

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
JULY 25, 2016 4:30 P.M.  
MISSION CITY HALL**

**PRESENT:**

Norberto Salinas, Mayor  
Jessica Ortega-Ochoa, Councilwoman  
Ruben D. Plata, Councilman  
Norie Gonzalez Garza, Mayor Pro Tem  
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:**

Ismena Garcia  
Omar Villarreal  
Petra Mireles  
Eudelia Gonzalez-Ortegon  
Berenice Garcia  
Conrado Saenz, Jr.  
Debbie Alvarez  
Mary Lou Montiel  
Brianna Gonzalez  
Veronica Pena  
Mike Broughton  
Jose Barson

**ABSENT:**

**STAFF PRESENT:**

Aida Lerma, Deputy City Manager  
Randy Perez, Deputy City Manager  
Angie Vela, Asst. Finance Director  
Danny Tijerina, Planning Director  
Jaime Acevedo, Asst. Planning Director  
Robert Hinojosa, Risk Manager  
Eduardo Belmarez, Purchasing Director  
Roland Rodriguez, I. T. Director  
Roberto Salinas, Public Works Director  
Juan Pablo Terrazas, City Engineer  
Jesse Lerma, Civil Service Director  
Rene Lopez, Jr., Fire Chief  
Gilbert Sanchez, Fire Marshal  
Robert Dominguez, Chief of Police  
Jonathan Wehrmeister, Judge  
Joanne Longoria, CDBG Director  
Mario Flores, Golf Course Director  
Luduvico Martinez, B & G Club Director  
Brad Bentsen, Parks & Recreation Director  
Mayra Rocha, Library Director  
Cesar Gutierrez, Sanitation Director  
Alex Meade, MEDC Chief Exec. Officer  
Charlie Longoria, Media Relations  
Jesus Gonzalez, Police Officer  
Pete Lopez, Parks & Recreation Supervisor  
Daniel Silva, Executive Director MRA  
Paula Banda, Administrative Asst.  
Cynthia Lopez, Museum 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 Martin Garza, Jr. gave the invocation.

### **3. Proclamation – National Night Out**

Chief of Police Roberto Dominguez read the Proclamation National Night Out.

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

### **4. Report from the Greater Mission Chamber of Commerce**

Josh Stockel CEO from the Greater Mission Chamber of Commerce reported on the chamber events that had recently taken place. Mayor and City Council were advised about upcoming ribbon cuttings and events to include the Chef’s BBQ Throwdown & Car Show to be held on Saturday, July 30.

### **5. Departmental Reports**

Mayor Pro Tem Norie Gonzalez Garza moved to approve the departmental reports as presented. Motion was seconded by Councilman O’cana and approved unanimously 4-0.

### **6. Citizens Participation**

None

#### **1.0 Public Hearing**

##### **1.1 Planning & Zoning Recommendations**

- A. Rezoning: A 2.93 acre tract of land out of Lot 271, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to R-1A (Large Lot Single Family), Michael Broughton, Adoption of Ordinance # 4374 approving 1.1A**

Councilwoman Jessica Ortega-Ochoa joined the meeting at 4:40 p.m.

On July 11, 2016 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located along the NE corner of Stewart Road and E. 28<sup>th</sup> Street. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval of the R-1A zone.

Staff and 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 rezoning and to adopt Ordinance No. 4374 Rezoning: A 2.93 acre tract of land out of Lot 271, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to R-1A (Large Lot Single Family). Motion was seconded by Councilwoman Ochoa and approved unanimously. 5-0.

**ORDINANCE NO. 4374**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF A 2.93 ACRE TRACT OF LAND OUT OF LOT 271, JOHN H SHARY SUBDIVISION, FROM AO-I(AGRICULTURE OPEN INTERIM TO R-1A (LARGE LOT SINGLE FAMILY

- B. Rezoning: A 0.250 acre tract of land, being a part or portion of the Golf Course at Lake Reserve out of Meadow Creek Country Club Phase I-A, AO-1 (Agricultural Open Interim) to R-1T (Townhouse Residential), Adiel & Ismena Garcia, Adoption of Ordinance # 4375 approving 1.1B**

On July 11, 2016 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located near the NE corner of River Bend and Oasis Drive. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval of the R-1A zone.

Staff and City Manager recommended approval.

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

There were no comments.

Councilwoman Ochoa moved to approve the rezoning and to adopt Ordinance No. 4375 Rezoning: A 0.250 acre tract of land, being a part or portion of the Golf Course at Lake Reserve out of Meadow Creek Country Club Phase I-A, AO-1 (Agricultural Open Interim) to R-1T (Townhouse Residential). Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

**ORDINANCE NO. 4375**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS REZONING A 0.250 ACRE TRACT OF LAND, BEING A PART OR PORTION OF THE GOLF COURSE AT LAKE RESERVE OUT OF MEADOW CREEK COUNTRY CLUB PHASE I-A, AO-1 (AGRICULTURAL OPEN INTERIM) TO R-1T (TOWNHOUSE RESIDENTIAL),

- C. Conditional Use Permit: Buddy's Drive-Thru, 501 N. Inspiration Road, Lot 61, Georgeanna Estates Subdivision, C-3, Veronica Peña Adoption of Ordinance # 4376 approving 1.1C**

On July 11, 2016 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The property was located on the NW corner of Inspiration Road and Cuesta Del Sol. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval for one year.

Staff recommendation: Approval for 1 year

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. 4376 Conditional Use Permit: Buddy's Drive-Thru, 501 N. Inspiration Road, Lot 61, Georgeanna Estates Subd., C-3, for 1 year. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4376**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT FOR BUDDY'S DRIVE-THRU, 501 N.  
INSPIRATION ROAD, LOT 61, GEORGEANNA ESTATES SUBDIVISION

- D. Conditional Use Permit: To keep a Portable Building for Office Use – Florida's Palm Trees, 1609 E. Expressway 83, Lots 3-6, Mission Palms Plaza, C-4, Omar Villarreal  
Adoption of Ordinance # 4377 approving 1.1D**

On July 11, 2016 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The property was located 600' east of Stewart Road along the north side of the Expressway 83 and Frontage Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval for one 3 years.

Staff recommendation: Approval for 3 years

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 CUP and to adopt Ordinance No. 4377 Conditional Use Permit: To keep a Portable Building for Office Use – Florida's Palm Trees, 1609 E. Expressway 83, Lots 3-6, Mission Palms Plaza, C-4, for 3 years. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

**ORDINANCE NO. 4377**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT TO KEEP A PORTABLE BUILDING FOR  
OFFICE USE – FLORIDA'S PALM TREES, 1609 E. EXPRESSWAY 83, LOTS 3-6,  
MISSION PALMS PLAZA

**2.0 Disposition of Minutes**

**2.1 City Council Meeting – July 11, 2016**

Mayor Pro Tem Garza moved to approve the minutes as presented. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

### **3.0 Acknowledge Receipt of Minutes**

#### **3.1 Parks and Recreation Board Meeting –May 10, 2016**

**Citizen’s Advisory Committee – May 10, 2016**

**Planning and Zoning Commission – June 08, 2016**

**Traffic Safety Committee – June 14, 2016**

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

### **4.0 Approvals and Authorizations**

#### **4.1 Award bid for Weedy Lot Abatement**

Staff was seeking authorization to award one year base term for weedy lot abatement. Services would include all supervision, labor materials, supplies, tools and equipment necessary for the cleaning and clearing, loading and disposal of all trash, debris, rubbish, organic debris, municipal solid waste, special waste and tires. The contractor would mow all grasses, weeds, and underbrush. Staff received six (6) bids and recommended to contract with OCL Enterprises, Conde’s Landscaping and Rios Lawn Care and Maintenance on a rotating and as needed basis. Delegation and assigning of weedy lots would be at the City’s discretion based on work load and availability to effectively perform the services. All contractors were found responsive and responsible bidders.

Staff Recommendation: Authorization to award to OCL Enterprises, Conde’s Landscaping and Rios Lawn Care and Maintenance.

City Manager recommended approval.

Mayor Pro Tem Garza moved to award bid for Weedy Lot Abatement, to OCL Enterprises, Conde’s Landscaping and Rios Lawn Care and Maintenance, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.2 Homestead Exemption Variance: A .262 acre tract of land out of Lot 192, John H. Shary Subdivision, 214 Union Street, R-1, Jose Borjon**

On July 11, 2016 the Planning and Zoning Commission held a Public Hearing to consider this homestead exemption variance request. The property was located along the west side of Union Street between Glasscock Road and Toledo. The Board unanimously recommended approval as per staff’s recommendation.

Staff recommendation: Approval subject to compliance with Homestead Exemption Variance provisions: Affidavits, etc.

Mayor Pro Tem Garza moved to approve the Homestead Exemption Variance being A .262 acre tract of land out of Lot 192, John H. Shary Subdivision, 214 Union Street, R-1, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.3 Authorization to accept the FY 2016 Emergency Management Performance Grant (EMPG)**

The Office of Emergency Management Division was seeking authorization to accept the Emergency Management Performance Grant (EMPG) for Fiscal Year 2016 in the amount of

\$41,129.43 the requirement for this Grant was to pay a portion of the salary of the Emergency Management Staff. The City must maintain an Emergency Management Plan; conduct and document Exercise; submit After Action Reports and Improvement Plan; be in compliance with the National Incident Management System; must be 100% in compliance with NIMS cast objectives and metrics; submit Work Plan Tasks and the timely submission of progress and Financial Reports.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to accept the FY 2016 Emergency Management Performance Grant (EMPG) as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.4 Authorization to purchase painting materials for Parks Structures**

Councilman Plata stepped out at 4:52 p.m.

As part of parks beautification project of the sandblasting and painting of park pavilions, picnic canopies, picnic tables and trash cans; Staff was seeking approval for the purchase of needed painting materials in order to complete said project via state cooperative contracts.

Staff Recommendation: Approval to purchase materials via cooperative contracts.

City Manager recommended approval.

Councilwoman Ochoa moved to authorize the purchase of painting materials for Parks Structures via cooperative contracts as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

#### **4.5 Approval of Resolution # 1466 Of The City Council Of The City Of Mission, Texas Adopting The Year 2016-2026 Parks, Recreation and Open Space Master Plan**

Councilman Plata joined the meeting at 4:54

On March 29, 2016 City Council authorized staff to contract the services of Sally Gavlik, DBA: P, R & S, LLC. (Parks, Recreation and Sports, LLC) for the creation, oversight and filing of the 10 Year Parks and Recreation Master Plan with the Texas Parks and Wildlife.

The City of Mission sought input from the citizens of Mission through surveys, public input meetings, the Mission Parks and Recreation Advisory Board and the Parks and Recreation staff; and that input has been incorporated into the Plan.

A ten year priority list of park amenities had been developed to guide the rehabilitation of existing parks, provide for guidance in the application of funding, and suggest alternative funding opportunities.

Staff Recommendation: Approval of Resolution adopting the 2016-2026 Parks Open Space Master Plan

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Resolution No. 1466 Adopting The Year 2016-2026 Parks, Recreation and Open Space Master Plan, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**RESOLUTION # 1466**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
ADOPTING THE YEAR 2016-2026 PARKS, RECREATION AND OPEN SPACE MASTER  
PLAN; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS  
RESOLUTION WAS PASSED WAS OPEN TO  
THE PUBLIC AS REQUIRED BY LAW

**4.6 Award bid for “Safe-Fall Material” for existing playscapes for City Parks**

On July 11, 2016 City Council authorized Staff to solicit bids for the purchase of “Safe-Fall Material,” for existing playscapes for various parks throughout the city that have been worn and eroded thru the years. The City of Mission accepted and opened one (1) bid response for this project. Staff recommended awarding bid of \$40,860 to Upper Valley Materials dba CAPA, who was the lowest responsible bidder meeting all specifications.

Staff Recommendation: Authorization to award bid to Upper Valley Materials dba CAPA.

City Manager recommended approval

Councilman O’cana moved to Award bid for “Safe-Fall Material” for existing playscapes for City Parks to Upper Valley Materials dba CAPA as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.7 Authorize Mayor to execute First Amendment to Reimbursement Agreement between Mission Redevelopment Authority, Reinvestment Zone Number One and City of Mission**

Daniel Silva, Executive Director for Mission Redevelopment Authority Authorization requested the authorization for Mayor to execute First Amendment to reimbursement agreement between Mission Redevelopment Authority, Reinvestment Zone Number One and City of Mission. The Reimbursement Agreement was approved by the Mission City Council on July 13, 2015. The agreement was revised to include additional costs related to the Bentsen Palm Development Lift Station Project.

The Board of Directors of the Mission Redevelopment Authority approved the first amendment to reimbursement agreement on June 28, 2016.

Staff Recommendation: Approval of Amendment

City Manager recommended approval.

Councilman O’cana moved to Authorize Mayor to execute First Amendment to Reimbursement Agreement between Mission Redevelopment Authority, Reinvestment Zone Number One and City of Mission as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.8 Authorization to Solicit Bids for “Housing Assistance Program – Phase 15-III”**

The Citizen’s Advisory Committee met on July 12, 2016 and approved staff’s recommendation to provide reconstruction assistance for four (4) homes and rehabilitation of one (1) home through the CDBG program to the following addresses:

Reconstruction:

1223 E 2<sup>nd</sup> St. – 2 bdrm 2 bath, 970 sq ft  
405 Keralum Ave. – 2 bdrm 2 bath, 970 sq ft  
309 Oblate Ave. – 2 bdrm 2 bath, 970 sq ft  
133 N. Canal Ave. – 2 bdrm 2 bath, 970 sq ft

Rehabilitation:

621 Leal St.

Staff Recommendation: Solicit Bids for “Housing Assistance Program Phase 15-III”.

City Manager recommended approval.

Mayor Pro Tem Garza moved to Authorize to Solicit Bids for “Housing Assistance Program – Phase 15-III” as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.9 Change Order No.1 for Reinforced Concrete Pipe at Inspiration Project**

Staff was seeking authorization for Change Order No. 1 to introduce new item due to construction feasibility. This change order would eliminate all work under Item 460 Corrugated Metal Pipe and introduce Item 464 Reinforced Concrete Pipe for all the sizes pertinent to this contract. This change was being executed due to City of Mission requiring and only approving Reinforced Concrete Pipe on roadways within City’s jurisdiction.

The total amount of the change order was \$775,538.44 (11% of Original Contract Amount). Which the City would only pay \$18,612.92 (2.4% as per AFA with TXDOT).

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

Staff Recommendation: Approval of Change Order No.1.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Change Order No.1 for Reinforced Concrete Pipe at Inspiration Project as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.10 Authorization to Execute Payment to Rio Valley Switching Company to replace 54’ Railroad Crossing at 1<sup>st</sup> Street**

Authorization was being requested to execute payment to Rio Valley Switching Company to replace 54’ of Railroad Crossing at 1<sup>st</sup> Street. Rio Valley Switching Company would do the construction for this project to include Labor and Materials.

Staff Recommendation: Approval of Payment.



City Manager recommended approval.

Mayor Pro Tem Garza moved to Authorize to Execute Payment to Rio Valley Switching Company to replace 54' Railroad Crossing at 1<sup>st</sup> Street as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.11 Authorization to award bid for the overlay of various streets throughout the City of Mission**

On May 23, 2016 City Council authorized staff to solicit bids for the yearly overlay project at various streets throughout the City of Mission. The City of Mission accepted and opened six (6) bid responses for this project. Staff and Javier Hinojosa Engineering recommended awarding base bid with alternates at \$576,868.48 to IOC Company, LLC, who was the lowest responsible bidder meeting all specifications.

Overlay project was to include: Stewart Road (Business 83 to Expressway 83 Frontage Road, Stewart Road (FM 495 to Mile 2 Road, Los Ebanos Road (FM 495 to Mile 2 Road), E. 28<sup>th</sup> Street (Shary Road to Taylor Road, Lee Street (Barnes Street to Magnum Road).

Staff Recommendation: Authorization to Award Bid to IOC Company, LLC.

City Manager recommended approval.

Councilman Plata moved to authorize to award bid for the overlay of various streets throughout the City of Mission to IOC Company, LLC. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

**4.12 Authorization to accept a grant from IDEA Mission North Academy**

Staff was seeking authorization to accept a grant in the amount of \$6,400 from the IDEA Mission North Academy. The grant would be used for personnel during the fall semester at the Mission Boys & Girls Club. The grant created an Early Childhood Program for 5 year olds from IDEA Mission North Academy. Personnel would teach the students reading, technology and arts & crafts. The program would be from 7:30 a.m. to 11:30 a.m.

Staff Recommendation: Authorization to accept grant from IDEA Mission North Academy.

City Manager recommended approval.

Councilwoman Ochoa moved to accept grant from IDEA Mission North Academy as presented. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.13 Tax Collections Report – June, 2016**

Assistant Finance Director Angie Vela presented the Tax Collections Report for June, 2016 for approval.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the Tax Collections Report for June, 2016 as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.14 Financial Statements – June, 2016**

Assistant Finance Director Vela presented the June, 2016 Financial Statements for approval.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the June 2016 Financial Statements, as presented. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.15 Budget Amendments – General Fund and Designated Purpose Fund**

Assistant Finance Director Vela presented the budget amendments BA-16-45 thru BA-16-46 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve budget amendments BA-16-45 thru BA-16-46, as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

#### **4.16 Authorization to solicit bids for the removal and Installation of a security fence and gate at the main police Station**

The City of Mission Police Department was requesting authorization to solicit bids for the removal and installation of security fence and gate at the main police station. In an effort to expand parking for Mission Police employees and increase the size of our impound lot, a request was being made to remove the rear fence line and reinstall it further south of its original location. Additionally, the need to completely fence in the impound lot to be in compliance for receiving accreditation from the Best Practices Recognition Program. The cost of the project was to be paid through the Mission Police Departments' Federal Drug Forfeiture account.

Staff recommendation: Authorization to solicit bids for the removal and installation of security fence and gate at the main police station.

City Manager recommended approval.

Councilman O'cana moved to approve the solicitation for bids for the removal and installation of a security fence and gate at the main police station. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

#### **4.17 Ordinance # 4378 Authorizing Issuance, Sale And Delivery of City Of Mission, Texas Combination Tax And Revenue Certificates of Obligation, Series 2016; 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 an Ordinance to complete the process for the tax note financing in the principal amount of Twenty Million Dollars (\$20,000,000)\* for the purchase of land for construction of an events center, the payment of contractual obligations

incurred for the construction of the special events center and all related improvements and infrastructure necessary and reasonable to access all public utility services including off-site infrastructure, rights of way, access ways, roadway and drainage improvements, parking spaces and other parking lot improvements, the repair, rehabilitation and renovation of existing municipal buildings (in an amount not to exceed \$600,000), the professional services in connection therewith, and to pay for the costs of issuance of the Certificates.

Bob Henderson, RBC Capital Markets (financial advisor), was present along with a Jesus Ramirez of Ramirez & Guerrero, LLP, Bond Council to the City.

Mayor Pro Tem Garza moved to approve Ordinance No. 4378 Authorizing Issuance, Sale And Delivery of City Of Mission, Texas Combination Tax And Revenue Certificates of Obligation, Series 2016; 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 Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4378**

AUTHORIZING ISSUANCE, SALE AND DELIVERY OF CITY OF MISSION, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016; 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

**4.18 Ordinance # 4379 Authorizing the Issuance, Sale and Delivery of City Of Mission, Texas Waterworks and Sewer System Refunding Bonds, Series 2016; Approving and Authorizing an Official Statement and the Distribution Thereof; a Purchase Contract, an Escrow Agreement, and a Paying Agent/Registrar Agreement; Approving and Authorizing All Other Instruments and Procedures Related Thereto; and Providing for an Immediate Effective Date**

The action required in this item was the approval Ordinance to complete the formal process for the Waterworks and Sewer System Refunding Bond financing.

Bob Henderson, RBC Capital Markets (financial advisor), was present along with a Jesus Ramirez of Ramirez & Guerrero, LLP, Bond Council to the City.

Councilman Plata moved to approve Ordinance No. 4379 Authorizing the Issuance, Sale and Delivery of City Of Mission, Texas Waterworks and Sewer System Refunding Bonds, Series 2016; Approving and Authorizing an Official Statement and the Distribution Thereof; a Purchase Contract, an Escrow Agreement, and a Paying Agent/Registrar Agreement; Approving and Authorizing All Other Instruments and Procedures Related Thereto; and Providing for an Immediate Effective Date. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

**ORDINANCE NO. 4379**

AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF CITY OF MISSION, TEXAS WATERWORKS AND SEWER SYSTEM REFUNDING BONDS, SERIES 2016; APPROVING AND AUTHORIZING AN OFFICIAL STATEMENT AND THE DISTRIBUTION THEREOF; A PURCHASE CONTRACT, AN ESCROW AGREEMENT, AND A PAYING AGENT/REGISTRAR AGREEMENT; APPROVING AND AUTHORIZING ALL OTHER INSTRUMENTS AND PROCEDURES RELATED THERETO; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE

**4.19 Presentation of the Preliminary Budget for the Fiscal Year 2016-2017**

As per City Charter, the City Manager, between sixty (60) and ninety (90) days prior to the beginning of each fiscal year, shall submit to the City Council a proposed budget, in which the budget shall provide a complete financial plan for the fiscal year.

Presented was the Preliminary Budget with recommendations.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to acknowledge presentation of the Preliminary Budget for Fiscal Year 2016-2017 as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.20 Set Public Hearing date for FY 2016-17 Annual Budget**

City Manager was requesting to set the Public Hearing on FY 2016-17 Annual Budget on Monday, August 22, 2016 as required by City Charter.

Section 9.06. - Notice of public hearing on budget. At the meeting of the City Council at which the budget was submitted, the City Council shall fix the time and place of a public hearing on the budget and shall cause to be published in a newspaper of general circulation within the City of Mission, a notice of the hearing setting forth the time and place thereof at least ten (10) days before the date of such hearing.

The public hearing was to give interested parties the opportunity to be heard.

The public hearing date, time and location would be published in the local newspaper.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Public Hearing date for Monday, August 22, 2016 for FY 2016-17 Annual Budget as recommended. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

**5.0 Unfinished Business**

None

## **6.0 Routine Matters**

### **6.1 City Manager's Comments**

City Manager Garza introduced Cynthia Lopez, Museum Director

### **6.2 Mayor's Comments**

None

At 5:25 p.m., Councilman O'cana moved to convene into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001 for items 7.1 and 7.2 Motion was seconded by Councilman Plata and approved unanimously 5-0.

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

### **7.1 Consultation with Attorney Sec. 551.071 (2)**

**A. Consultation with attorney regarding pending litigation in Highmark Construction Co., LLC v. City of Mission, C-1752-16-F.**

### **7.2 Deliberations about Real Property Sec. 551.072**

**A. Consideration and possible action regarding the abandonment and conveyance of a fifty-foot (50') drainage right-of-way located at Las Canteras Estates Subdivision, an addition to the city of Mission, as dedicated by plat or map, Hidalgo County Real Property Records.**

**B. Consideration of the use of eminent domain, on behalf of the State of Texas, to acquire a .034 of one acre out of Lot 1 L. Rice Subdivision, according to the map or plat recorded in Volume 127, Page 186B, Hidalgo County Real Property Records. (401 N Shary Rd., Mission, Texas 78572). For the public purpose of a utility easement, and to resolve or acquire any necessary right of ways related to this project.**

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

At 5:46 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

On item 7.1-A, Councilman O'cana moved to authorize city manager and/or designee to proceed with expending retainage funds pursuant to the contract with HighMark, for the purpose of making operational the splashpad at Tatan Park. Motion was seconded by Councilman Plata and approved unanimously 5-0.

On 7.2-A, No action

On 7.2-B, Councilman O'cana moved to approve Resolution No. 1467 Authorizing City Manager, City Attorney or outside designated counsel the use of eminent domain, on behalf of the State of Texas, to acquire a .034 of one acre out of Lot 1 L. Rice Subdivision, according to the map or plat recorded in Volume 127, Page 186B, Hidalgo County Real Property Records. (401 N Shary Rd., Mission, Texas 78572) for the public purpose of a 10' utility easement, and to resolve or acquire any necessary right of ways related to this project. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**RESOLUTION NO. 1467**

AUTHORIZING CITY MANAGER, CITY ATTORNEY OR OUTSIDE DESIGNATED COUNSEL THE USE OF EMINENT DOMAIN, ON BEHALF OF THE STATE OF TEXAS, TO ACQUIRE A .034 OF ONE ACRE OUT OF LOT 1 L. RICE SUBDIVISION, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 127, PAGE 186B, HIDALGO COUNTY REAL PROPERTY RECORDS. (401 N SHARY RD., MISSION, TEXAS 78572) FOR THE PUBLIC PURPOSE OF A 10' UTILITY EASEMENT, AND TO RESOLVE OR ACQUIRE ANY NECESSARY RIGHT OF WAYS RELATED TO THIS PROJECT

**8.0 Adjournment**

At 5:47 p.m., Councilman Plata moved for adjournment. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

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Norberto Salinas, Mayor

ATTEST:

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Anna Carrillo, City Secretary