The contract terms were for one year with two one-year optional extensions based on 0% increase in price. The price would remain the same for material. Staff was seeking authorization to extend contract for the second optional year with Frontera Materials, Inc. Term of contract: October 1, 2010 through September 30, 2011.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to authorize to extend contract for one year for Caliche for Streets, Utility, and Wastewater Depts. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.14 Authorization to extend contract for one year for Hot and Cold Mix for Streets, Utility, and Wastewater Depts.

In 2009, the City of Mission entered into agreement with Frontera Materials, Inc. for Hot and Cold Mix for Streets, Utility, and Wastewater Departments. The contract terms were for one year with two one-year optional extensions based on 0% increase in price. The price would remain the same for material. Staff was seeking authorization to extend contract for the second optional year with Frontera Materials, Inc. Term of contract: October 1, 2010 through September 30, 2011.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to authorize to extend contract for one year for Hot and Cold Mix for Streets, Utility, and Wastewater Depts. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.15 Approval of Amendment #7 to the Fleet Management and Maintenance Contract between the City of Mission, Texas and First Vehicle Services

Amendment #7 added one more year to the Fleet Management and Maintenance contract that was awarded to First Vehicle Services in May 2003, by City Council.

Amendment #7 increased the annual 2010 budget from \$704,874.00 to \$718,267.00 for 2010. The \$13,393.00 difference was due to a 1.9% rate increase on consumer price index (CPI).

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve Amendment #7 to the Fleet Management and Maintenance Contract between the City of Mission, Texas and First Vehicle Services. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.16 Authorization to extend contract for one year for Electrical Services for Public Works Department

In 2009, the City of Mission entered into agreement with Fred's Electrical Service, Inc. for the purchase of Electrical Repair and Maintenance. The contract terms were for one year with two one-year optional extensions 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 Fred's Electrical Service, Inc. Terms of Contract: October 1, 2010 thru September 30, 2011

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to authorize to extend contract for one year for Electrical Services for Public Works Department. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.17 Approval of Intergovernmental Cooperative Agreement with Palm Valley Animal Center

The Palm Valley Animal Center was increasing their fee from \$59.00 to \$65.00 per animal that was delivered to their shelter after October 1, 2010. Last year the fee increased from \$51.00 to \$59.00.

The only animals that would be delivered to the Palm Valley Animal Center were the ones that needed to be quarantine and in some cases animals would also be transported to the Center to relieve overcrowding in our kennels.

The City of Mission's kennel would house all other animals that were picked up by Animal Control Offices.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Intergovernmental Cooperative Agreement with Palm Valley Animal Center. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.18 Authorization to solicit bids or purchase via state approved contract for two (2) vehicles

The Mission Fire Department, Fire Prevention Bureau was seeking authorization to solicit or purchase via state contract for two (2) vehicles. This new vehicles would replace two (2) 1997 vehicles. Funding source for vehicles would be from the 2010 Certificates of Obligation that would be issued in September 2010.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to authorize to solicit bids or purchase via state approved contract for two (2) vehicles. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.19 Authorization to solicit bids or purchase via state approved contract for four (4) mobile computers with mobile printers

The Mission Fire Department, Fire Prevention Bureau was seeking authorization to solicit or purchase via state contract for four (4) mobile computers with mobile printers. This new computers and printers would replace current equipment that was utilized for daily Fire Inspections. Funding source for computers and printers would be from the 2010 Certificates of Obligation that would be issued in September 2010.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to solicit bids or purchase via state approved contract for four (4) mobile computers with mobile printers. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

4.20 Authorization to purchase a fire apparatus from Metro Fire Apparatus Specialist, Inc. via state approved HGAC Contract

On August 16, 2010 the Mission City Council authorized the Mission Fire Department to seek bids or purchase via state approved contract for the purchase of a fire apparatus. The Mission Fire Department was seeking authorization to purchase a fire apparatus from Metro Fire apparatus Specialists, Inc. via a state approved HGAC contract in the amount of \$368,414.00. This fire apparatus would be funded through the 2010 Certificate of Obligation that would be issued in September 2010.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to authorize to purchase a fire apparatus from Metro Fire Apparatus Specialist, Inc. via state approved HGAC Contract. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.21 Authorization to solicit bids or purchase via state approved contract for portable radios and mobile radios for the Mission Fire Department

Mission Fire Department was seeking authorization to solicit bids or purchase via state approved contract for portable radios and mobile radios. These portable and mobile radios would bring the Fire Department up to the P-25 digital radio standards. Funding sources for these radios would be from the 2010 Certificates of Obligation that would be issued in September 2010.

