

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
MARCH 27, 2017 4:30 P.M.
MISSION CITY HALL**

PRESENT:

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

ALSO PRESENT:

Joe Clinton- Progress Times
Beth Barnes
Priscilla Garza
Nancy Flores
Yolanda Garza
Ismael Morin
Cita G. Jimenez
Yvonne Perales

ABSENT:

Ruben D. Plata, Councilman

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Paula Banda, Administrative Assistant
Aida Lerma, Deputy City Manager
Randy Perez, Deputy City Manager
Elizabeth Hernandez, Executive Secretary
Angie Vela, Finance Director
Ezeiza Garcia, Asst. Finance Director
Jaime Acevedo, Planning Director
Virgil Gonzalez, Chief Building Inspector
Noemi Munguia, HR Director
Robert Hinojosa, Risk Manager
Eduardo Belmarez, Purchasing Director
Roland Rodriguez, I. T. Director
Juan Pablo Terrazas, City Engineer
Roberto Salinas, Public Works Director
Jesse Lerma, Civil Service Director
Gilbert Sanchez, Interim Fire Chief
James Cardoza, Emergency Mngmnt. Coord.
Robert Dominguez, Chief of Police
Joanne Longoria, CDBG Director
Mario Flores, Golf Course Director
Brad Bentsen, Parks & Recreation Director
Mayra Rocha, Library Director
Cynthia Lopez, Museum Director
Cesar Gutierrez, Sanitation Director
Daniel Silva, MEDC, Chief Officer Of Operation
JC Avila, Fleet Maintenance Director
Hector Guzman, Water Dept. Manager
Joel Chapa, Jr., Police Officer
Charlie Longoria, Media Relations

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:37 p.m.

2. Invocation and Pledge Allegiance

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

3. Proclamation – Crime Victims’s Rights Week

Chief Roberto Dominguez presented the Proclamation – Crime Victims Rights Week.

Councilwoman Jessica Ortega-Ochoa moved to approve the Proclamation – Crime Victims Rights Week. Motion was seconded by Councilman Armando O’cana and approved unanimously 3-0.

4. Report from the Greater Mission Chamber of Commerce

Mr. Dan Martin reported on recent ribbon cuttings and events. He advised the Council of the All Fore the Kids Golf Tournament to be held on May 10 and on a ribbon cutting for Pollo Loco on March 30.

5. Departmental Reports

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

6. J.J. Garza – Mayberry Neighborhood Facility

Mr. Garza thanked the Mayor and City Council for the plaque that was installed at the Mayberry Neighborhood Facility.

At 4:49 p.m., Mrs. Norie Gonzalez-Garza joined the meeting.

7. Citizens Participation

None

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

- A. Rezoning: Lots 2 & 3, Block 2, Dick Hall’s North Conway Subd. #1, R-1 (Single Family Residential) to C-3 (General Business), Yvonne Perales, Adoption of Ordinance # 4482 approving 1.1A**

On March 8, 2017 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located at the NW corner of Oblate Street and E. Griffin Parkway (F.M. 495). There was no public opposition during the P&Z Mtg. The Board unanimously recommended denial of C-3 zone but instead approved a C-2.

Staff Recommendation: Denial of the General Business (C-3) request but support of a Neighborhood Commercial (C-2) designation.

Staff and City Manager recommended approval of a C-2 Zone.

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

There were no comments.

Mayor Pro Tem Garza moved to approve the rezoning and to adopt Ordinance No. 4482 Rezoning: Lots 2 & 3, Block 2, Dick Hall's North Conway Subd. #1, R-1 (Single Family Residential) to C-2 (General Business), as recommended by staff. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

ORDINANCE NO. 4482

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING OF LOTS 2 & 3, BLOCK 2, DICK HALL'S NORTH CONWAY
SUBDIVISION #1, FROM R-1 TO C-2

**B. Rezoning: A 4.33 acre tract of land out of Lot 20-4, West Addition to Sharyland Subd. R-1 (Single Family Residential) & C-2 (Neighborhood Commercial) to R-1T (Townhouse Residential), FrutMich, Inc, c/o Luis Valencia
Adoption of Ordinance # _____ approving 1.1B**

On March 22, 2017 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located at the SW corner of Holland and Business Highway 83. There was public opposition during the P&Z Meeting and the concerns were that they would like to keep this area residential. The Board unanimously recommended denial.

Staff Recommendation: Denial.

