

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
NOVEMBER 23, 2009 4:30 P.M.  
MISSION CITY HALL**

**PRESENT:**

Norberto Salinas, Mayor  
Maria Elena Ramirez, Councilwoman  
Ruben D. Plata, Councilman  
Norie Gonzalez Garza, Councilwoman  
Leo Olivarez, Mayor Pro Tem  
Anna Carrillo, City Secretary  
Julio Cerda, City Manager  
Darrel Davis, Acting City Attorney

**ABSENT:**

**ALSO PRESENT:**

Kathy Olivarez, Progress Times  
Enrique Garza  
Evangelina Garza  
Edward Sieger  
Javier Ornelas  
Maria G. Galvan  
Maxilou Link  
Justo S. Gonzalez  
Gloria Vanderbeck  
Ana Mcnallen Makewski  
Ed Makewski  
Sonia Garcia  
Tomas Tijerina  
Arlene Rivera  
Pat Townsend Jr.  
Robert L Rivera  
Paul Vazaldua  
Stanley Acosta

**STAFF PRESENT:**

Nelia Hernandez, Asst. City Secretary  
Aida Lerma, Deputy City Manager  
Guillermo Seguin, Deputy City Manager  
Sergio Zavala, Planning Director  
Bobby Salinas, Subdivision Coordinator  
Roberto Salinas, City Engineer  
Paul Schaefer, Golf Course Director  
Joanne Longoria, CDBG Director  
Rick Saldana, Fire Chief  
Ruben Diaz, Public Works Director  
Victor Gonzalez, Streets Director  
Elizabeth Cabrera, Purchasing Director  
Noemi Munguia, HR Director  
Rosie Salazar, Risk Manager  
Leo Longoria, Chief of Police  
Robert Dominguez, Asst. Chief of Police  
Martin Garza, Asst. Chief of Police  
Janie Flores, Finance Director  
Randy Perez, Accountant  
Rolando Rodriguez, DP Manager  
Julian Gonzalez, Parks & Rec. Director  
Adela Ortega, Museum Director  
Rusty Dove, Library Director  
Jonathan Wehrmeister, Judge  
Omar Garcia, Boys & Girls Club 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 Julio Cerda gave the invocation.

### 3. Departmental Reports

Mayor Pro Tem Leo Olivarez moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Marie Elena Ramirez and approved unanimously 5-0.

### 4. Citizens Participation

Tomas Tijerina, gave a report to Mayor and Council on the 4<sup>th</sup> Annual Thanksgiving Dinner. He also Thanked the Mayor and Council for their support.

#### 1.0 Public Hearing

##### 1.1 Planning & Zoning Recommendations

###### **A. Conditional Use Permit: The Complimentary offering of Alcoholic Beverages for On-Site Consumption for a Social and/or Cultural Event on a Monthly Basis, 921 E. 12<sup>th</sup> St., Lot 1, Mission Library Subd., R-2, Upper Valley Art League**

The specific site was located just east of the Mission Library where paved parking was held in common. Ordinance No.3436 permits civic organizations to request such CUP's from city-owned buildings where complimentary alcoholic drinks would be offered (not sold) during a social/cultural event. The Upper Valley Art League was requesting that the City consider issuing a conditional use permit for their proposed monthly cultural/social events that would promote their artwork. During such events, wine would be available (complimentary). The Upper Valley Art League would be watchful of how much the patrons were served. There was no public opposition at P&Z's hearing. The P&Z unanimously approved of the conditional use permit.

Staff, P&Z and City Manager recommended approval.

Mayor Salinas asked if there were any comments for or against the CUP request. There was none.

Councilman Ruben Plata moved to approve the CUP The Complimentary offering of Alcoholic Beverages for On-Site Consumption for a Social and/or Cultural Event on a Monthly Basis, 921 E. 12<sup>th</sup> Street, Lot 1, Mission Library Subdivision, R-2, Upper Valley Art League as recommended. Motion was seconded by Councilwoman Norie Gonzalez Garza and approved unanimously 5-0.

###### **B. Public Hearing: Proposed Annexation to the following areas: Tract A: All of Lots 32-1, 32-2, 31-2, and North 30 acres of Lot 30-2, W.A.S. (to include all of lots in Basham No. 2 Subd., Vela-Zamora Subd., Alex Cavazos Subd., and Premier Subd.); and Tract B: Lots 2, 3, 4, & 6, Mission Farm Estates**

The properties were adjacent to Mission City Limits and City Water and City Sewer used and/or were available.

The institution of annexation proceedings will be on December 14, 2009

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

Mr. Enrique Garza, property owner of Lot 30-2, expressed his opposition to the proposed annexation. Basically because he was not receiving any services from the city and felt that even if the city did annex his property, he would not be fairly represented by the City of Mission based on the fact that none of the representatives lived in his area. He was also concerned about financial loss, since he leased his property to white wing hunters.

At 4:44 p.m. Mayor asked to go to item 4.23

## **2.0 Disposition of Minutes**

### **2.1 City Council Minutes – November 9, 2009 and November 16, 2009 Special Meeting**

Councilwoman Garza moved to approve the minutes as presented. Motion was seconded by Councilman Plata and approved unanimously 5-0.

## **3.0 Acknowledge Receipt of Minutes**

### **3.1 Mission Civil Service Commission – September 1, 2009 Mission Economic Development Corporation – October 20, 2009**

Councilwoman Garza 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 Approval of Ord. # 3520 for CUP for The Complimentary Offering of Alcoholic Beverages for On-Site Consumption for a Social and/or Cultural Event on a Monthly Basis, 921 E. 12<sup>th</sup> St., Lot 1, Mission Library Subd.**

Staff and City Manager recommended approval.

Councilman Plata moved to approve Ordinance No. 3520 for CUP for The Complimentary Offering of Alcoholic Beverages for On-Site Consumption for a Social and/or Cultural Event on a Monthly Basis, 921 E. 12<sup>th</sup> Street, Lot 1, Mission Library Subdivision as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

### **ORDINANCE NO. 3520**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE COMPLIMENTARY OFFERING OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION FOR A SOCIAL AND/OR CULTURAL EVENT ON A MONTHLY BASIS, 921 E. 12<sup>TH</sup> STREET, LOT 1, MISSION LIBRARY SUBDIVISION

### **4.2 Final Plat Approval: Almanza Subd., 1.0 acre tract out of all of Lot 34, Carlos Acres Subd., Rural ETJ, Developer: Lazaro & Cayetana Almanza Engineer: Hinojosa Engineering, Inc.**

- On July 27, 2009, the City Council approved the ‘Preliminary plat’ of the 2 lot-re-plat.
- Site was located in our Rural ETJ Business 83/Showers Rd. area.
- One additional water service line was installed and approved by the County of Hidalgo.

- One additional OSSF system had been installed and approved by the County of Hidalgo.
- The drainage report had been approved by Hidalgo County's Drainage District No.1.
- Letter from TWDB was provided citing their non-objection.
- Letter of Approval from the County of Hidalgo.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve the Final Plat Approval for Almanza Subdivision, 1.0 acre tract out of all of Lot 34, Carlos Acres Subdivision as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.3 Request by Sonia Garcia to Retain Part of Fence & Rolling Gate on Right-of-Way at 1305 Toni Lane aka Lot 16, Las Brisas II Subd.**

Mrs. Garcia resides at 1305 Toni Lane where the northwestern portion of her property was irregular due to a cul-de-sac feature. Since there was a curvature and her driveway was from this NW area, the wood fence/w rolling gate was not constructed with a curve but was straight, thus the inadvertent encroachment.

Staff and City Manager recommended approval subject to since the lots was irregular & there were no utilities in this ROW, Staff recommended approval subject to signing and recording a Hold Harmless document.

Mayor Pro Tem Olivarez moved to approve request by Sonia Garcia to Retain Part of Fence and Rolling Gate on Right-of-Way at 1305 Toni Lane aka Lot 16, Las Brusas II Subdivision as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

**4.4 Request by Edward Sieger to Retain 17" Retaining Structure on Right-of-Way at 2000 Tangelo, aka Lot 29, Royal Palms Subd.**

Mr. Sieger had resided at 2000 Tangelo Street for the past 29 years. Not realizing that Council action was required at that time, he built a 17" mini-retaining wall to prevent soil erosion onto Tangelo Street.

Staff and City Manager recommended approval.

Councilman Plata moved to approve request by Edward Sieger to Retain 17" Retaining Structure on Right-of-Way at 2000 Tangelo, aka Lot 29, Royal Palms Subdivision as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

**4.5 Request by Javier Ornelas to Retain Lattice Canopy at 1305 Emerald Lane aka Lots 5 & 6, Enchanted Valley Subd.**

Mr. Ornelas resides at 1305 Emerald Lane. He was not aware of the city code where Council approval was required to have a lattice canopy on part of the public's ROW.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve request by Javier Ornelas to Retain Lattice Canopy at 1305 Emerald Lane aka Lots 5 & 6, Enchanted Valley Subdivision as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.6 Authorization of request by Congressman Henry Cuellar for Lease Agreement at 117 E. Tom Landry**

U.S. House of Representatives district office had provided the City of Mission with a District Office Lease Agreement as approved by the Regulations of the Committee on House Administration.

Congressman Henry Cuellar would be leasing the office located at 117 East Tom Landry. The lease agreement would begin on December 1, 2009 and end on December 2010 at a cost of \$250.00 per month plus utility expenses.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve request by Congressman Henry Cuellar for Lease Agreement at 117 E. Tom Landry as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

**4.7 Authorization to accept the TDHCA-CDBG Disaster Recovery Program**

Staff was requesting authorization to accept the TDHCA-CDBG Disaster Recovery Program to address the effect of Hurricane Dolly for the amount of \$209,638 and authorize the City Manager to execute the contract and all necessary documents. The purpose of this grant was to provide rehabilitation assistance to approximately eight (8) eligible low income families. These funds were made available from the Community Development Program under the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009 (Public Law 110-329), appropriated by Congress through the United States Department of Housing and Urban Development.

Staff and City Manager recommended approval.

Councilman Plata moved to accept the TDHCA-CDBG Disaster recovery Program as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

**4.8 Authorization to accept the LRGVDC-Social Services Block Grant**

Staff was requesting authorization to accept the LRGVDC- Social Services Block Grant (SSBG) Supplemental Funding program for Emergency Disaster Relief Funds for the amount of \$153,497 and authorize the City Manager to execute the contract and all necessary documents. The purpose of this grant was to address the effect of Hurricane Dolly by providing weatherization assistance (roof repair/replacement) to approximately twenty-seven (27) eligible low income families. These funds were made available through the Texas Health and Human Services Commission (HHSC) to support current and long-term recovery efforts. The LRGVDC was one (1) of six (6) COG's to be provided Supplemental funding and had distributed these funds in a three (3) county area to include Hidalgo, Willacy and Cameron for a wide array of services.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to accept the LRGVDC-Social Services Block Grant as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

**4.9 Authorization to submit application for the FEMA FY 2009 SAFER Grant**

The Mission Fire Department was seeking authorization to submit a grant application to the Federal Emergency Management Agency 2009 SAFER Grant. The grant goes to support the organizations increase the number of trained, "front-line" firefighters available in our community and to comply with staffing, response and operational standards established by NFPA and OSHA (NFPA 1710 and/or NFPA 1720 and OSHA 1910.134. The performance period for this grant was 2 years. The grant had no prescribed cost share.

Staff and City Manager recommended approval.

Mayor Pro Tem Olivarez moved to authorize to submit application for the FEMA FY 2009 SAFER Grant as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.10 Authorization to solicit bids or purchase via state approved contract for Firefighters Personal Protective Gear**

The City of Mission was seeking authorization to solicit bids or purchase via state approved contract for 20 – 30 sets of Firefighters Personal Protective Gear. This protective gear would be used by the Fire Department to replace older gear and to be used for daily operations.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to authorize the solicitation of bids or purchase, via state approved contract, for the replacement of Firefighters Personal Protective Gear as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

**4.11 Authorization to accept donation of an “Out of Service” school bus from the La Joya ISD**

The Mission Fire Department solicited a donation of an “out of service” school bus (VIN# 1HVBBABN9SH699807) from the La Joya ISD for training purposes. The La Joya ISD School Board approved this request on September 27, 2009. The Mission Fire Department was requesting authorization to accept the donation of the “out of service” school bus.

Staff and City Manager recommended approval.

Councilman Plata moved to accept donation of an “Out of Service” school bus from the La Joya ISD as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

**4.12 Approval of Resolution # 1250 in favor of and in support of the proposed technically preferred alignments established by the Hidalgo County Regional Mobility Authority**

The Hidalgo County Regional Mobility Authority (RMA) was a regional mobility authority authorized to address mobility issues in and around Hidalgo County. The RMA had committed to develop the Hidalgo Loop that would serve the needs of all the citizens of Hidalgo County. The attached Resolution was in support of the Technically Preferred Alignment (TPA) crossing in the vicinity and/or through the City limits and Extraterritorial Jurisdiction (ETJ) of our City; as per map prepared by the Hidalgo County Road Builders (HCRB)

Staff and City Manager recommended approval.

Mr. Dennis Burluson Chairman from RMA and Mr. Godfrey Garza Executive Director were present for any questions or concerns

Councilwoman Garza moved to approve Resolution No. 1250 in favor of and in support of the proposed technically preferred alignments established by the Hidalgo County Regional Mobility Authority as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**RESOLUTION NO. 1250**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS IN FAVOR OF AND IN SUPPORT OF THE PROPOSED TECHNICALLY PREFERRED ALIGNMENTS ESTABLISHED BY THE HIDALCO COUNTY REGIONAL MOBILITY AUTHORITY

**4.13 Approval of Ord.# 3521 providing for a Four-Way Stop Intersection at Highland Park Ave. and East 2<sup>nd</sup> St.**

The Mission Police Department was requesting the approval of an ordinance to establish a 4-Way Stop Intersection on Highland Park Avenue and East 2<sup>nd</sup> Street. Police Department had received a number of complaints based on the high volume of traffic now at that intersection. Police staff was requesting that an ordinance be adopted to establish the 4-Way Stop Intersection.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Ordinance No. 3521 providing for a Four-Way Stop Intersection at Highland Park Avenue and East 2<sup>nd</sup> Street as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

**ORDINANCE NO. 3521**

AN ORDINANCE OF THE CITY OF MISSION, TEXAS PROVIDING FOR A TRAFFIC CONTROL DEVICE BEING A FOUR-WAY STOP SIGN AT THE INTERSECTION OF HIGHLAND PARK AVENUE AND EAST 2<sup>ND</sup> STREET; PROVIDING FOR INSTALLATION OF SAID TRAFFIC CONTROL DEVICES BEING STOP SIGNS AND PROPER SIGNAGE THEROF AND MAKING THE PENALTY PROVISIONS OF THE STATE TRANSPORTATION CODE AND TRAFFIC ORDINANCES OF THE CITY OF MISSION APPICABLE THERETO:

**4.14 Authorization to enter into an Interlocal Agreement for Enhanced 911 Public Safety Answering Point Services between the Lower Rio Grande Valley Development Council and City of Mission, Texas**

The Mission Police Department was requesting authorization to enter into an Interlocal Agreement for Enhanced 911 Services, PSAP Equipment and Addressing/Addressing Maintenance with the Lower Rio Grande Valley Development Council. The agreement outlines the responsibilities of each entity for the purpose of complying with Chapter 771 of the Health and Safety Code. The primary purpose of the agreement was to outline both entity's responsibilities in maintaining Enhanced 911 Services, the equipment utilized for operating the city's 911 system to include all addressing equipment and maintenance. If approved, the Interlocal Agreement would be valid until August 31, 2011. Staff was seeking a favorable recommendation.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to authorize to enter into an Interlocal Agreement for Enhanced 911 Public Safety Answering Point Services between the Lower Rio Grande Valley Development Council and the City of Mission as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.15 Authorization to solicit bids for the purchase of Waterline Material to connect water distribution system from Inspiration Rd. to Military Rd.**

Staff was seeking authorization to solicit bids for the purchase of waterline material to connect water distribution system from Inspiration Road to Military Road. The improvements would loop the water system increase water pressure in the area and provide International Butterfly Park (NABA) with water service and fire protection.

Staff and City Manager recommended approval.

Mayor Salinas advised staff that anyone that ties into the waterlines would have to pay the quota share.

Mayor Pro Tem Olivarez moved to award bid for the purchase of Waterline Material to connect water distribution system from Inspiration Road to Military Road as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.16 Authorization to extend contract for one year for Cold Water Meters for Water Works Distribution Department**

On November 10, 2008, the City of Mission extended the contract for cold water meters with US Metering & Technology. The contract terms were for one (1) year with two (2) one-year optional extensions based on 0% increase in price. This was the second and final year for renewal. The price would remain the same for all items. Staff was seeking authorization to extend contract for one (1) year with US Metering & Technology. Terms of Contract: October '09 – September '10.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize to extend contract for one year for Cold Water Meters for Water Works Distribution Department as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.17 Authorization to extend contract for one year for "Sludge Disposal Services" for Public Works' Departments**

On November 10, 2008, the City of Mission extended the contract for sludge disposal services with Terra Renewal. The contract terms were for one (1) year with three (3) one-year optional extensions based on 3% increase in price. This was the second year for renewal. The price would change by 3% increase. Staff was seeking authorization to extend contract for second optional year with Terra Renewal (TRS Envirogenics). Terms of Contract: December '09 – September '10.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to authorize to extend contract for one year for “Sludge Disposal Services” for Public Work’s Department as recommended. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

#### **4.18 Bid for Arbitrage Compliance Services for the City of Mission**

On September 14, 2009, City Council authorization staff to request for qualifications for arbitrage compliance services for the City of Mission. Based on the evaluation of the request for qualifications submitted, staff recommended awarding to Arbitrage Compliance Specialists, Inc. Arbitrage Compliance Specialist, Inc. submitted the lowest base bid that included several other services.

Staff and City Manager recommended approval.

Councilman Plata moved to approve bid for Arbitrage Compliance Services for the City of Mission as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

#### **4.19 Bid for purchase of Self Contained Breathing Apparatuses (SCBAs) for Fire Department and authorize to re-bid**

On October 12, 2009, City Council authorized staff to solicit bids purchase of self contained breathing apparatuses (SCBA’s) for Fire Department. The City of Mission had opened two (2) bid responses for the project Staff was recommending rejecting all bid responses. The first low bidder did not provide a bid bond and staff felt that re-bidding the project would give staff more and better responses.

Staff and City Manager recommended reject and re-bid.

Councilman Plata moved to reject and re-bid for the purchase of Self Contained Breathing Apparatuses (SCBAs) for Fire Department as recommended. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

#### **4.20 Bid for reparation of roof for the City of Mission - Community Center within the Catholic War Veterans’ Park grounds and authorize to re-bid**

On October 26, 2009, City Council authorized staff to solicit bids for the reparation of the City of Mission Community Center roof and facility asbestos remediation. The City of Mission had accepted and opened three (3) bid responses for the project. Staff along with Gomez, Mendez, Saenz, Inc, (Project Architects) recommended rejecting all bid responses. Staff felt that all bid responses were substantially grater than the budget set aside for the project.

Staff and City Manager recommended reject and re-bid.

Councilwoman Garza moved to reject and re-bid for reparation of roof for the City of Mission – Community Center within the Catholic War Veterans’ Park grounds as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.21 Authorize City Manager to engage Professional Services for City of Mission 2030 Comprehensive Master Plan Update**

After experiencing more residential growth, and commercial and industrial additions to the city since the adoption of the City of Mission 2020 Comprehensive Plan on August 22, 2005. City Manager was recommending that the City update the Comprehensive Master Plan thru 2030. The Plan was a very important tool that was used by the city administrators and department heads as the city kept the substantial growth. The Comprehensive Master Plan would assist the City Manager’s office in strategic planning, community profiling/demographics, population project, transportation issues, future road improvements, water-wastewater-drainage projections and website development. All these phases would be part of the Comprehensive Plan for short and long-range planning.

A professional services contact had been provided by Vazaldua & Associates who updated the plan in 2005.

Staff and City Manager recommended approval.

Mayor Salinas recommended having the Master Plan Update as soon as possible

Staff was going to have a meeting on Tuesday December 1, 2009 at 9:00 a.m. with Paul Vazaldua from Vazaldua & Associates to begin the discussion regarding the 2030 Master Plan. The meeting would be held at City Hall in the Community Room.

Councilwoman Ramirez moved to authorize City Manger to engage Professional Services for City of Mission 2030 Comprehensive Master Plan Update as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.22 Request on Ordinances Governing The Presence of Animals in the City of Mission, Texas**

At the City Council Meeting of November 09, 2009, City Attorney David Guerra was asked to report to the Mayor and Council on the City’s ordinances governing the presence of animals in the City.

Acting City Attorney Darrell Davis presented this item.

No action was taken on this item.

**4.23 Consider and approve Ord.# 3519 authorizing the issuance, sale and delivery of City of Mission, Texas Waterworks and Sewer System Junior Lien Revenue Bonds, Taxable Series 2009, providing for the payment of the bonds from a junior lien on and pledge of the net revenues of the City's waterworks and sewer system to the payment of the principal of such bonds equally and ratably with the junior lien bonds; providing for the terms and conditions of such bonds; resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of the bonds; approving an application to, and the lending rate scale offered by, the Texas Water Development**

**Board; and making other provisions regarding such bonds and matters incident thereto**

The action required in this item was the approval of the mentioned above caption order in order to authorize sale of bonds. The bond issued was for \$8,285,000.

The City was looking to expand the water plan to have an additional 5MGD's for a total capacity of 24.9MGD's and additional water lines to various locations throughout the city. This allowed the City to provide service and stay in compliance with TCEQ regulations until the year 2012 based on current development growth.

Mr. Dusty Trailer from RBC Capital Mortgage financial advisor was presenting a final analysis of the bond financing that was proposed. Mr. Chui Ramirez from Ramirez & Guerra, LLP bond counsel of the City, was also present.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve Ordinance No. 3519 authorizing the issuance, sale and delivery of City of Mission, Texas Waterworks and Sewer System Junior Lien Revenue Bonds, Taxable Series 2009, providing for the payment of the bonds from a junior lien on and pledge of the net revenues of the City's waterworks and sewer system to the payment of the principal of such bonds equally and ratably with the junior lien bonds; providing for the terms and conditions of such bonds; resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of the bonds; approving an application to, and the lending rate scale offered by, the Texas Water Development Board; and making other provisions regarding such bonds and matters incident thereto as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 3519**

AN ORDINANCE OF THE CITY OF MISSION, TEXAS AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF CITY OF MISSION, TEXAS WATERWORKS AND SEWER SYSTEM JUNIOR LIEN REVENUE BONDS, TEXABLE SERIES 2009, PROVIDING FOR THE PAYMENT OF THE BONDS FROM A JUNIOR LIEN ON AND PLEDGE OF THE NET REVENUES OF THE CITY'S WATERWORKS AND SEWER SYSTEM TO THE PAYMENT OF THE PRINCIPAL OF SUCH BONDS EQUALLY AND RATABLY WITH THE JUNIOR LIEN BONDS; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF THE BONDS; APPROVING AN APPLICATION TO, AND THE LENDING RATE SCALE OFFERED BY, THE TEXAS WATER DEVELOPMENT BOARD; AND MAKING OTHER PROVISIONS REGARDING SUCH BONDS AND MATTERS INCIDENT THERETO

At 4:47 p.m. Mayor asked to go back to item 2.1

**5.0 Unfinished Business**

None

**6.0 Routine Matters**

**6.1 City Manager's Comments**

None

**6.2 Mayor's Comments**

None

At 5:31 p.m., Councilman Plata moved to convene into executive session. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

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

**7.1 Personnel or to hear complaints against personnel, Sec. 551.074**

**A. Approval of Professional Services Contract for Mark Sossi, P.C.**

**7.2 Private consultation with the City Attorney Sec. 551.071**

**A. City of Mission v. City of Alton, SOAH DOCKET NOS. 582-083825, 582-09-3548 and 582-09-5330, TCEQ DOCKET NOS. 2008-0955-UCR, 2009-0350-UCR and 2009-0847-UCR**

**B. Parcel 24, Mile 2 North Rd. Project**

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

**A. All or Portions of Lots 1, 2, 3, 6, 7, 8, 9, & 10 of Block 157, Original Townsite, of Mission, Hidalgo County Texas**

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

At 5:57 p.m., Mayor Pro Tem Olivarez moved to reconvene in open session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

On item 7.1-A, Councilwoman Garza moved to approve the Professional Services Contract for Mark Sossi, P.C. Motion was seconded by Mayor Pro Tem Olivarez and approved unanimously 5-0.

No action was taken on item 7.2-A,

No action was taken on item 7.2-B,

No action was taken on item 7.3-A,

**8.0 Adjournment**

At 5:58 p.m., Councilwoman Garza moved for adjournment. Motion was seconded by Councilman Plata and approved unanimously 5-0.

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Norberto Salinas, Mayor

ATTEST:

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Anna Carrillo, City Secretary