Staff and City Manager recommended approval subject to narrow band compatible.

Councilwoman Garza moved to authorize to solicit bids or purchase via state approved contract for portable radios and mobile radios for the Mission Fire Department. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.22 Budget Amendment – Designated Purpose Fund, General Fund, Utility Fund

Janie Flores, Finance Director presented the budget amendments BA-98 thru BA-100 to the City Council for approval.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve budget amendments BA-98 thru BA-100. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.23 Acceptance of Housing Assistance Program applicants - Housing Rehabilitation through the Social Services Block Grant program

CAC met on August 24, 2010 and approved staff's recommendation to provide assistance for the roof repair at the following five (5) addresses:

Rehabilitation (Roof repair):

1107 Miracle Lane
122 S. Keralum
1007 Sonora St.
1627 Blake
1115 Blake

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve acceptance of Housing Assistance Program applicants - Housing Rehabilitation through the Social Services Block Grant program. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

4.24 Approval of Ord. # 3580 adopting the Fiscal Year 2010-2011 Annual Budget

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve adoption of Ord. No. 3580 adopting the Fiscal Year 2010-2011 Annual Budget. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 3580

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF MISSION FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011; APPROPRIATING MONEY TO A DEBT SERVICE FUND TO PAY INTEREST AND PRINCIPAL DUE ON THE CITY'S INDEBTEDNESS; AND ADOPTING THE ANNUAL BUDGET OF THE CITY OF MISSION FOR THE 2010 – 2011 FISCAL YEAR

4.25 Approval of Ord. # 3581 adopting the Tax Rate

The Tax Rate for the fiscal year 2010 – 2011 was \$0.5566 per \$100 property value. In addition to establishing the tax rate, this ordinance provided a \$10,000 exemption for the elderly and a \$10,000 exemption for the disabled. The City would also continue the tax freeze established in 2005 for the elderly and disabled, ensuring the total amount of ad valorem taxes paid would not increase.

I & S Rate	\$0.1068
M & O Rate	<u>\$0.4498</u>
Total Tax Rate	\$0.5566

Staff and City Manager recommended approval.

Councilman Plata moved to approve adoption of Ord. No. 3581 adopting the Tax Rate. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 3581

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS LEVYING AN AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF MISSION FOR THE FISCAL YEAR 2010-2011; PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES; PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SAME SHALL BECOME DELINQUENT IF NOT PAID; AND PROVIDING FOR EXEMPTIONS FOR THE ELDERLY AND FOR THE DISABLED

4.26 Approval of Ord. # 3582 adopting the Mission Economic Development Corporation Fiscal Year 2010-11 Annual Budget

This above ordinance formally adopted the FY 2010-2011 City Budget.

General Fund Budget	\$ 33,795,500
Utility Fund Budget	17,237,926
Golf Course Fund Budget	1,336,044
Solid Waste Fund Budget	5,355,000
Special Revenue Funds Budgets	7,512,884
Group Health Fund Budget	3,222,000
Debt Service Fund Budget	<u>4,034,644</u>
	<u>\$ 72,493,998</u>

Staff and City Manager recommended approval.

Councilman Plata moved to approve adoption of Ord. No. 3582 adopting the Mission Economic Development Corporation Fiscal Year 2010-11 Annual Budget. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 3582

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS ADOPTING APPROPRIATIONS FOR THE SUPPORT OF THE MISSION ECONOMIC DEVELOPMENT CORPORATION FOR FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011

4.27 Approval of Ord. # 3575 authorizing issuance, sale and delivery of City of Mission, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2010; payable from the levy of a direct and continuing annual ad valorem tax within the limits prescribed by law and a limited pledge of the net revenues from the City's waterworks and sewer system; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; authorizing the execution of a purchase contract to be used in connection with the sale of the certificates; and making other provisions regarding such certificates and matters incident thereto

The action required in this item was the approval of the mentioned above caption order in order to authorize sale of bonds. The bond issued was for an amount not to exceed \$3,500,000.

The bond proceeds would be used for the construction of drainage projects to purchase municipal equipment including fire trucks, motor vehicles and road construction equipment.

Bob Henderson, RBC Capital Markets (financial advisor), presented a final analysis of the bond financing that was proposed. Jesus Ramirez, attorney with Ramirez & Guerrero, LLP bond counsel to the City, was also present.

Bob Henderson proposed that the tax bond be at a 3.28% interest cost.

Staff and City Manager recommended approval.

Councilman Plata moved to approve adoption of Ord. No. 3575 authorizing issuance, sale and delivery of City of Mission, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2010; payable from the levy of a direct and continuing annual ad valorem tax within the limits prescribed by law and a limited pledge of the net revenues from the City's waterworks and sewer system; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; authorizing the execution of a purchase contract to be used in connection with the sale of the certificates; and making other provisions regarding such certificates and matters incident thereto. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

ORDINANCE NO. 3575

ORDINANCE AUTHORIZING ISSUANCE, SALE AND DELIVERY OF CITY OF MISSION, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2010; PAYABLE FROM THE LEVY OF A DIRECT AND CONTINUING ANNUAL AD VALOREM TAX WITHIN THE LIMITS PRESCRIBED BY LAW AND A LIMITED PLEDGE OF THE NET REVENUES FROM THE CITY'S WATERWORKS AND SEWER SYSTEM; PRESCRIBING THE TERMS AND FORM THEREOF; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL THEREOF AND INTEREST THEREON; AUTHORIZING THE EXECUTION OF A PURCHASE CONTRACT TO BE USED IN CONNECTION WITH THE SALE OF THE CERTIFICATES; AND MAKING OTHER PROVISIONS REGARDING SUCH CERTIFICATES AND MATTERS INCIDENT THERETO

At 5:22 Mayor Salinas asked to continue with item 2.0 of the agenda.

4.28 Authorization to purchase playground equipment at Oblate and Bentsen Palm Community Parks via state approved contract

Funding became available through the Social Services Block Grant Program funded by the LRGVDC-COG. The Community Development Department utilized funding to provide roof repairs for 35 eligible residents and requested to allow the remaining balance of \$39,287.22 to be used for recreational purposes. This item was included as a budget amendment.

The Parks & Recreation Department was seeking authorization to purchase, via state approved contract, playground equipment for installation at two city parks. The Oblate Park and Bentsen Palm Community Park were in need of such equipment to expand recreational services for city residents.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to authorize to purchase playground equipment at Oblate and Bentsen Palm Community Parks via state approved contract. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

Mr. Cerda advised he would be out of town on Wednesday, September 15 attending a TCEQ meeting.

6.2 Mayor's Comments

None

At 5:51 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. Potential claim against Time Warner regarding the public, educational and government channel broadcast in the City of Mission.**
- B. Mission Police Department Meet and Confer Agreement**
- C. Change Order #2 for Del Sol Homes Construction for Housing Assistance at 803 Cynthia**
- D. Properties confiscated by Mission Police Department – Lot 89, Shary Palms, Unit #3, Mission, Hidalgo County Texas and Lot 5, Silverado South addition to City of Palmhurst, Hidalgo County, Texas**

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

- A. Tax Resale Bid – East 171.41’ of West 122.82’ of N. 305’ of Lot 31, Melba Carter Subdivision, Hidalgo County Texas**

7.3 Private consultation with the City Attorney Sec. 551.071

Personnel or to hear complaints against personnel Sec. 551.074

- A. Approval of City Attorney’s selection of Sofia Arizpe to represent the City in various legal matters**

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

At 6:50 p.m., Councilwoman Garza moved to reconvene in open session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

No action was taken on item 7.1-A.

No action was taken on item 7.1-B.

On item 7.1-C, Councilwoman Garza moved to amend Change Order #2 for Del Sol Homes Construction for Housing Assistance at 803 Cynthia not to go over \$25,000. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

No action was taken on item 7.1-D.

On item 7.2-A, Councilwoman Garza moved to accept bid of \$35,000 from Abiel Ramon. Motion was seconded by Councilman Plata and approved unanimously 5-0.

On item 7.3-A, Councilman Plata moved to approve City Attorney’s selection of Sofia Arizpe to represent the City in various legal matters. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

8.0 Adjournment

At 6:52 p.m., Councilman Plata moved for adjournment. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary