

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
JULY 09, 2018 4:30 P.M.
MISSION CITY HALL**

PRESENT:

Dr. Armando O'caña, Mayor
Jessica Ortega-Ochoa, Councilwoman
Ruben D. Plata, Councilman
Norie Gonzalez Garza, Mayor Pro Tem
Gus Martinez, Councilman
Abiel Flores, City Attorney
Anna Carrillo, City Secretary
Martin Garza, Jr., City Manager

ABSENT:

ALSO PRESENT:

Roxanne Mendez
Juan P. Quintanilla
Roberto Hernandez
Roberto Hernandez, Jr.
Mayra Valdez
Cristina Ordez
Jim & Beth Barnes
Sean Downy
Debbie Alvarez
Gloria Rios
Irma Flores Lopez
Mary Nelly Rodriguez
Jerry Garcia
Maxilou Link
Francisca Rodriguez
Norma Sanchez
Elda Garcia
April Chapa
Iliana Parras
Yoli Benavidez
Janie Alanis

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Aida Lerma, Deputy City Manager
Randy Perez, Deputy City Manager
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
Charlie Longoria, 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
James Cardoza, Emergency Mngmnt. Coord.
Robert Dominguez, Chief of Police
Joel Larralde, Asst. Chief of Police
Jonathan Wehrmeister, Judge
Joanne Longoria, CDBG Director
Mario Flores, Golf Course Director
Xavier Sanchez, Boys & Girls Club Supervisor
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
Noel Barrera, Health Dept. Director
Adela Ortega, Food Pantry Manager
Rey Medrano, Police Officer

1. Call to order

With a quorum being present, Mayor Dr. Armando O'caña called the meeting to order at 4:30 p.m.

2. Invocation and Pledge Allegiance

City Manager Martin Garza, Jr. gave the invocation and Mayor O'caña led the meeting with the pledge of allegiance.

3. Introduction of Assistant Chief of Police Jody Allan Tittle

Chief of Police Robert Dominguez presented to the council the appointment of Lieutenant Jody Alan Tittle as the new Assistant Chief of Police. He also presented the promotions of Sergeant Javier Ramon to Police Lieutenant, Corporal Orlando Cedillo to Police Sergeant and Criminal Investigator Mario Manforte to Police Corporal.

4. Report from the Greater Mission Chamber of Commerce

Jennifer Nava Director of Events from the Greater Mission Chamber of Commerce reported on the chamber events and ribbon cuttings that had recently taken place.

5. Recognition of volunteers and agencies involved in disaster relief efforts

The City of Mission recognized several volunteers and agencies that helped our City and residents during recovery efforts from the recent storms, including: TX DPS, TX Parks and Wildlife, All Hands and Hearts, Flora Flores/Irma Flores, Debbie Alvarez, Hidalgo Co. Sheriff's Office, Home Depot, TX Conservation Corps/AmeriCorps, Garcia Family, Catholic Mission Trips Group from Iowa, and Cross Church.

6. Departmental Reports

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

7. Citizens Participation

Roberto Hernandez of 1706 E. 21st St. expressed his concern and frustration with the recent floods and asked council to look into finding a solution for this area.

Chief of Police Dominguez advised the council about the Pinning Ceremony that was to take place on Friday, July 13 at 8:30 a.m.

Omar Rodriguez a representative of the RGV Food Bank gave an update of the distributions after the recent storm. He also gave out the phone numbers of the agencies that were helping with the flood cleaning.

Connie Garza of 923 Bowen complemented and thanked the Mayor, council and staff for their quick response during the recent floods.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

- A. Rezoning: A 1.81 acre tract of land, more or less, out of Lot 28-1, West Addition to Sharyland Subdivision, AO-I (Agricultural Open Interim) to C-3 (General Business), Juan P. Quintanilla, Adoption of Ordinance # 4648 approving 1.1A**

On June 27, 2018 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located at the South East corner of West Mile 2 Road and Inspiration Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor O'caña 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. 4648 Rezoning: A 1.81 acre tract of land, more or less, out of Lot 28-1, West Addition to Sharyland Subdivision, AO-I (Agricultural Open Interim) to C-3 (General Business). Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4648

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING A 1.81 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 28-1, WEST ADDITION TO SHARYLAND SUBDIVISION, AO-I (AGRICULTURAL OPEN INTERIM) TO C-3 (GENERAL BUSINESS)

B. Rezoning: A .99 acre tract of land, more or less, out of Lot 28-1, West Addition to Sharyland Subdivision, AO-I (Agricultural Open Interim) to C-4 (Heavy Commercial), Juan P. Quintanilla, Adoption of Ordinance # 4649 approving 1.1B

On June 27, 2018 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located at the South East corner of West Mile 2 Road and Inspiration Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended denial of the C-4 request but approved a C-3 rezoning.

Staff Recommendation: Denial of C-4 but consideration of C-3 approval.

City Manager recommended approval.

Mayor O'caña 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. 4649 Rezoning: .99 acre tract of land, more or less, out of Lot 28-1, West Addition to Sharyland Subdivision, AO-I (Agricultural Open Interim) to C-3 (General Business), as recommended by staff. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4649

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING A .99 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 28-1, WEST ADDITION TO SHARYLAND SUBDIVISION, AO-I (AGRICULTURAL OPEN INTERIM) TO C-3 (GENERAL COMMERCIAL)

C. Rezoning: A tract of land out of the Northwest 9.96 acres of Lot 203, John H. Shary Subdivision, C-4 (Heavy Commercial) to R-1T (Townhouse Residential), Eduardo Careaga, Adoption of Ordinance # 4650 approving 1.1C

On June 27, 2018 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located 800' south of Business Highway 83 along the west side of Ragland Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor O'caña asked if there were any comments for or against the request.

There were no comments.

Mayor Pro Tem Norie Gonzalez Garza moved to approve the rezoning and to adopt Ordinance No. 4650 Rezoning: A tract of land out of the Northwest 9.96 acres of Lot 203, John H. Shary Subdivision, C-4 (Heavy Commercial) to R-1T (Townhouse Residential). Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4650

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF A TRACT OF LAND OUT OF THE NORTHWEST 9.96 ACRES OF LOT 203, JOHN H. SHARY SUBDIVISION FROM C-4 (HEAVY COMMERCIAL) TO R-1T (TOWNHOUSE RESIDENTIAL)

D. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – 5x5 Brewing Company, 801 N. Bryan Road, being Lot 1, Tamkin Subdivision, I-1, George Rice, Adoption of Ordinance # 4651 approving 1.1D

On June 27, 2018 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located on the SW corner of Bryan Road and Business 83. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff Recommendation: 1) A 2 year approval at which time the applicant would have to renew their TABC license and conditional use permit, 2) wet zone property, and 3) imposing a 3-drink limit (3 pints = 48 ounces).

City Manager recommended approval.

Mayor O'caña asked if there were any comments for or against the request.

The applicant spoke in favor of the request.

Maxilou Luik spoke in favor of the request.

Mayor Pro Tem Garza moved to approve the cup and to adopt Ordinance No. 4651 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – 5x5 Brewing Company, 801 N. Bryan Road, being Lot 1, Tamkin Subdivision, I-1, imposing a 3-drink limit, as per staff's recommendation. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4651

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 – 5x5 BREWING COMPANY, 801 N. BRYAN ROAD, BEING LOT 1, TAMKIN SUBDIVISION

- E. Conditional Use Permit Renewal: 3 Drive-Thru Lanes and 1-ATM for Banking Services for Texas National Bank, 501 N. Shary Road, Lot 1, Hofland Subdivision, C-4, Texas National Bank,
Adoption of Ordinance # 4652 approving 1.1F**

On June 27, 2018 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located 250' north of East 4th Street along the north side of Shary Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff Recommendation: Approval for life of use.

City Manager recommended approval.

Mayor O'caña 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. 4652 Conditional Use Permit: 3 Drive-Thru Lanes and 1-ATM for Banking Services for Texas National Bank, 501 N. Shary Road, Lot 1, Hofland Subdivision. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4652

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR 3 DRIVE-THRU LANES AND 1-ATM FOR BANKING SERVICES FOR TEXAS NATIONAL BANK, 501 N. SHARY ROAD, LOT 1, HOFLAND SUBDIVISION

- F. Conditional Use Permit Renewal: Temporary Mobile Home for Health Care of Resident Parents, 909 S. Stewart Road, Tract out of Lot 1, Praxedis Garza Porcion 58, R-1, Mary Nelly Rodriguez,
Adoption of Ordinance # 4653 approving 1.1G**

On June 27, 2018 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located approximately 1,500' south of Expressway 83 along the east side of Stewart Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff Recommendation: Approval subject to: 1) Re-evaluate in 5 years, 2) Not to be used as a rental structure, and 3) once the intent need is no longer evident, the structure to be removed within 30 calendar days.

City Manager recommended approval.

Mayor O'caña asked if there were any comments for or against the request.

The applicant Mary Nelly Rodriguez spoke in favor of the request.

Councilman Plata moved to approve the cup and to adopt Ordinance No. 4653 Conditional Use Permit: Temporary Mobile Home for Health Care of Resident Parents, 909 S. Stewart Road, Tract out of Lot 1, Praxedis Garza Porcion 58. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4653

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A
CONDITIONAL USE PERMIT FOR TEMPORARY MOBILE HOME FOR HEALTH CARE OF
RESIDENT PARENTS, 909 S. STEWART ROAD, TRACT OUT OF LOT 1, PRAXEDIS GARZA
PORCION 58

2.0 Disposition of Minutes

2.1 City Council Meeting – June 25, 2018

Councilman Plata 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 Zoning Board of Adjustments – May 16, 2018

Planning & Zoning Commission – June 13, 2018

Citizen's Advisory Committee – May 8, 2018 & May 29, 2018

Mission Boys & Girls Club – May 9, 2018

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 Preliminary Plat Approval: Inspiration Heights Subdivision, 7.196 acres of Lot 13, Goodwin Tract No. 3 Subdivision, R-1, Developer: Eloy Chapa Engineer: Melden & Hunt, Inc

On June 27, 2018 the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Inspiration Heights Subdivision. The subject site was located approximately ¼ mile north of W. Griffin Parkway (F.M. 495) along the west side of Inspiration Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval as per Staff's recommendation.

Staff Recommendation: Approval subject to: 1) Payment of park fees and sewer capital recovery fees, 2) Water district exclusion, and 3) Comply with all other format findings.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Preliminary Plat Approval: Inspiration Heights Subdivision, 7.196 acres of Lot 13, Goodwin Tract No. 3 Subdivision, R-1, Developer: Eloy Chapa Engineer: Melden & Hunt, Inc., Subject to staff's recommendations. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.2 Preliminary Plat Approval: Crystal Estates Phase III, 12.51 acres out of Lot 27-2, West Addition to Sharyland Subdivision, R-1
Developer: DG & GG Investments, LLC
Engineer: Spoor Engineering Consultants, Inc.**

On June 27, 2018 the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Crystal Estates Phase III. The proposed subdivision was the second phase of Crystal Estates locate at the Northeast corner of Los Ebanos Road and Rebecca Street. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval as per Staff's recommendation.

Staff Recommendation: Approval subject to: 1) Payment of park fees and sewer capital recovery fees, 2) Water district exclusion, and 3) Comply with all other format findings.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Preliminary Plat Approval: Crystal Estates Phase III, 12.51 acres out of Lot 27-2, West Addition to Sharyland Subdivision, R-1 Developer: DG & GG Investments, LLC Engineer: Spoor Engineering Consultants, Inc., subject to staff's recommendations. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.3 Award of Bid for Palm Tree Trimming

City Council Authorized Staff to solicit bids for Palm Tree Trimming on and within City owned Properties (Parks / City Facilities) and Right of Ways (ROW). Staff was seeking approval to award to Guadalupe Rodriguez dba ROD'Z Lawn Care who was the lowest responsive and responsible bidder meeting all specifications. Services would include all supervision, labor, materials, supplies, tools and equipment necessary for the trimming, skinning and for the disposal of all leaves and shavings. Award approval consisted of one (1) year primary and two (2) additional one (1) year renewals with no price increase.

Staff Recommendation: Authorization of approval to award to RODZ Lawn Care.

City Manager recommended approval.

Councilman Plata moved to approve to award bid for Palm Tree Trimming to RODZ Lawn Care, as per staff's recommendation. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.4 Authorization to Execute First One Year Renew Option for Pest Control Services for City of Mission Buildings

On July 25, 2017, the City of Mission entered into a Contract with Pro-Tech Pest Control. The contract terms were for one year with a one year renewal option based on 0% increase in price. Staff

was seeking authorization to extend contract for first and final one year renewal option with Excellent Pest Control, LLC. This Agreement would extend Bid No 17-238-07-13 from July 25, 2018 through July 24, 2019.

Staff Recommendation: Authorization to extend contract for the first and final one year renewal option with Pro-Tech Pest Control.

City Manager recommended approval.

Councilman Plata moved to authorize to execute First One Year Renew Option for Pest Control Services for City of Mission Buildings with Pro-Tech Pest Control, as per staff's recommendation. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.5 Authorization to purchase via a state approved contract all necessary equipment to outfit one (1) new Chevrolet Police Tahoe under Buy Board Contract #524-17

The equipment in question relates to all police lighting equipment, prisoner cage, push bumper, gun rack, lap-top mounting system, etc. The equipment would be purchased through the City of Mission Capital Asset replacement fund. The total amount of this expenditure was \$10981.46.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to purchase via a state approved contract all necessary equipment to outfit one (1) new Chevrolet Police Tahoe under Buy Board Contract #524-17. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.6 Approval of Resolution No. 1557 for the 2018 Rifle Resistant Bulletproof Vest grant from the Office of the Governor (OOG), Grant # 3494601

The Office of the Governor had requested that each resolution with the previous authorized official be updated with the name of the present authorized official. On June 18, 2018, Mayor Dr. Armando O'caña was sworn into to office as the newly elected Mayor; therefore, he would now be designated as the authorized official. Staff was requesting a favorable recommendation for the updated resolution.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Resolution No. 1557 for the 2018 Rifle Resistant Bulletproof Vest grant from the Office of the Governor (OOG), Grant # 3494601. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

RESOLUTION NO. 1557

FOR THE 2018 RIFLE RESISTANT BULLETPROOF VEST GRANT FROM THE OFFICE OF
THE GOVERNOR (OOG), GRANT # 3494601

4.7 Approval of Resolution No. 1558 for the 2019 Local Border Security Program grant from the Office of the Governor (OOG), Grant # 2992604

The Office of the Governor had requested that each resolution with the previous authorized official be updated with the name of the present authorized official. On June 18, 2018, Mayor Dr. Armando O'caña was sworn into to office as the newly elected Mayor; therefore, he would now be designated as the authorized official. Staff was requesting a favorable recommendation for the updated resolution.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to approve Resolution No. 1558 for the 2019 Local Border Security Program grant from the Office of the Governor (OOG), Grant # 2992604. Motion was seconded by Councilman Plata and approved unanimously 5-0.

RESOLUTION NO. 1558

FOR THE 2019 LOCAL BORDER SECURITY PROGRAM GRANT FROM THE OFFICE OF THE GOVERNOR (OOG), GRANT # 2992604

4.8 Approval of Resolution No. 1559 for the 2017 Operation Stonegarden program grant from the Office of the Governor (OOG) for FY 2018-2019 grant year (OOG# 3172903)

The Office of the Governor had requested each resolution with the previous authorized official be updated with the name of the present authorized official. On June 18, 2018, Mayor Dr. Armando O'caña was sworn into office as the newly elected Mayor; therefore, he would now be designated as the authorized official. Staff was requesting a favorable recommendation for the updated resolution.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Resolution No. 1559 for the 2017 Operation Stonegarden program grant from the Office of the Governor (OOG) for FY 2018-2019 grant year (OOG# 3172903). Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

RESOLUTION NO. 1559

FOR THE 2017 OPERATION STONEGARDEN PROGRAM GRANT FROM THE OFFICE OF THE GOVERNOR (OOG) FOR FY 2018-2019 GRANT YEAR (OOG# 3172903)

4.9 Approval of a Resolution No. 1560 for the 2016 Operation Stonegarden program grant from the Office of the Governor (OOG) for FY 2016 grant year (OOG# 3172902)

The Office of the Governor had requested each resolution with the previous authorized official be updated with the name of the present authorized official. On June 18, 2018, Mayor Dr. Armando O'caña was sworn into to office as the newly elected Mayor; therefore, he will now be designated as the authorized official. Staff is requesting a favorable recommendation for the updated resolution.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to approve Resolution No. 1560 for the 2016 Operation Stonegarden program grant from the Office of the Governor (OOG) for FY 2016 grant year (OOG# 3172902). Motion was seconded by Councilman Plata and approved unanimously 5-0.

RESOLUTION NO. 1560

FOR THE 2016 OPERATION STONEGARDEN PROGRAM GRANT FROM THE OFFICE OF THE GOVERNOR (OOG) FOR FY 2016 GRANT YEAR (OOG# 3172902)

4.10 Approval of Resolution No. 1561 requesting financial assistance from the Texas Water Development Board (TWDB); authorizing the filing of an application for such assistance; and designating the Mayor as the designated authorized representative

Staff was requesting approval of the resolution requesting financial assistance from the Texas Water Development Board (TWDB); authorizing the filing of an application for such assistance; and designating the Mayor as the designated authorized representative. The application would be filed and authorized with TWDB in an amount not to exceed \$5,104,000.00 to provide for the cost of the construction of the North Mission EDAP Project.

Staff and City Manager recommended approval.

Councilman Plat moved to approve Resolution No. 1561 requesting financial assistance from the Texas Water Development Board (TWDB); authorizing the filing of an application for such assistance; and designating the Mayor as the designated authorized representative. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

RESOLUTION NO. 1561

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD; AUTHORIZING THE FILING OF AN APPLICATION FOR ASSISTANCE; AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH

4.11 Authorization to Execute Payment for Emergency for North Water Treatment Plant Filter No. 12 Repair

In accordance with Local Government Code, General Exceptions, Paragraph 252.022 (a)(1)(2) “a procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality’s residents or to preserve the property of the municipality” and “a procurement necessary to preserve or protect the public health or safety of the municipality’s residents”, hence staff is seeking authorization as an “Emergency Purchase” for potable water Filter No. 12 Repairs due to media loss thru under drain. The potential risk was water production reduction and increase in water loss for back washing.

Request to execute payment for repairs by JMJ Constructors not to exceed \$26,706.50 to include Sand and Anthracite Media Replacement and Labor once emergency project was complete.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to execute payment for emergency for North Water Treatment Plant Filter No. 12 Repair. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.12 Approval of Ordinance # 4654 amending the Personnel Policy Manual by revising Policy 200.08 Nepotism

Upon reviewing the Personnel Policy Manual section 200.08, it was determined that our current policy was more restrictive than state law mandates. The amendment of this section of the policy was to be consistent with state law, this would allow those residents that were willing to participate in committees and advisory boards, to be appointed.

Staff Recommendation: Seek direction.

Councilwoman Ochoa entertained a motion to approve Ordinance No. 4654 amending the Personnel Policy Manual by revising Policy 200.08 Nepotism. Motion was seconded by Councilman Gus Martinez.

Mayor O'caña asked if there were any questions from the council.

Councilwoman Ochoa questioned H.R. Director Noemi Munguia if this was only for advisory boards who were nonpaying residents that would like to participate in the current advisory boards.

H.R. Director Munguia affirmed Councilwoman Ocha that this was only for committee advisory boards and would not affect the employment portion of the policy.

Mayor O'caña advised that both his son and brother have participated in advisory boards and were not been compensated for it. He also stated that historically speaking this had

After much discussion from the council, City Attorney Abiel Flores advised the council that if they wished to convene into executive session V.T.C.A. Gov. Code Sec. 551.00 so that he could address those questions and discussed the legal matters as it pertains to state law.

Mayor O'caña asked Council to go into Executive Session.

At 5:40 p.m., Councilwoman Ochoa moved to convene into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001. Motion was seconded by Councilman Gus Martinez and approved unanimously 5-0.

At 6:45 p.m., Mayor Pro Tem Garza moved to reconvene in open session. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

City Attorney Flores briefed the council on the following: After reviewing the supporting documentation for this item staff had recommended an amendment for Subsection A that would of removed appointed to serve from that subsection, however after consultation with attorney in executive session it was the consensus of the council that instead of that amendment an additional line be added after Subsection A to indicate the Following: This section does not apply to the appointment of advisory board members or volunteers as per State Law. A motion would be needed from the council recommending this modification to the policy.

Mayor O'caña asked the Councilmembers that had made the previous motion to approve the item if they wished to withdraw their motion. Both Councilwoman Ochoa and Councilman Martinez withdrew their motion.

Mayor Pro Tem Garza moved to approve the Ordinance No. 4654 amending the Personnel Policy Manual by revising Policy 200.08 Nepotism, as corrected and stated by the City Attorney and also adding a separate chapter that directly relates to advisory boards and volunteers. Motion was seconded by Councilwoman Ochoa and approved 4-1, with Councilman Plata voting against.

Mayor O'caña asked the council if there was any other feedback or comments.

Councilman Plata mentioned that he would like any changes made to personnel policy be discussed in a work shop. He also mentioned that he knew the intention was good but personally didn't feel comfortable voting because it affected a lot of people so that's why he voted against it.

Councilwoman Ochoa mentioned that she had posted the question to the city attorney about family members serving on advisory boards because she wanted to do the right thing since she is for transparency and accountability.

ORDINANCE NO. 4654

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AMENDING ORDINANCE NO. 4610 TO AMEND AND RESTATE THE PERSONNEL POLICY MANUAL FOR EMPLOYEES OF THE CITY OF MISSION, TEXAS; PROVIDING FOR A PUBLICATION CLAUSE AND AN EFFECTIVE DATE

4.13 Approval of Resolution # 1562 authorizing publication of the City's Notice of Intent to issue Certificates of Obligation in an amount not to exceed \$12,500,000 as authorized under state law for purposes of paying contractual obligations of the City to be incurred for certain projects and to pay for the cost of issuance of the Certificates of Obligations and making other provisions regarding matters incident thereto

Staff was seeking authorization of the issuance of certificates of obligation in an amount not to exceed \$12,500,000 for the following purposes: The purchase of commercial sanitation vehicles and commercial garbage bins; construction, repair, rehabilitation and renovation of municipal buildings; to include professional services for the purpose of planning and designing improvements; and payment of the costs of issuance of the certificates of obligation.

The action required in this item was the approval of the mentioned above caption order to complete the formal process for the tax note financing.

RBC Capital Markets our financial advisor would be present along with a representative of J. Ramirez Law Firm Bond Council to the City.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Resolution No. 1562 authorizing publication of the City's Notice of Intent to issue Certificates of Obligation in an amount not to exceed \$12,500,000 as authorized under state law for purposes of paying contractual obligations of the City to be incurred for certain projects and to pay for the cost of issuance of the Certificates of Obligations and making other provisions regarding matters incident thereto. Motion was seconded by Councilman Plata and approved unanimously 5-0.

RESOLUTION NO. 1562

A RESOLUTION AUTHORIZING PUBLICATION OF THE CITY'S NOTICE OF INTENT TO ISSUE CERTIFICATES OF OBLIGATION IN AN AMOUNT NOT TO EXCEED \$12,500,000 AS AUTHORIZED UNDER STATE LAW FOR PURPOSES OF PAYING CONTRACTUAL OBLIGATIONS OF THE CITY TO BE INCURRED FOR CERTAIN PROJECTS AND TO PAY FOR THE COST OF ISSUANCE OF THE CERTIFICATES OF OBLIGATIONS AND MAKING OTHER PROVISIONS REGARDING MATTERS INCIDENT THERETO

4.14 Approval of Resolution # 1563 designating the Mayor of the City of Mission as authorized representative of the City of Mission to Give Notice of Intent to reimburse expenditures with proceeds of Tax Exempt Obligations

This Resolution designated the Mayor as the authorized representative of the City of Mission to give notice of intent to reimburse expenditures with proceeds of tax exempt obligations. The purchase of commercial sanitation vehicles and commercial garbage bins; construction, repair, rehabilitation and renovation of municipal buildings; to include professional services for the purpose of planning and designing improvements; and payment of the costs of issuance of the certificates of obligation.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Resolution No. 1563 designating the Mayor of the City of Mission as authorized representative of the City of Mission to Give Notice of Intent to reimburse expenditures with proceeds of Tax Exempt Obligations. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

RESOLUTION NO. 1563

A RESOLUTION DESIGNATING THE MAYOR OF THE CITY OF MISSION AS AUTHORIZED REPRESENTATIVE OF THE CITY OF MISSION TO GIVE NOTICE OF INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF TAX EXEMPT OBLIGATIONS

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

City Manager Garza advised the public that him and Mayor O'caña had attended a meeting at Weslaco regarding FEMA. He advised that FEMA was already in the Valley.

6.2 Mayor's Comments

Mayor O'cana advised the public about the three levels of the FEMA application. He also mentioned that starting in August City Council meetings would be starting at 5:30 p.m.

6.3 City Council Comments

Councilman Martinez expressed his condolences to the family of Firefighter Gilbert Garcia.

Mayor Pro Tem Garza had no comments.

Councilman Plata had no comments.

Councilwoman Ortega reported that City Manager Garza had given her an update that he had made contact with an agency that would be possibly helping with an independent performance of management review of all departments.

Mayor O'caña asked Council to go into Executive Session.

At 6:17 p.m., Councilman Plata moved to convene into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001 for item 7.1-A. Motion was seconded by Councilman Martinez and approved unanimously 5-0.

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

7.1 Personnel matters. Texas Gov't Code §551.074

A. Deliberation and action regarding the appointment, evaluation, duties and other employment matters relating to the following municipal court judicial appointments:

- 1. Presiding Judge (Johnathan Wehrmeister)**
- 2. Alternate Judge (Horacio Peña)**
- 3. Alternate Judge (Mauro Reyna)**
- 4. Alternate Judge (Ramon Rosales)**

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

At 7:04 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

On item 7.1-A, Councilwoman Ochoa moved to authorize the appointment made by Mayor O'caña of Councilman Plata, Councilman Martinez, City Manager Garza and City Attorney Flores to the subcommittee that will assess and evaluate the municipal court's so as to expand services to the community. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

8.0 Adjournment

At 7:05 p.m., Mayor Pro Tem Garza moved for adjournment. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ATTEST:

Dr. Armando O'caña, Mayor

Anna Carrillo, City Secretary