Staff and City Manager recommended denial.

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

Councilman O'cana asked if the zoning was not approved what would happen to the property. Jaime Acevedo, Planning Director stated that the property was currently zoned R-1 Single Family Residential.

There were no further comments.

Councilwoman Ochoa moved to deny the rezoning A 4.33 acre tract of land out of Lot 20-4, West Addition to Sharyland Subd. R-1 (Single Family Residential) & C-2 (Neighborhood Commercial) to R-1T (Townhouse Residential). Motion was seconded by Mayor Pro Tem Garza and denied 3-1 with Councilman O'cana voting against the motion.

**C. Rezoning: 10.36 acre tract of land out of Lot 20-4, West Addition to Sharyland Subd., R-1 (Single Family Residential) & C-2 (Neighborhood Commercial) to R-2 (Duplex-Fourplex Residential), FrutMich, Inc., c/o Luis Valencia,
Adoption of Ordinance # _____ approving 1.1C**

On March 22, 2017 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located at the SW corner of Holland and Business Highway 83. There was public opposition during the P&Z Meeting and the concerns were that they would like to keep this area residential. The Board unanimously recommended denial.

Staff Recommendation: Denial.

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Staff and City Manager recommended denial.

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

Councilman O'cana asked if the zoning was not approved what would happen to the property. Jaime Acevedo, Planning Director stated that the property was currently zoned R-1 Single Family Residential.

There were no further comments.

Councilwoman Ochoa moved to deny the rezoning 10.36 acre tract of land out of Lot 20-4, West Addition to Sharyland Subd., R-1 (Single Family Residential) & C-2 (Neighborhood Commercial) to R-2 (Duplex-Fourplex Residential). Motion was seconded by Mayor Pro Tem Garza and denied 3-1, with Councilman Ocana voting against the motion.

**D. Conditional Use Permit: To keep an 8' x 32' Portable Building for Office Use, 1801 W. Expressway 83, Lot 1, E. Fabela Subd.C-3, Enrique Fabela
Adoption of Ordinance # _____ approving 1.1D**

On March 8, 2017 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The site was 2,000' east of Inspiration Road along the south side of Expressway 83. There was no public opposition during the P&Z Mtg. The Board unanimously recommended denial.

Staff Recommendation: Denial.

Staff and City Manager recommended denial.

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

There were no comments.

Mayor Pro Tem Garza moved to deny the Conditional Use Permit: To keep an 8' x 32' Portable Building for Office Use, 1801 W. Expressway 83, Lot 1, E. Fabela Subd.C-3. Motion was seconded by Councilwoman Ochoa and denied unanimously 4-0.

**E. Conditional Use Permit: Drive-Thru Service Window– Dairy Queen Restaurant, 400 N. Shary Road, Lot 1, Treats & Eats Subd., No. 2, C-3, R & L Lozano Leasing
Adoption of Ordinance # 4483 approving 1.1E**

On March 8, 2017 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The site was located on the NE corner of Shary Road and E. 4th Street. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval for life of use.

Staff Recommendation: Approve for life of use.

Staff and City Manager recommended approval.

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

There were no comments.

Councilman O'cana moved to approve the cup and to adopt Ordinance No. 4483 Conditional Use Permit: Drive-Thru Service Window– Dairy Queen Restaurant, 400 N. Shary Road, Lot 1, Treats & Eats Subd., No. 2, C-3. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

ORDINANCE NO. 4483

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU SERVICE WINDOW – DAIRY QUEEN RESTAURANT, 400 N. SHARY ROAD, LOT 1, TREATS & EATS SUBDIVISION NO. 2

F. Conditional Use Permit: To keep an 11' x 64' Portable Building for Sales Office Use, 1519 E. Expressway 83, Lot 4, Henry Saenz Subd.C-4, American Dream Vacations Adoption of Ordinance # 4484 approving 1.1F

On March 8, 2017 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The site was located 600' west of Stewart Road along the north side of the Expressway 83 Frontage Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval for 1 year.

Staff Recommendation: Approval subject to: 1) 1 year approval, and 2) continue to maintain and improve the landscaping along the frontage area of the property.

Staff and City Manager recommended approval.

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

There were no comments.

Councilman O'cana moved to approve the cup and to adopt Ordinance No. 4484 Conditional Use Permit: To keep an 11' x 64' Portable Building for Sales Office Use, 1519 E. Expressway 83, Lot 4, Henry Saenz Subd.C-4, American Dream Vacations. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

ORDINANCE NO. 4484

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO KEEP AN 11' X 64' PORTABLE BUILDING FOR SALES OFFICE USE, 1519 E. EXPRESSWAY 83, LOT 4, HENRY SAENZ SUBDIVISION

G. Conditional Use Permit: Non-Residential Facilities on an R-1A Lot linked to the adjoining Waterford Gardens, 2211 Betty Drive, Lot 1, Pena Escondida Estates, R-1A, Lucille G. Cavazos Adoption of Ordinance #4485 approving 1.1G

On March 8, 2017 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The site was located at the northern perimeter of the 2200 block of Betty Drive. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval for life of use.

Staff Recommendation: Approval for life of use subject to: 1) CUP not be transferable to others, and 2) Continue to maintain the landscaping and wood fence in a professional manner, in particular, along the south side of the fence.

Staff and City Manager recommended approval.

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

Lucille G. Cavazos of 2211 Betty Dr. spoke in favor of the request.

Councilman O'cana moved to approve the cup and to adopt Ordinance No. 4485 Conditional Use Permit: Non-Residential Facilities on an R-1A Lot linked to the adjoining Waterford Gardens, 2211 Betty Drive, Lot 1, Pena Escondida Estates, R-1A. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

ORDINANCE NO. 4485

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR NON-RESIDENTIAL FACILITIES ON AN R-1A LOT LINKED TO THE ADJOINING WATERFORD GARDENS, 2211 BETTY DRIVE, LOT 1, PENA ESCONDIDA ESTATES

**H. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Guera Bar & Grill, 204 Melba Carter Street, Lots 35 & 36, Earnhard Subd. aka Melba Carter Subd.C-3, Jose Luis Marquez
Adoption of Ordinance # _____ approving 1.1H**

On March 22, 2017 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request for the sale and on-site consumption of alcoholic beverages. The site was located 450' east of S. Conway Avenue on the south side of Melba Carter Road. There was public opposition during the P&Z Meeting and the concerns were that they don't want this type of business in their neighborhood especially now that the City is making improvements to the neighborhood. The Board unanimously recommended denial.

Staff Recommendation: Denial due to: 1) large number of residences lots affected by request, 2) number of calls received by staff in opposition

Staff and City Manager recommended denial.

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

Mr. Ismael Morin of 201 Sugar Rd. Edinburg spoke in favor. Irma Garcia spoke on behalf of the neighborhood that was against the request.

Councilman O'cana moved to deny the Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Guera Bar & Grill, 204 Melba Carter Street, Lots 35 & 36, Earnhard Subd. aka Melba Carter Subd.C-3. Motion was seconded by Councilwoman Ochoa and denied unanimously 4-0.

2.0 Disposition of Minutes

2.1 City Council Meeting – March 13, 2017

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

3.0 Acknowledge Receipt of Minutes

3.1 Mission Economic Development Corporation –January 17, 2017

Mission Redevelopment Authority – January 24, 2017

Mission Tax Increment Reinvestment Zone – January 24, 2017

Planning & Zoning Commission – February 22, 2017

Shary Golf Course Advisory Board – February 7, 2017

Mayor Pro Tem Garza moved to acknowledge the receipt of minutes as presented. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

4.0 Approvals and Authorizations

4.1 Homestead Exemption Variance: The West 3.21 acres East 7.73 acres – South 13.2 acres excluding 2.68 acres in various tracts 0.36 acre gross, 0.30 acre net out of Lot 29-7, West Addition to Sharyland Subd., 303 E. Mile 2 Road, AO-I, Francis Garcia

On March 8, 2017 the Planning and Zoning Commission held a Public Hearing to consider this homestead exemption variance request. The property was located 200' east of Black Oak Lane along the north side of Mile 2 Road. The Board unanimously recommended approval as per staff's recommendation.

Staff Recommendation: Approval subject to compliance with Homestead Exemption Variance provisions: signing Affidavit, and the dedication of 20' of ROW along Mile 2 Road

City Manager recommended approval.

Councilwoman Ochoa moved to approve Homestead Exemption Variance: The West 3.21 acres East 7.73 acres – South 13.2 acres excluding 2.68 acres in various tracts 0.36 acre gross, 0.30 acre net out of Lot 29-7, West Addition to Sharyland Subd., 303 E. Mile 2 Road, AO-I. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

4.2 Acceptance of the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2016

Mrs. Angie Vela presented Acceptance of the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2016 for approval.

Staff and City Manager recommended approval.

Mr. Ricky Longoria, CPA, CSE Assurance Service partner with Burton, McCumber & Cortez, L.L.P, presented and answered questions from the council in reference to the audit. The audit was rendered an unmodified report for financial reporting and compliance.

Councilman O'cana moved to approve the Acceptance of the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2016. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

4.3 Renewal of Lease Agreement with Ramona G. Gonzalez on Lots 19 & 20, Block 173 Mission Original Townsite

The agreement with Ramona G. Gonzalez was related to the parking lot use behind the city Building located at 117 E. Tom Landry. Original agreement was entered in April 2002; lease agreement was up for renewal. Lease agreement was for \$2,200 a year.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the renewal of Lease Agreement with Ramona G. Gonzalez on Lots 19 & 20, Block 173 Mission Original Townsite. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.4 Authorization to accept the 2017 Law Enforcement Officer Standards and Education (LEOSE) funds from the Texas Comptroller of Public Accounts

The City of Mission Police Department was requesting authorization to accept the LEOSE funds from the Texas Comptroller of Public Accounts. The funds, totaling \$9,201.53 were to ensure the continuing education (training) of persons licensed under Chapter 1701 of the Occupation Code as peace officer.

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize to accept the 2017 Law Enforcement Officer Standards and Education (LEOSE) funds from the Texas Comptroller of Public Accounts. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

4.5 Authorization to accept the 2016 Operation Stonegarden Program Grant from the Office of the Governor's Homeland Security Grant Division, Grant #3172902

The City of Mission Police Department was requesting authorization to accept the 2016 Operation Stonegarden Program Grant from the Office of the Governors' Homeland Security Grant Division, Grant #3172902. The Mission Police Department had been awarded a total of \$ 250,000.00. The amount of \$ 119,120.00 would be utilized for the purchase of two (2) fully equipped Chevrolet Tahoe's. A total of \$130,880.00 would be utilized to pay for overtime for police officers to patrol the City of Mission with emphasis on the U.S. / Mexican Border in an effort to stop illegal drug trafficking and human trafficking.

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize to accept the 2016 Operation Stonegarden Program Grant from the Office of the Governor's Homeland Security Grant Division, Grant #3172902. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.6 Authorization to accept the City of Mission NIBRS Project Grant from the Office of the Governor's Homeland Security Grant Division for FY 2017 – 2018 grant year, Grant 3238201

The City of Mission Police Department was requesting authorization to accept the FY 2017 - 2018 NIBRS Project Grant from the Office of the Governors' Homeland Security Grant Division, Grant #3238201. The Mission Police Department was awarded \$26,700.00 to purchase a computer based

program which would incorporate with our existing New World System Software. The NIBRS software system would allow the Mission Police Department to convert from a Uniform Crime Reporting to an Incident Base Reporting System. This program would enhance our current reporting features. There was no cash match required from the City of Mission for this grant. Staff was respectfully requesting authorization to accept the NIBRS grant.

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize to accept the City of Mission NIBRS Project Grant from the Office of the Governor's Homeland Security Grant Division for FY 2017 – 2018 grant year, Grant 3238201. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.7 Authorization to accept the City of Mission Body Camera Project Grant from the Office of the Governor's Homeland Security Grant Division for FY 2017 – 2018 grant year, Grant #3238101

The City of Mission Police Department was requesting authorization to accept the FY 2017 - 2018 Body Camera Project Grant from the Office of the Governors' Homeland Security Grant Division, Grant #3238101. The Mission Police Department was awarded \$152,889.45 to purchase One Hundred and Fifty-Eight (158) body cameras. These cameras would be utilized to record police officer contacts with the general public while working their designated shifts. The City of Mission would provide a 20% cash match totaling \$39,998.55. The match amount would be paid through our Federal Drug Forfeiture Account. The total amount for this project would be \$192,870.00. Staff was respectfully requesting authorization to accept the body camera grant.

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize to accept the City of Mission Body Camera Project Grant from the Office of the Governor's Homeland Security Grant Division for FY 2017 – 2018 grant year, Grant #3238101. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.8 Approval of Resolution No. 1497 supporting the submission of a grant application to the Office of the Governor (OOG) for the 2018 Local Border Security Program grant

The Mission Police Department was requesting approval of a resolution in support of the submission of a grant application to the Office of the Governor (OOG) for the 2018 Local Border Security Program grant. The grant would allow the Mission Police Department to increase patrol presence throughout the City of Mission, especially in and around the U.S./Mexican border. The increased police presence would assist in deterring crime in our community to include border crime. The total amount of the grant request is \$250,000.00. There would be no cash match required from the City of Mission. Staff was requesting a favorable recommendation for the purpose of submitting the grant application.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Resolution No 1497 supporting the submission of a grant application to the Office of the Governor (OOG) for the 2018 Local Border Security Program grant. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

RESOLUTION NO. 1497

SUPPORTING THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR (OOG) FOR THE 2018 LOCAL BORDER SECURITY PROGRAM GRANT

4.9 Approval of Resolution No. 1498 authorizing the Mission Police Department to submit an Agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the Juan Diego Academy Spring Festival 5k run – 25 mile bike ride

The Mission Police Department was requesting approval of a resolution to submit an Agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the Juan Diego Academy Spring Festival 5k run and 25 mile bike trail. The agreement was required by the Texas Department of Transportation for the closure of the eastbound lane (right lane) of FM 1016 from FM 494 to Shary Road, turning southbound on Shary Road and ending back at the Juan Diego Academy Catholic Regional High School. In addition the 25 mile bike ride would consist of a bike ride on FM 494 and FM 1016. The Mission Police Department would be responsible for securing the route.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve of Resolution No. 1498 authorizing the Mission Police Department to submit an Agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the Juan Diego Academy Spring Festival 5k run – 25 mile bike ride. Motion was seconded by Councilman O'cana and approved unanimously 4-0.

RESOLUTION NO. 1498

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AUTHORIZING THE SUBMITTAL TO THE TEXAS DEPARTMENT OF TRANSPORTATION BY THE MISSION POLICE DEPARTMENT OF AN AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY OF THE EASTBOUND LANE OF TRAVEL (RIGHT LANE) OF FM 1016 FROM FM 494 TO SHARY ROAD, TURNING SOUTHBOUND ON SHARY ROAD FOR APPROXIMATELY FOUR (4) MILES AND ENDING AT THE JUAN DIEGO ACADEMY CATHOLIC REGIONAL HIGH SCHOOL; IN ADDITION THE TWENTY-FIVE (25) MILE BIKE RIDE WILL TRAVEL SOUTHBOUND ON FM 494 TO FM 1016, WESTBOUND ON FM 1016 TO FM 494, BACK SOUTHBOUND ON FM 494 AND CONTINUE NORTHBOUND ON FM 494 TO THE 1 ½ MILE MARKER, IT WILL THEN CONTINUE SOUTH TO FM 1016, WEST ON FM 1016 TO TRINITY ROAD, SOUTHBOUND ON FM 1016 ONTO FM 494 AND END AT JUAN DIEGO ACADEMY CATHOLIC REGIONAL HIGH SCHOOL LOCATED AT 5208 S. FM 494 FOR THE JUAN DIEGO ACADEMY SPRING FESTIVAL 5K – 25 MILE BIKE RIDE AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT THEREFORE;

4.10 Authorization to award bid for the construction of a 750,000 Gallon Elevated Water Tower

On January 23, 2017, City Council authorized staff to solicit bids for the construction of a 750,000 gallon elevated water tower. The City of Mission had accepted and opened two (2) bid responses for this project. Staff recommended awarding to Landmark Structures, LP who was the lowest responsible bidder meeting all specifications. Total base bid for this project was of 1,927,000 plus Alternate No. 1 at \$67,000 for a total Overall bid of \$1,994,000.

Staff Recommendation: Authorization to Award bid to Landmark Structures, LP.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to award bid for the construction of a 750,000 Gallon Elevated Water Tower to Landmark Structures, LP., as recommended by staff. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.11 Authorization to Solicit Bids for Boring Machine for the Public Works Department

Boring Machine was needed to cross water lines and sewer lines perpendicular on streets, sidewalks, driveways, storm drains and other utilities; minimizing above ground damage. The City's Boring Machine engine was no longer repairable and a new one was needed for continued operations.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to Solicit Bids for Boring Machine for the Public Works Department. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.12 Approval of Work Authorization No. 12 with Melden & Hunt related to the City of Mission Madero Water Tower Rehabilitation Project

Work Authorization No. 12 entails Plans, Specifications and Estimate for the replacement of the 10" Steel Vertical Pipe Main Water Service and Tank Bowl welding.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Work Authorization No. 12 with Melden & Hunt related to the City of Mission Madero Water Tower Rehabilitation Project. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.13 Approval of Interlocal Agreement between City of McAllen, County of Hidalgo and the City of Mission concerning certain Phase III improvements to Taylor Rd. from US 83 Expressway North to Mile 2 North

On July 22, 2013 the City of Mission, City of McAllen and County of Hidalgo entered into an Interlocal Agreement to cooperate in making needed transportation improvements to Taylor Road.

Phase III of the project development would extend Taylor Road from US 83 Expressway north to Mile 2 North. The City of Mission would continue to be the fiduciary agent for this project and would assume the role of project development lead. The City of Mission desires to complete Phase III of the project development which included Right-of-Way Acquisition, Compensable Utility Services and Construction Management Services including but not limited to Construction Inspection and Construction Materials Testing for this project.

The estimated total Phase III "Road" project's development cost would be \$3,559,804.90 of which the City Mission would contribute \$1,380,302.45 The County of Hidalgo would contribute a fix lump sum amount not to exceed \$799,200. The City of McAllen would contribute \$1,380,302.45 in 2 payments. The first payment would be due upon the execution of this agreement in the amount of \$690,151.00 The second payment would be due in October 2017 in the amount of \$690,151.00

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Mission, McAllen and the County would seek to fund the construction and ROW costs of this project through Hidalgo County MPO and TxDOT.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to approve the Interlocal Agreement between City of McAllen, County of Hidalgo and the City of Mission concerning certain Phase III improvements to Taylor Rd. from US 83 Expressway North to Mile 2 North. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

4.14 Tax Collection Report – February, 2017

Mrs. Vela presented the Tax Collection Report – February, 2017 for approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Tax Collection Report – February, 2017. Motion was seconded by Councilman O’cana and approved unanimously 4-0.

4.15 February 2017 Financial Statements

Mrs. Vela presented the January, 2017 Financial Statements for approval.

Staff and City Manager recommended approval.

Councilman O’cana moved to approve the January, 2017 Financial Statements. Motion was seconded by Councilwoman O’choa and approved unanimously 4-0.

4.16 Budget Amendments: PD Federal Sharing Fund, Designated Purpose Fund, MEDC Fund

Finance Director Vela presented budget amendments BA-17-18 to BA-17-20 to the City Council for approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza to approve budget amendments BA-17-18 to BA-17-20. Motion was seconded by Councilman O’cana and approved unanimously 4-0.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager’s Comments

City Manager Garza thanked the staff for a good financial report and introduced Jaime Acevedo as the Planning Director and Virgil Gonzalez as the Assistant Planning Director.

6.2 Mayor’s Comments

None

Mayor Salinas asked Council to go into Executive Session

At 6:04 p.m., Councilman O’cana moved to convene into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001 under “Consultation with Attorney”. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

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

7.1 Deliberations about Real Property Sec. 551.072

A. Consideration of the use of eminent domain, on behalf of the State of Texas, to acquire a .025 of an acre tract (1,080 sq. ft.) situated in Hidalgo County, Texas and also being a part or portion of Lot 6, Basham Subdivision Unit No. 6, according to the map or plat thereof recorded in Volume 21, Page 195, of the Map records of Hidalgo County, for the public purpose of construction or improvement of Inspiration Rd, and to resolve or acquire any necessary right of ways related to this project.

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

At 6:14 p.m. Councilwoman Ochoa moved to reconvene in open session. Motion was seconded by Councilman O’cana and approved unanimously 4-0.

On item 7.1-A, Councilman O’cana moved to approve Resolution No. 1499 use of eminent domain. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

RESOLUTION NO. 1499

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS DETERMINING THE PUBLIC NECESSITY FOR AND AUTHORIZING THE CITY MANAGER, CITY ATTORNEY AND ANY DESIGNEE, THE USE OF EMINENT DOMAIN, INCLUDING APPOINTING AN APPRAISER AND NEGOTIATOR; DETERMINING JUST COMPENSATION; AND INSTITUTING CONDEMNATION PROCEEDINGS, TO ACQUIRE FOR THE PUBLIC PURPOSE OF COMPLETING INSPIRATION ROAD IMPROVEMENT PROJECT

8.0 Adjournment

At 6:16 p.m. Councilman O’cana moved for adjournment. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary