

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
AUGUST 10, 2015 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
Robert Galligan, Attorney
Anna Carrillo, City Secretary
Martin Garza, Jr., City Manager

ABSENT:

ALSO PRESENT:

Kathy Olivarez, Progress Times
Miguel D. Rodriguez
Francisca M. Rodriguez
Peggy Flores
Luis T. Castillo
Liliana Martin
Jim & Beth Barnes
Richard & Pam Thompson
Marianna T. Wright
Sheena K. Garza
Vicki Delgado
Tiffany Espericueta
Joe Louie Sanchez
Rosa Esther Garcia
David Garza
Pat Espericueta
Juan Eliseo Gonzalez, Jr.

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Aida Lerma, Deputy City Manager
Danny Tijerina, Planning Director
Randy Perez, Finance Director
Roberto Salinas, Public Works Director
Juan Pablo Terrazas, City Engineer
Noemi Munguia, HR Director
Robert Hinojosa, Risk Manager
Joanne Longoria, CDBG Director
Eduardo Belmarez, Purchasing Director
Rene Lopez, Jr., Fire Chief
Gilbert Sanchez, Fire Marshal
Robert Dominguez, Chief of Police
Joel Lalarde, Asst. Chief of Police
Mario Flores, Golf Course Director
Brad Bentsen, Parks & Recreation Director
Jesse Lerma, Civil Service Director
Luis Contreras, Museum Director
Mayra Rocha, Library Director
Humberto Garcia, Media Relations
Jonathan Wehrmeister, Judge
Alex Meade, MEDC Chief Exec. Officer
Alex Hernandez, Planning Dept.
Charles Longoria, Media Relations

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:35 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 – Richard Thompson

City Secretary Anna Carrillo read the Proclamation – Richard Thompson. Mr. Thompson received the proclamation and gave thanks to the Mayor and Council.

Councilman Ruben Plata moved to approve the proclamation as presented. Motion was seconded by Councilwoman Jessica Ortega- Ochoa and approved unanimously 5-0.

4. Presentation of Parks & Recreation TAAF Athletes

Parks and Recreation Director Brad Bentsen presented the athletes who received medals at the TAAF games in Track and Field, Swimming and Tennis.

5. Presentation by NABA – Marianna Wright

Marianna Wright gave an update on recent activities at the Butterfly Park and on the upcoming Butterfly Festival to be held in October.

6. Report from the Greater Mission Chamber of Commerce

George Meyers, CEO from the Greater Mission Chamber of Commerce reported on the chamber events that had recently taken place. He also advised Mayor and Council on upcoming events.

7. Departmental Reports

Councilman Dr. Armando O’cana moved to approve the departmental reports as presented. Motion was seconded by Councilman Plata and approved unanimously 5-0.

8. Citizens Participation

Jim Barnes spoke about the possibility of HB 1596 – Hidalgo County Healthcare District Referendum possibly being on the ballot in November, 2015 and asked to vote against.

Attorney Bob Galligan thanked the Mayor and Council for the opportunity of having served as the Interim City Attorney for the past several months.

At 5:02 Councilwoman Ochoa stepped out of the meeting.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

- A. Rezoning: Lot 3, Alex Cavazos Subdivision, from AO-I (Agricultural Open Interim) to C-3 (General Business), Eduardo Hernandez
Adoption of Ordinance # 4262 approving 1.1A**

On July 22, 2015 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located at the NE area of W. 41 ½ Street and Inspiration Road on the east side of Inspiration Road. Staff originally recommended denial, but after further review, staff recommended approval based on 1) the Future Land Use Designation, and 2) there was a tire shop, a junk yard, and a commercial business on 3 Mile Line. There was no public opposition during the P&Z Mtg. The Board recommended approval of the C-3 zone.

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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. 4262 Rezoning: Lot 3, Alex Cavazos Subdivision, from AO-I (Agricultural Open Interim) to C-3 (General Business), as recommended. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

ORDINANCE NO. 4262

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING OF LOT 3, ALEX CAVAZOS SUBDIVISION, FROM AO-I
(AGRICULTURAL OPEN INTERIM) TO C-3 (GENERAL BUSINESS)

At 5:05 Councilwoman Ochoa rejoined the meeting.

**B. Rezoning: Lots 1 & 2, Block 194, Oblate Addition, from C-1 (Office Building) to C-3 (General Business), Dancing at Tiffany's
Adoption of Ordinance # 4263 approving 1.1B**

On July 22, 2015 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located at the NE corner of E. 12th Street and Keralum Avenue. There was no public opposition during the P&Z Mtg. The Board voted to deny the C-3 request and instead approved a C-2 zone.

Staff Recommendation: Approval of a C-2 zoning.

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. 4263 Rezoning: Lots 1 & 2, Block 194, Oblate Addition, from C-1 (Office Building) to C-2 zoning, as recommended by staff. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4263

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING FOR LOTS 1 & 2, BLOCK 194, OBLATE ADDITION, FROM C-
1 (OFFICE BUILDING) TO C-3 (GENERAL COMMERCIAL)

C. Homestead Exemption Variance: The E. 75' of the West ½ of Lot 59, Mission Acres, R-1, Rosa Esther Garcia

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On July 22, 2015 the Planning and Zoning Commission held a Public Hearing to consider this homestead exemption variance request. The property was located at the SE corner area of Barnes Street and Washington Avenue. The Board unanimously recommended approval as per staff's recommendation.

Staff Recommendation: Approval subject to compliance with Homestead Exemption Variance provisions: Affidavit, etc.

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 Homestead Exemption Variance: The E. 75' of the West ½ of Lot 59, Mission Acres, R-1, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

2.0 Disposition of Minutes

2.1 City Council Meeting – July 27, 2015

Mayor Pro Tem Norie Gonzalez Garza moved to approve the minutes as presented. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

3.0 Acknowledge Receipt of Minutes

3.1 Mission Economic Development Corporation - April 21, 2015 and June 16, 2015

Mission Redevelopment Authority – June 23, 2015

Mission Tax Increment Reinvestment Zone – June 23, 2015

Planning and Zoning Commission – July 8, 2015

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

4.0 Approvals and Authorizations

4.1 Appointment of City Representative and Alternate to serve on the Board of Directors for Amigos Del Valle for 2015-2016

On an annual basis the City of Mission appointed a City Representative and Alternate to serve on the Amigos del Valle board. The Term of this appointment was from October 1, 2015 thru September 30, 2016.

Amigos Del Valle was requesting the appointment of a representative and alternate for Fiscal Year 2015-16.

The current Board Representative was Mayor Pro Tem Norie Gonzalez Garza and the Alternate was Deputy City Manager Aida Lerma. Mayor Norberto Salinas served as Member Emeritus.

Staff Recommendation: Appointment of City Representative and Alternate .

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Councilman Plata moved to approve the appointment of City Representative and Alternate to serve on the Board of Directors for Amigos Del Valle for 2015-2016, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.2 Board Appointment – Mission Economic Development Corporation

Mission Economic Development Corporation: Appointed Pete Jaramillo to replace Abiel Flores who resigned from the board, term to expire December 31, 2016.

Staff Recommendation: To approve Board Appointment as recommended by Mayor Norberto Salinas.

Councilman O'cana moved to approve the Board Appointment – Mission Economic Development Corporation, as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.3 Approval of Memorandum of Understanding with Mission Consolidated Independent School District in regards to the use of the Shary Municipal Golf Course

The City of Mission and Mission CISD had developed a memorandum of understanding where the parties agreed to the following:

- CITY agreed to:
 - Provide playing range privileges and playing privileges to said High Schools for the 2015-2016 School year (September 1, 2015 to May 31, 2016 on days that the Shary Municipal Golf Course was regularly open.
 - Provide driving range privileges to and playing privileges to each of the said Junior High Schools for the period of March 1, 2016 to May 31, 2016, on days that the Shary Municipal Golf Course was regularly open.
- Mission CISD agreed to:
 - Pay the City of Mission the sum of \$14,000.00 after signing this MOU.

The MOU had been approved by Mission CISD.

Staff Recommendation: Approval of Memorandum of Understanding.

Councilman Plata moved to approve the Memorandum of Understanding with Mission Consolidated Independent School District in regards to the use of the Shary Municipal Golf Course, as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.4 Approval of Golf Club Storage Agreement with Mission Consolidated Independent School District and the Shary Municipal Golf Course

The City of Mission and Mission CISD had developed an agreement where the parties agreed to the following:

- CITY agreed to:
 - Provide an area designated under the Shary Municipal Golf Course Clubhouse for the storage of Golf Clubs and Bags which could be secured.

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- Golf Course Employees would not have access to unlock storage area.
- Cage would be open from 7:00 a.m. to closing of the clubhouse.
- Mission CISD agreed to:
 - Only school coaches would have key to access cage area.
 - Ensure no student would be allowed in area without a coach present.
 - Informing students and parents that only the coach had a key and golf course employees did not have access to area.
- The Agreement would be effective September 1, 2015 thru May 31, 2016

Staff Recommendation: Approval of Golf Club Storage Agreement.

Councilman Plata moved to approve the Golf Club Storage Agreement with Mission Consolidated Independent School District and the Shary Municipal Golf Course, as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.5 Approval of Memorandum of Understanding with Sharyland School District in regards to the use of the Shary Municipal Golf Course

The City of Mission and Sharyland ISD had developed a memorandum of understanding where the parties agreed to the following:

- CITY agreed to:
 - Provide playing range privileges and playing privileges to said High Schools for the 2015-2016 School year (September 1, 2015 to May 31, 2016 on days that the Shary Municipal Golf Course was regularly open.
 - Provide driving range privileges to and playing privileges to each of the said Junior High Schools for the period of March 1, 2016 to May 31, 2016, on days that the Shary Municipal Golf Course was regularly open.
- Sharyland ISD agreed to:
 - Pay the City of Mission the sum of \$160.00 for playing privileges and \$140.00 for Driving Range privileges per high school player and \$60.00 for playing and Driving Range privileges per Junior High School player within 30 days after signing this MOU

Staff Recommendation: Approval of Memorandum of Understanding.

Councilman O'cana moved to approve the Memorandum of Understanding with Sharyland School District in regards to the use of the Shary Municipal Golf Course, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.6 Approval of Golf Club Storage Agreement with Sharyland School District and Shary Municipal Golf Course

The City of Mission and Sharyland ISD had developed an agreement where the parties agreed to the following:

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- CITY agreed to:
 - Provide an area designated under the Shary Municipal Golf Course Clubhouse for the storage of Golf Clubs and Bags which could be secured.
 - Golf Course Employees would not have access to unlock storage area.
 - Cage would be open from 7:00 a.m. to closing of the clubhouse.
- Sharyland ISD agreed to:
 - Only school coaches would have key to access cage area.
 - Ensure no student would be allowed in area without a coach present.
 - Informing students and parents that only the coach had a key and golf course employees did not have access to area.
- The Agreement would be effective September 1, 2015 thru May 31, 2016. The agreement had been approved by SISD

Councilman Plata moved to approve the Golf Club Storage Agreement with Sharyland School District and Shary Municipal Golf Course, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.7 Acceptance of Quarterly Report of Investments for the Quarter ending June 30, 2015 and Interest Earned for Nine Months Ending June 30, 2015

Acceptance of quarterly report required by the Public Funds Investment Act Section 2256.023 of the Texas Government Code on the total investments for the quarter ending June 30, 2015. The total investments purchased were \$312.34 and the amount of the investments matured was \$1,496,392.08, leaving a total of \$16,858,066.77 in outstanding investments for the quarter ending June 30, 2015. The total interest earned on all funds year to date was \$135,454.78.

Staff and City Manager recommended acceptance.

Mayor Pro Tem Garza moved to approve the Quarterly Report of Investments for the Quarter ending June 30, 2015 and Interest Earned for Nine Months ending June 30, 2015, as presented. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.8 Approval of Resolution # 1407 of the City of Mission Amending Resolution No. 1382 amending the Public Funds Investment Policy and Strategy

As per Chapter 2256 of the Texas Government code, known as “Public Fund Investment Act” the City was required to adopt the investment policy and strategy on an annual basis through resolution.

Only one change was made to the Policy:

1. The holding period was amended from one year to three years.

Staff and City Manager recommended approval of resolution.

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Councilman Plata moved to approve Resolution No. 1407 of the City of Mission Amending Resolution No. 1382 amending the Public Funds Investment Policy and Strategy, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

RESOLUTION NO. 1407

A RESOLUTION OF THE MISSION CITY COUNCIL AMENDING RESOLUTION No. 1382 AMENDING THE PUBLIC FUNDS INVESTMENT POLICY AND STRATEGY

4.9 Discussion and action on proposed 2015 Tax Rate and Take Record Vote and Schedule Public Hearings

In accordance with the Texas Property Tax, Code City Council must propose a tax rate for the City of Mission and publish "Notice of Property Tax Rates," September 1st. If the proposed tax was lower than the effective tax rate, only one public hearing was required before the adoption of the tax rate. If the propose tax was higher than the effective tax rate, two public hearings were required before the adoption of the tax rate.

The calculated effective tax rate was \$0.5155 per \$100 valuation
The calculated rollback tax rate was \$0.5566 per \$100 valuation
The current tax rate was \$0.5188 per \$100 valuation

First Public Hearing was to be scheduled: August 24, 2015
2nd Public Hearing was to be scheduled: September 1, 2015

"Notice of Property Tax Rates" would be published on August 14, 2015.

Staff Recommendation: Discussion and action on Proposed Tax rate, take record vote, and schedule public hearing.

City Manager recommended approval.

Councilman O'cana moved to propose and set the tax rate of \$0.4988. Motion was seconded by Councilman Plata and approved unanimously 5-0.

There was a unanimous record vote by the council to approve the proposed tax rate at \$0.4988 for 2015.

4.10 Authorization to enter into a Professional Services Agreement with Vazaldua & Associates regarding training for Mission Police sworn personnel

The Mission Police Department was requesting authorization to re-enter into a professional services agreement with Vazaldua & Associates regarding training for Mission Police sworn personnel. Vazaldua & Associates would provide two (2), four hour (4) courses utilizing two local licensed attorneys. Vazaldua & Associates would be required to submit lesson plans, course objectives, course handouts, evaluation forms, and a biography on each instructor to present to the LRGVDC Academy Director to assure Texas Commission on Law Enforcement credit for each individual officer prior to the start of instruction. The fee for each individual course would be \$10,575.00 for the training of 141 police officers. Total expenditure based on the two (2) courses would be \$21,150.00.

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Staff Recommendation: Authorize the Mission Police Department to enter into a Professional Services Agreement with Vazaldua & Associates regarding training for Mission Police sworn personnel.

City Manager recommended approval.

Councilman Plata moved to authorize to enter into a Professional Services Agreement with Vazaldua & Associates regarding training for Mission Police sworn personnel, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.11 Authorization to Award Contract for Stop Loss Insurance

On June 22, 2015, City Council authorized GEF Financial Group to solicit for bids for Stop Loss Insurance. Re-Insurance was needed for the 2015-2016 fiscal year to cap any excess cost exceeding our specific deductible for medical and prescription costs. GEF received four firm bids, and after careful evaluation and assessment, GEF was recommending that we award contract to HCC (Houston Casualty Company)

Staff Recommendation: Award contract to HCC through Ricardo Filizola, GEF Insurance.

City Manager recommended approval.

Councilman O'cana moved to authorize to award Contract for Stop Loss Insurance to Houston Casualty Company, as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.12 Approval of Intergovernmental Cooperative Agreement with Palm Valley Animal Center for the operation of a Regional Animal Shelter

From 1986 through September 30, 2015, the City of Mission had entered into interlocal agreements with Palm Valley Animal Center in which animals that needed to be quarantined were delivered to the Palm Valley Animal Center and in some cases animals were also transported to the Center to relieve overcrowding in the City's kennels.

The partnership with Palm Valley Animal Shelter would allow the City of Mission to increase awareness of a regional animal shelter, increase pet adoptions and relieve overcrowding in City's Kennels.

Staff Recommendation: Approval of Intergovernmental Cooperative Agreement.

City Manager recommended approval.

Councilman Plata moved to approve the Intergovernmental Cooperative Agreement with Palm Valley Animal Center for the operation of a Regional Animal Shelter, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.13 Approval of Compensable Utility Process and Standard Utility Agreement (SUA)

TXDOT had required that the Local Public Agency (LPA) execute a 2-Party (City/Utility) Standard Utility Agreement (SUA) and Compensable Utility Adjustment Process. This process

would provide the necessary agreement between the City and the Utility, so that reimbursement from the State could occur.

Once adopted, future projects would follow this format. Each SUA would be presented to Council for approval.

The first project to use this process was Inspiration Rd. from US 83 to Mile 3. Letting was scheduled for December 2015, however, this project contained several compensable utilities that required adjustments and TXDOT reimbursement was anticipated.

Staff Recommendation: Approval of Compensable Utility Process and Standard Utility Agreement (SUA).

City Manager recommended approval.

Councilman Plata moved to approve the Compensable Utility Process and Standard Utility Agreement (SUA), as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.14 Approval of Resolution #1408 declaring the adoption of H. Ayuntamiento de Isla Mujeres Del Estado de Quintana Roo, Mexico as a Sister City

Approval to declare the adoption of the City of Isla Mujeres, State of Quintana Roo, Mexico as a Sister City and authorizing Mayor Salinas to act as the official representative of Mission to carry out this program.

Mayor Agapito Magaña Sanchez had extended an invitation to Mayor Norberto Salinas to visit Isla Mujeres during their 165th Anniversary Celebration which was scheduled for August 14th-18th at which time the declaration and adoption of Isla Mujeres, Quintana Roo as our sister city would be made official.

The Sister City Concept was inaugurated by the President of the United States in 1956 to establish greater friendship and understanding between the people of the United States and other nations through the medium of direct personal contact. That the Council on behalf of the people of Mission accepted the people of Isla Mujeres, Quintana Roo, Mexico to participate with Mission as its Sister City for the purpose of creating greater mutual understanding between the peoples of our two great cities and nations.

Staff and City Manager recommended approval of resolution.

Mayor Pro Tem Garza moved to approve the Resolution No. 1408 declaring the adoption of H. Ayuntamiento de Isla Mujeres Del Estado de Quintana Roo, Mexico as a Sister City , as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

RESOLUTION NO. 1408

THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS DECLARES THE ADOPTION OF ISLA MUJERES, STATE OF QUINTANA ROO, MEXICO AS A SISTER CITY.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

City Manager Garza thanked staff and volunteers for their participation and dedication for the success of the Summer Programs held in the City of Mission.

6.2 Mayor's Comments

None

At 5:23 p.m., Mayor Salinas asked council to go into executive session.

Councilman O'cana moved to convene into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001 for item 7.1-A of the Agenda. Motion was seconded by Councilwoman Ochoa 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

A. Relating to the legal requirement of the City of Mission to make audio and visual recordings of open meetings available on the internet

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

At 5:41 p.m., Mayor Pro Tem Garza moved to reconvene in open session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

On item 7.1-A, no action was taken.

8.0 Adjournment

At 5:41 p.m., Councilman Plata moved for adjournment. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary