

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
MAY 22, 2017 4:30 P.M.
MISSION CITY HALL**

PRESENT:

Norberto Salinas, Mayor
Jessica Ortega-Ochoa, Councilwoman
Ruben D. Plata, Councilman
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:

Joe Hinton – Progress Times
Jim & Beth Barnes
Aril King
Mario Rodriguez
Jaime Gutierrez
Richard Garza
Loris Bauza

ABSENT:

Norie Gonzalez Garza, Mayor Pro Tem
Jaime Tijerina, Deputy City Attorney

STAFF PRESENT:

Aida Lerma, Deputy City Manager
Randy Perez, Deputy City Manager
Angie Vela, Finance Director
Ezeiza Garcia, Asst. 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
Humberto Garcia, Media Relations
Juan Pablo Terrazas, City Engineer
Roberto Salinas, Public Works Director
Jesse Lerma, Civil Service Director
Gilbert Sanchez, Fire Chief
Rene Alvarez, Asst. Fire Chief
Robert Dominguez, Chief of Police
Joanne Longoria, CDBG Director
Mario Flores, Golf Course Director
Brad Bentsen, Parks & Recreation Director
Mayra Rocha, Library Director
Cynthia Lopez, Museum Director
Cesar Gutierrez, Sanitation Director
Alex Meade, MEDC Chief Exec. Officer
JC Avila, Fleet Maintenance Director
Hector Guzman, Water Dept. Manager
Noel Barrera, Health Dept. Manger
Charlie Longoria, Media Relations
Adelio Lopez, Police Officer
Paula Banda, Administrative Assistant

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:34 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. Presentation of Miss RGV Sweetheart 2017 Emma Izabella Garcia

Anna Carrillo, City Secretary presented Miss RGV Sweetheart 2017 Emma Izabella Garcia.

4. Proclamation – Elder Abuse Prevention Month

City Secretary, Carrillo presented the Proclamation – Elder Abuse Prevention Month.

Mr. Gustavo Salinas received the proclamation and gave thanks to the City Council.

Councilman Dr. Armando O’cana moved to approve the Proclamation – Elder Abuse Prevention Month. Motion was seconded by Councilwoman Jessica Ortega-Ochoa and approved unanimously 3-0.

5. 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.

6. Departmental Reports

Councilman O’cana moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Ochoa and approved unanimously 3-0.

7. Citizens Participation

None

At 4:46 p.m. Councilman Ruben Plata joined the meeting.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

- A. Conditional Use Permit: Single Family Dwelling within Property Zoned (R-4) Mobile Home & Modular District, 2116 Pleasant Lane, Being a tract of land out of the North 206.28’ of Lot 31, Sharyland Orchards Subdivision (aka Lot 5, King Mobile Home Subdivision U/R), R-4, Bertha M. & Gabriel Montiel
Adoption of Ordinance # 4516 approving 1.1A**

On May 10, 2017 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located within King’s Mobile Subdivision along the south side of Pleasant Lane. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval

Staff Recommendation: Approval subject to transferability to others.

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.4516 Conditional Use Permit: Single Family Dwelling within Property Zoned (R-4) Mobile Home & Modular District, 2116 Pleasant Lane, Being a tract of land out of the North 206.28' of Lot 31, Sharyland Orchards Subdivision (aka Lot 5, King Mobile Home Subdivision U/R), R-4, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

ORDINANCE NO. 4516

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A SINGLE FAMILY DWELLING WITHIN PROPERTY ZONED (R-4) MOBILE HOME & MODULAR DISTRICT, 2116 PLEASANT LANE, BEING A TRACT OF LAND OUT OF THE NORTH 206.28' OF LOT 31, SHARYLAND ORCHARDS SUBDIVISION (AKA LOT 5, KING MOBILE SUBDIVISION)

B. Conditional Use Permit: Home Occupation – Notary Services & Preparation of Income Tax Forms, 2606 N. Shary Road, Being a 5.02 acre tract of land out of the North 190' of the South 290' of the West 1150' out of Lot 265, John H. Shary Subdivision, AO-I, Guadalupe Ramon Adoption of Ordinance # 4517 approving 1.1B

On May 10, 2017 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located near the SE corner of J.R. Drive and Expressway 83, along the Frontage Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval for life of use.

Staff Recommendation: Approval for 3 years subject to continue to comply with the home occupation regulations.

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.4517 Conditional Use Permit: Home Occupation – Notary Services & Preparation of Income Tax Forms, 2606 N. Shary Road, Being a 5.02 acre tract of land out of the North 190' of the South 290' of the West 1150' out of Lot 265, John H. Shary Subdivision, AO-I, for life of use. Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 4517

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION – NOTARY SERVICES & PREPARATION OF INCOME TAX FORMS, 2606 N. SHARY ROAD, BEING A 5.02 ACRE TRACT OF LAND OUT OF THE NORTH 190' OF THE SOUTH 290' OF THE WEST 1150' OUT OF LOT 265, JOHN H. SHARY SUBDIVISION

**C. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Lounge & ProShop at Meadow Creek, 1300 Circle Drive, Being 5.17 acres out of Block C1, Meadow Creek Country Club Ph. IA Subdivision
Adoption of Ordinance # 4518 approving 1.1C**

On May 10, 2017 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located 500' east of Inspiration Road just off J.C. Parkway and Circle Drive. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff Recommendation: Approval subject to: 1) CUP to be valid for a period of now until April 24, 2018, 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.4518 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Lounge & ProShop at Meadow Creek, 1300 Circle Drive, Being 5.17 acres out of Block C1, Meadow Creek Country Club Ph. IA Subdivision as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

ORDINANCE NO. 4518

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 – LOUNGE & PROSHOP AT MEADOW CREEK, 1300 CIRCLE DRIVE, BEING 5.17 ACRES OUT OF BLOCK C1, MEADOW CREEK COUNTRY CLUB PH. IA SUBDIVISION

**D. Conditional Use Permit: Bryan Event Center and a Bed & Breakfast, 1113 E. Mile 2 Road, Being a 1.01 acre tract of land out of Lot 29-10, West Addition to Sharyland Subdivision, AO-I, Ariel King
Adoption of Ordinance # 4519 approving 1.1D**

On May 10, 2017 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The site was located in the NW corner of Bryan Road and Mile 2 Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval for 3 years.

Staff Recommendation: Approval for 3 years to continue to assess this operation.

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.4519

Conditional Use Permit: Bryan Event Center and a Bed & Breakfast, 1113 E. Mile 2 Road, Being a 1.01 acre tract of land out of Lot 29-10, West Addition to Sharyland Subdivision, AO-I, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

ORDINANCE NO. 4519

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR BRYAN EVENT CENTER AND A BED & BREAKFAST, 1113 E. MILE 2 ROAD, BEING A 1.01 ACRE TRACT OF LAND OUT OF LOT 29-10, WEST ADDITION TO SHARYLAND SUBDIVISION

**E. Discussion and Action to Amend the Mission Code of Ordinances Appendix A – Zoning, Article X, Section 1.54, by Adding Subsections 5 (Revocation by City Manager or designee)
Adoption of Ordinance # 4520 approving 1.1E**

On May 10, 2017, the Planning and Zoning Commission held a Public Hearing to consider amending the Mission Code of Ordinances to add Subsections 5, which states “In lieu of a hearing before the Planning and Zoning Commission and City Council, the City Council may, at the time of issuance of a conditional use permit, delegate to the City Manager or designee, the authority to revoke the permit for non-compliance. The City Manager, or designee, may not revoke any permit prior to the expiration of the time period given to the permit holder within which to comply. A revocation pursuant to this section does not prohibit a permit holder from re-applying for a subsequent permit”. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff and 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 Ordinance No. 4520 to Amend the Mission Code of Ordinances Appendix A – Zoning, Article X, Section 1.54, by Adding Subsections 5 (Revocation by City Manager or designee), as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 4520

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AMENDING THE MISSION CODE OF ORDINANCES APPENDIX A - ZONING, ARTICLE X, SECTION 1.54, BY ADDING SUBSECTIONS 5 (REVOCATION BY CITY MANAGER); PROVIDING FOR REQUIRED CODIFICATION AND PUBLICATION

2.0 Disposition of Minutes

2.1 City Council Meeting – May 08, 2017

Councilman Plata moved to approve the minutes as presented. Motion was seconded by Councilman O’cana and approved unanimously 4-0.

3.0 Acknowledge Receipt of Minutes

- 3.1 Boys & Girls Club – April 11, 2017
 - Citizen’s Advisory Committee– April 11, 2017
 - Parks & Recreation Dept. – March 7, 2017
 - Planning & Zoning Commission – April 26, 2017
 - Mission Historical Museum – April 17, 2017
 - Speer Memorial Library – April 18, 2017

Councilman Plata moved to acknowledge the receipt of minutes as presented. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.0 Approvals and Authorizations

4.1 Homestead Exemption Variance: A 4.026 acre tract of land out of Lot 31-2, West Addition to Sharyland Subdivision, AO-I, Ernesto Estrada

On May 10, 2017 the Planning and Zoning Commission held a Public Hearing to consider this homestead exemption variance request. The property was located ½ mile North of West 2 Mile Road along the west side of Los Ebanos Road. The Board unanimously recommended approval as per staff’s recommendation.

Staff Recommendation: Approval subject to compliance with Homestead Exemption Variance provisions: signing Affidavit, and the dedication of 20’ of ROW along Los Ebanos Road.

City Manager recommended approval.

Councilman Plata moved to approve the Homestead Exemption Variance: A 4.026 acre tract of land out of Lot 31-2, West Addition to Sharyland Subdivision, AO-I, Ernesto Estrada, subject to staff’s recommendation. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.2 Preliminary Plat Approval: Taikin Subdivision (Private), A 6.66 gross acre tract of land, more or less being a part or portion out of Lot 16-2, West Addition to Sharyland Subdivision, R-1T, Developer: Taikin Group, LLC, Engineer: MAS Engineering, LLC

On May 10, 2017 the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Taikin Subdivision (Private). The proposed subdivision was located along the south side of 1 Mile South Road between Los Ebanos Road and Scenic Way. The Board unanimously recommended approval as per Staff’s recommendation.

Staff Recommendation: Approval subject to: 1) No objection to Variance, subject to meeting Private Street Policy, 2) Payment of Park and Capital Sewer Recovery fees, 3) Installation of 5’ Sidewalk and street widening along 1 Mile South Road, 4) Provide Water District Exclusion, and 5) Must meet the Model Subdivision Rules.

Councilman O’cana moved to approve Preliminary Plat Approval: Taikin Subdivision (Private), A 6.66 gross acre tract of land, more or less being a part or portion out of Lot 16-2, West Addition to Sharyland Subdivision, R-1T, Developer: Taikin Group, LLC, Engineer: MAS Engineering, LLC, subject to staff’s recommendation. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.3 Final Plat Approval: MAR Subdivision (Private), A 12.11 acre tract of land out of Lot 304, John H. Shary Subdivision, R-1T, Developer: Mar Design & Construction, Inc. Engineer: Mario Salinas Engineering, LLC

On February 8, 2017 the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for MAR Subdivision (Private). The proposed subdivision was located approximately ½ mile north of 2 Mile on the west side of Shary Road. The Board unanimously recommended approval as per Staff's recommendation.

Staff Recommendation: Approval subject to: 1) No objection to Variance, subject to meeting Private Street Policy, 2) Meet Model Subdivision Rules, and 3) Comply with the street alignment policy.

City Manager recommended approval.

Councilman Plata moved to approve the Final Plat Approval: MAR Subdivision (Private), A 12.11 acre tract of land out of Lot 304, John H. Shary Subdivision, R-1T, Developer: Mar Design & Construction, Inc. Engineer: Mario Salinas Engineering, LLC, subject to staff's recommendation. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

4.4 Authorization to Purchase Equipment via State Approved Contract for the Public Works Department

Staff was seeking authorization to purchase via state approved cooperative contracts for Capital Outlay Equipment for Streets & Drainage Departments. A list of Itemized equipment with the actual costs and their respective contract number was available. (John Deere Tractor & Tack Oil Sprayer)

Staff Recommendation: Authorization to purchase via state approved State contracts TASB 447-14 (Tractor) and Buy Board Co-op Contract #515-16.

City Manager recommended approval.

Councilman Plata moved to authorize to purchase Purchase Equipment via State Approved Contract for the Public Works Department via state approved State contracts TASB 447-14 (Tractor) and Buy Board Co-op Contract #515-16. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.5 Authorization to Solicit Bids for "Housing Assistance Program – Phase 16-II"

The Citizen's Advisory Committee met on May 9, 2017 and approved staff's recommendation to provide reconstruction assistance for four (4) homes and rehabilitation for one (1) through the CDBG program to the following addresses:

Reconstruction:

305 St. Marie Ave – 2 bdrm 2 bath, 970 sq ft
206 Leal St – 2 bdrm 2 bath, 970 sq ft
1111 Los Ebanos Ave– 3 bdrm 2 bath, 1160 sq ft
1003 Hoerner Rd – 3 bdrm 2 bath, 1160 sq ft

Rehabilitation:

116 E Turista

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to Solicit Bids for “Housing Assistance Program – Phase 16-II”. Motion was seconded by Councilman O’cana and approved unanimously 4-0.

4.6 Approve change order for Tabeza Holdings LLC for Temporary Home

On February 27, 2017, City Council awarded bid for Construction of a Temporary Home. During the construction, a request was made to replace the VCT, as noted in the plans, with ceramic tile throughout the house. Generally, ceramic tile was a better investment and with an increase of less than 1% to the total cost of construction we can add durability and a more esthetically pleasing perspective. Therefore, due to the cost effectiveness it was recommended to include the change for the temporary home.

As per the Purchasing Manual, when there were changes in plans or specifications after the performance of the contract was begun or if it was necessary to decrease or increase the quantity of work to be performed or of material, equipment, or supplies to be furnished, the city council may approve change orders making the changes.

The change order is as follows:

Contract amount	\$47,850.00
Change order	<u>\$ 450.00</u>
Total amount	\$48,300.00

The total amount of the change order is \$450 (1% of Original Contract Amount). Change order is less than the 25% cap allowed by the Texas Local Government Code.

Staff and City Manager recommended approval.

Councilman O’cana moved to approve the change order for Tabeza Holdings LLC for Temporary Home. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.7 Approval of Ordinance No. 4521 providing for a No U-Turn Zone on the east side and the west side of the 2700 block of North Holland Avenue at any time

The City of Mission Police Department received a request for approval of an ordinance providing for a no U-turn Zone on the east side and west side of the 2700 block of North Holland Avenue at any time. The Mission Police Department had received several complaints in regards to vehicles making U-turns from the east side and west side of N. Holland Ave. next to the IDEA North Mission School. The U-turns were creating a traffic hazard for area residents and all traveling motorists on this particular block of N. Holland Avenue. On March 02, 2017 the Traffic Safety Committee met and approved the request for the no U-Turn zone on the east side and west side of the 2700 Block of North Holland Avenue at any time. It was the recommendation of the Traffic Safety committee to adopt this ordinance.

Staff and City Manager recommended approval.

Councilman O’cana moved to approve of the Ordinance No. 4521 providing for a No U-Turn Zone on the east side and the west side of the 2700 block of North Holland Avenue at any time as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.8 Authorization to declare seventy-three (73) weapons as surplus for the purpose of trading them for new weapons through a Level III gun dealer

The Mission Police Department was requesting authorization to declare seventy-three (73) weapons as surplus for the purpose of trading them for new weapons through a ATF Level III gun dealer. Since the late 1980's, the Mission Police Department had acquired a number of police weapons that include shotguns, rifles, and pistols that were in our inventory and were no longer in use. It was the intention of our organization to trade in the weapons in order to obtain brand new weapons in exchange. The trade would be done through a ATF Level III gun dealer that would be responsible for completing all the necessary Alcohol, Tobacco and Firearms forms that were required showing them as the new owner of the weapons. The weapons acquired by the City of Mission Police Department over the years had served their purpose.

Staff City Manager recommended approval.

Councilman Plata moved to authorize to declare seventy-three (73) weapons as surplus for the purpose of trading them for new weapons through a Level III gun dealer as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.9 Authorization to purchase three (3) police vehicles and all necessary equipment to equip the three vehicles via a state approved contract (Buy Board contract #521-16)

The City of Mission Police Department was requesting authorization to purchase three (3) new police vehicles and the equipment necessary to equip the three vehicles via a state approved contract (Buy Board Contract #521-16). It was our intent to purchase a 2017 Chevrolet 3500 Express Ext. 15 passenger van that would be utilized as a prisoner transport van. The second vehicle would be a 2017 Ford F-250 truck that would be utilized to pull our Sky Watch Towers and the third vehicle; a 2018 Chevrolet Impala that would be assigned to our Criminal Investigations Bureau. The total expenditure for the three police vehicles would be \$89,258.00. A total of \$84,903.00 would be paid from the City of Mission asset replacement account, and the remaining amount of \$4,355.00 would be paid through the Federal Drug Forfeiture account.

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize the purchase three (3) police vehicles and all necessary equipment to equip the three vehicles via a state approved contract (Buy Board contract #521-16) as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4 10 Authorization to purchase security system computer equipment for the main police station to include a server, camera system monitors, a camera and related mounting equipment and software from a sole source vendor

The City of Mission Police Department was requesting authorization to purchase security camera equipment for the main police station to include a server, camera system monitors, a camera and related mounting equipment and software from a sole source vendor. The security system at the main police station needed to be repaired and upgraded. The sole source vendor, Superior Alarms, was the originating supplier and installer of our current security system equipment at the police department. The total expenditure for this project was \$15,020.01. Our organization would be utilizing our Federal Drug Forfeiture account to make the purchase.

Staff and City Manager recommended approval

Councilman Plata moved to authorize the purchase security system computer equipment for the main police station to include a server, camera system monitors, a camera and related mounting equipment and software from a sole source vendor Superior Alarms as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.11 Approval of Change Order No. 2 for additional Sidewalk and Wheel Chair Ramps to be constructed along both sides of Inspiration Project.

Staff was seeking authorization for Change Order No. 2 to introduce additional quantities for sidewalk and wheelchair ramps in order to construct and have these facilities on both sides of the Inspiration Road Project. The additional sidewalk quantities would allow pedestrians and adjacent property to use either side to reach their destination. Staff was also seeking authorization to introduce additional items and quantities (Striping, Metal Beam Guard Rail, Detour, Drainage items, etc.) that were needed to construct a safer and proper roadway. Also, an additional 40 Working Days were being requested to be added to contract time to be able to construct the additional work.

The total amount of the change order is \$313,434.41 (4.47% of Original Contract Amount). Which

The City would only pay \$7,522.43 (2.4% as per AFA with TXDOT).

Change order was less than the 25% cap allowed by the Texas Local Government Code.

Staff and City Manager recommended approval.

Councilman Plata moved to approve of the Change Order No.2 for additional Sidewalk and Wheel Chair Ramps to be constructed along both sides of Inspiration Project as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.12 Approval of Work Authorization No. 27 with L&G Engineering related to the Taylor Road Phase III Project

Work Authorization No. 27 entails professional services for Taylor Road Phase III Project. This service was for Right-of-Way Acquisition for Taylor road from US 83 Expressway North to Mile 2 North. This project was a joint effort between the City of Mission, City of McAllen and County of Hidalgo, which an Interlocal Agreement had been approved by all three government entities.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Work Authorization No. 27 with L&G Engineering related to the Taylor Road Phase III Project as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.13 Authorization to surplus used City of Mission purchased vehicles for the purpose of selling said items via GovDeals online auction.

The Public Works Department was requesting authorization to surplus a list of vehicles for the purpose selling said items via GovDeals online auction. These vehicles would acquire by the City of Mission Public Works Department over the years and have served their purpose. Staff was recommending that these vehicles be declared surplus.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to surplus used City of Mission purchased vehicles for the purpose of selling said items via GovDeals online auction as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.14 Acceptance of Quarterly Report of Investments for the Quarter ending March 31, 2017 and Interest Earned for Six Months Ending March 31, 2017

Finance Director Angie Vela presented Quarterly Report of Investments for the Quarter ending March 31, 2017 and Interest Earned for Six Months Ending March 31, 2017.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the Quarterly Report of Investments for the Quarter ending March 31, 2017 and Interest Earned for Six Months Ending March 31, 2017. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.15 Tax Collection Report – April, 2017

Finance Director Vela presented the Tax Collection Report – April, 2017 for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Tax Collection Report – April, 2017. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.16 April 2017 Financial Statements

Finance Director Vela presented the April, 2017 Financial Statements for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the April, 2017 Financial Statements. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.17 Authorize Staff to Engage Chanin Engineering, LLC for Professional Engineering Services for the Community Center Roof project design

Staff was seeking authorization to engage Chanin Engineering, LLC to prepare plans and specifications to solicit bids for the Community Center building roof repairs. Chanin Engineering, LLC would conduct Design (Specs & Plans) Development and Construction Services.

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize Staff to Engage Chanin Engineering, LLC for Professional Engineering Services for the Community Center Roof project design. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

None

6.2 Mayor's Comments

None

At 5:41 p.m., Councilman O'cana moved to convene into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001 under "Consultation with Attorney". Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

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

7.1 Consultation with Attorney Sec. 551.071

A. Discuss pending litigation, including possible settlement, relating to *Cole VS Mission (Highway 83) TX, LLC, v. City of Mission*, in Cause No. C-8001-14-B, in the 93rd District Court, Hidalgo County, Texas.

B. Discuss pending litigation relating to *The Mission Professional Fire Fighters Association, Frank Cavazos, and Desi Olivarez v. City of Mission and Martin Garza, Jr., in his official capacity as Mission City Manager*, in Cause No. C-2020-17-J, in the 430th District Court, Hidalgo County, Texas.

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

At 5:54 p.m., Councilman O'cana moved to reconvene in open session. Motion was seconded by Councilman Plata and approved unanimously 4-0.

On item 7.1- A Councilman Plata moved to approve the Settlement Agreement relating to *Cole VS Mission (Highway 83) TX, LLC, v. City of Mission*, in Cause No. C-8001-14-B, in the 93rd District Court, Hidalgo County, Texas., and further authorize Mayor, City Manager and/or City Attorney, or outside designated counsel to execute all legal documents necessary to resolve this matter and to proceed with finalizing the acquisition of the affected property. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

On item 7.1- B Councilman Plata moved to authorize City Attorney, or if necessary, retain outside designated counsel, to represent the City with regards to all issues, including all actions necessary to properly represent the City in the litigation, including any interlocutory appeals, if any, relating to *The Mission Professional Fire Fighters Association, Frank Cavazos, and Desi Olivarez v. City of Mission and Martin Garza, Jr., in his official capacity as Mission City Manager*, in Cause No. C-2020-17-J, in the 430th District Court, Hidalgo County, Texas. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

8.0 Adjournment

At 5:57 p.m., Councilman O'cana moved for adjournment. Motion was seconded by Councilman Plata and approved unanimously 4-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary