

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
NOVEMBER 14, 2016 4:30 P.M.
MISSION CITY HALL**

PRESENT:

Norberto Salinas, Mayor
Jessica Ortega-Ochoa, Councilwoman
Ruben D. Plata, Councilman
Dr. Armando O'caña, Councilman
Abiel Flores, City Attorney
Anna Carrillo, City Secretary
Martin Garza, Jr., City Manager

ABSENT:

Norie Gonzalez Garza, Mayor Pro Tem
Jaime Tijerina, Deputy City Attorney

ALSO PRESENT:

Kathy Olivarez, Progress Times
Jim Brunson, Progress Times
James Cardoza
Hector Guzman
Julio Cerda
Isauro Trevino
Tony De la Tejera
Emanuel Hernandez
Richard Shulte
Glen Herndier
Bill Allen
Charles Perrina
Arnold Beeler
Linda Wright
Doug Wright
Risa Lopez
Russ Winters
M.B. Dyeie
Marie White
Eduard White
Lanette Dammann
Darlene Kowalke
Jim Dammann
Jim Kowalke
Perri Ann Huntley
Jim & Beth Barenese
David Balon
Cynthia Villarreal
Myron Spaude
Sandra Spaude
Jaime Enriquez
Pat Hood
Dez Hood

John Young
Jeni Young
Victor Trevino
Florence Anderson
Olague Bauza
Loris Bauza
Don Marcell
M. Victoria Guerra
Linda & Wayne Baer
Daphne Stewart
Don Neva
Marilyn Boswell
Carole Karnofsky
Danny Karnofsky
Leonor Farias
Joe Rodriguez
Patricia West
Romeo De Leon
Daniel Rodriguez
Glen Hockenbury
Leticia Garcia
Richard Sanchez
Ester P. Salinas
Cesar Wilson
C.F. Roldan
Thomas Morgan
Richard Paddock

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Aida Lerma, Deputy City Manager
Randy Perez, Deputy City Manager
Elizabeth Hernandez, Executive Secretary
Angie Vela, Finance Director
Danny Tijerina, Planning Director
Jaime Acevedo, Asst. Planning Director
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
Rene Lopez, Jr., Fire Chief
Gilbert Sanchez, Fire Marshal
Robert Dominguez, Chief of Police
Joanne Longoria, CDBG Director
Mario Flores, Golf Course Director
Luduvico Martinez, B & G Club Director
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
Adela Ortega, Mission Food Pantry Manager
Jesus Gonzalez, Police Officer
Paula Banda, Administrative Assistant

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:40 p.m.

2. Pledge Allegiance and Invocation

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

3. Report from the Greater Mission Chamber of Commerce

No report was presented.

4. Departmental Reports

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

5. Citizens Participation

City Manager Garza presented Fire Chief Rene Lopez, Jr. with a plaque on behalf of the Mayor and City Council for his retirement and 37 years of service to the City of Mission.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

- A. Rezoning: Lots 19, 20, & 21, Bryan Pointe Subd. Phase I, C-1 (Office Building) to C-3 (General Business), Romeo Deleon, Ordinance # 4422 approving 1.1A**

On October 26, 2016 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located near the NE corner of Bryan Road and E. 1st Street. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval of the C-3 zone.

Staff and City Manager recommended approval.

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

There were no comments.

Councilman O'cana moved to approve the rezoning and to adopt Ordinance No. 4422: Rezoning: Lots 19, 20, & 21, Bryan Pointe Subd. Phase I, C-1 (Office Building) to C-3 (General Business). Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 4422

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING OF LOTS 19, 20, & 21, BRYAN POINTE SUBDIVISION PHASE
I, FROM C-1 (OFFICE BUILDING) TO C-3 (GENERAL BUSINESS)

- B. Rezoning: A 0.521 acre tract of land out of the North 4 acres of Lot 172, John H. Shary Subd., R-1 (Single Family Residential) to C-3 (General Business), Mario A. Rodriguez,
Adoption of Ordinance # 4423 approving 1.1B**

On October 26, 2016 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located approximately ¼ mile north of U.S. Expressway 83 along the west side of Glasscock Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval of the C-3 zone.

Staff and City Manager recommended approval.

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

There were no comments.

Councilman O'cana moved to approve the rezoning and to adopt Ordinance No. 4423:
Rezoning: A 0.521 acre tract of land out of the North 4 acres of Lot 172, John H. Shary Subd., R-1 (Single Family Residential) to C-3 (General Business). Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 4423

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING OF A 0.521 ACRE TRACT OF LAND OUT OF THE NORTH 4
ACRES OF LOT 172, JOHN H. SHARY SUBDIVISION, FROM R-1 (SINGLE FAMILY
RESIDENTIAL) TO C-3 (GENERAL BUSINESS)

- C Rezoning: A 0.233 acre tract of land out of the North 4 acres of Lot 172, John H. Shary Subd., R-1 (Single Family Residential) to R1-T (Townhouse Residential), Mario A. Rodriguez,
Adoption of Ordinance # 4424 approving 1.1C**

On October 26, 2016 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located approximately ¼ mile north of US Expressway 83 along the west side of Glasscock Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval of the R1-T zone.

Staff and City Manager recommended approval.

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

There were no comments.

Councilman O'cana moved to approve the rezoning and to adopt Ordinance No. 4424:
Rezoning: A 0.233 acre tract of land out of the North 4 acres of Lot 172, John H. Shary Subd., R-1 (Single Family Residential) to R1-T (Townhouse Residential). Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 4424

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF A 0.233 ACRE TRACT OF LAND OUT OF THE NORTH 4 ACRES OF LOT 172, JOHN H. SHARY SUBDIVISION, FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R1-T (TOWNHOUSE RESIDENTIAL)

D. Rezoning: A 3.18 acre tract of land out of the North 4 acres of Lot 172, John H. Shary Subd., AO-P (Agricultural Open Permanent) to R1-T (Townhouse Residential), Mario A. Rodriguez, Adoption of Ordinance # 4425 approving 1.1D

On October 26, 2016 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located approximately ¼ mile north of US Expressway 83 along the west side of Glasscock Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval of the R1-T zone.

Staff and City Manager recommended approval.

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

There were no comments.

Councilman Plata moved to approve the rezoning and to adopt Ordinance No. 4425: Rezoning: A 3.18 acre tract of land out of the North 4 acres of Lot 172, John H. Shary Subd., AO-P (Agricultural Open Permanent) to R1-T (Townhouse Residential). Motion was seconded by Councilman O'cana and approved unanimously 4-0.

ORDINANCE NO. 4425

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF A 3.18 ACRE TRACT OF LAND OUT OF THE NORTH 4 ACRES OF LOT 172, JOHN H. SHARY SUBDIVISION, FROM AO-P (AGRICULTURAL OPEN PERMANENT) TO R1-T (TOWNHOUSE RESIDENTIAL)

E. Rezoning: A 6.658 acre tract of land out of Lot 16-2, West Addition to Sharyland Subd., PUD (C-2) to PUD (R-3), Eduardo Gamba, Adoption of Ordinance # _____ approving 1.1E

On October 26, 2016 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located along the south side of Mile One South between Scenic Way and Los Ebanos Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval of the PUD (R-3) zone.

Staff recommended approval.

City Manager recommended disapproval.

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

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Mr. Robert Degilmore of 1813 & 1816 Meadow View Dr. spoke against the request stating that this isn't what he wants in the neighborhood.

Mr. Michael Crawford of 1810 Meadow View Dr. spoke against the request. He was concerned with the school and the traffic. He also complained about the apartments on Lake View Dr. and how bad they are being kept.

Mr. Joe Poretto of 1200 Lakeview Dr. spoke against the request and mentioned his concern with the traffic and the sewer smell that this would create by adding additional apartments they already had problems with sewer smell in the area.

Mr. Isauro Trevino who was representing Mr. Eduardo Gamba spoke in favor of the request. He mentioned that they had already met with the school district and paid the fee so Engineer Javier Hinojosa could do the feasibility study to make sure the traffic would be off the street which was the main concern.

Mr. Bud Simmer another park resident spoke against the request. He said that this land was designated for the golf course. He also said that if things keep going the way they have, there will be no golf course in the next couple of years.

Mr. Richard Paddock of 704 Lakeview Dr. mentioned that his main concern was with the safety of the children.

Mr. Tony De La Tejera of Terra Homes mentioned that he had been involved with the architect and the owners and wanted to remind the concerned residents that it would be safe for the kids since the building would be blocking so that the cars and the kids would be away from the golf course. He also mentioned that this project would be a positive effect to the community.

After much deliberation Mayor Salinas recommended to the council to reject this project and leave it as a commercial area.

Councilman O'cana moved to deny the Rezoning: 6.658 acre tract of land out of Lot 16-2, West Addition to Sharyland Subd., PUD (C-2) to PUD (R-3), as recommended by City Manager. Motion was seconded by Councilman Plata and denied unanimously 4-0.

F. Rezoning: A 0.531 acre tract of land out of Meadow Creek Country Club Phase I-A Subd., PUD (AO-P) to PUD (R1-T), Olaguer Bauza, Adoption of Ordinance # _____ approving 1.1F

On October 26, 2016 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located at the Southeast corner of J.C. Parkway and Lake View Drive. There was public opposition during the P&Z Meeting and the concerns were regarding increase in traffic, buildings would be 2-story and would potentially possibly block the view of the golf course, lake, sunset, and City Park located off Inspiration Road. The Board unanimously recommended approval of the PUD (R1-T) zone.

Staff and City Manager recommended approval.

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

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Mr. Joe Poretto of 1200 Lakeview Dr. spoke against the request and raised the same concern he had as with the previous request; the issue with the traffic and the sewer smell that this would create.

Mr. Richard Paddock of 704 Lakeview Dr. voiced his concern with the safety of the children that would be playing near the golf course area.

Cuautemoc Francisco Roldan of 2102 Crystal Dr. spoke against the request. He mentioned his discontent since his property value was severely going to be affected due to these multifamily dwellings proposals.

Mr. Julio Cerda of 900 S. Stewart Rd. Ste. 13 representing Mr. Olaguer Bauza spoke in favor of the request. He clarified that there was no intent of a multifamily project that they would continue with the development as it was within the area.

Cristina Roldan of 2101 Crystal Dr. spoke against the request. She expressed her concern about the renters that would be moving into these town houses and not taking care of the area. She asked that council take into consideration the neighborhood and the residents that were there.

Mr. Richard Schulte President of Meadow Creek Home Owners Association just needed to clarify that the exhibit that was been presented did not reflect the same area as the one that had been previously discussed with the Planning Director. His concern was that council was about to vote on what was been presented in the exhibit which was not what they had previously been informed it would be.

After much deliberation Mayor Salinas recommended the council to table this item.

Councilman O'cana moved to table the item, as recommended by Mayor Salinas. Motion was seconded by Councilman Plata and approved unanimously 4-0.

G. Rezoning: A 0.427 acre tract of land out of Meadow Creek Country Club Phase I-A Subd., PUD (AO-P) to PUD (R-1), Olaguer Bauza, Adoption of Ordinance # 4426 approving 1.1G

On October 26, 2016 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located between Debby Lane and River Bend along the south side of Circle Drive. There was public opposition during the P&Z Meeting and the concerns were regarding increase in traffic and new homes would potentially block the view of the golf course, lake, sunset and City Park located off Inspiration Road. The Board unanimously recommended approval of the PUD (R-1) zone.

Staff and City Manager recommended approval.

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

Mr. Julio Cerda of 900 S. Stewart Rd. Ste. 13 representing Mr. Olaguer Bauza was in favor of the request.

Councilman Plata moved to approve the rezoning and to adopt Ordinance No. 4426: Rezoning: A 0.427 acre tract of land out of Meadow Creek Country Club Phase I-A Subd., PUD (AO-P) to PUD (R-1). Motion was seconded by Councilwoman Jessica Ortega-Ochoa and approved unanimously 4-0.

ORDINANCE NO. 4426

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING OF A 0.427 ACRE TRACT OF LAND OUT OF MEADOW CREEK
COUNTRY CLUB PHASE I-A SUBDIVISION, FROM PUD (AO-P) TO PUD (R-1)

**H. Rezoning: A 0.710 acre tract of land out of Meadow Creek Country Club Phase II-A Subd., PUD (AO-P) to PUD (C-2), Olaguer Bauza
Adoption of Ordinance # _____ approving 1.1H**

Planning Director Danny Tijerina advised Mayor and Council that he had received an email from Mr. Bauza's representative requesting no action be taken on this item.

No action was taken on this item.

**I. Rezoning: A 0.850 acre tract of land out of Meadow Creek Country Club Phase I-A Subd., PUD (AO-P) to PUD (R1-T), Olaguer Bauza,
Adoption of Ordinance # _____ approving 1.1I**

On October 26, 2016 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located between J.C. Parkway and Lake Front Drive along the east side of Lake View Drive. There was public opposition during the P&Z Meeting and the concerns were regarding increase in traffic, buildings would be 2-story and would potentially block the view of the golf course, lake, sunset, and City Park located off Inspiration Road. The Board unanimously recommended approval of the PUD (R1-T) zone.

Staff and City Manager recommended approval.

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

Mr. Richard Schulte President of Meadow Creek Home Owners Association just needed to clarify that the exhibit that was been presented did not reflect the same area as the one that had been previously discussed with the Planning Director. His concern was that council was about to vote on an exhibit that was not been properly represented.

After much deliberation Mayor Salinas recommended the council to table this item.

Councilman Plata moved to table the item, as recommended by Mayor Salinas. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**J. Rezoning: A 0.577 acre tract of land out of Meadow Creek Country Club Phase I-B Subd., PUD (AO-P) to PUD (R-1), Olaguer Bauza,
Adoption of Ordinance # 4427 approving 1.1J**

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On October 26, 2016 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located near the Lake View Drive and Meadow Way Drive intersection along the north side of Meadow Way Drive. There was public opposition during the P&Z Meeting and the concerns were regarding increase in traffic, and new homes would potentially block the view of the golf course, lake, sunset, and City Park located off Inspiration Road. The Board unanimously recommended approval of the PUD (R-1) zone.

Staff and City Manager recommended approval.

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

Mr. Julio Cerda of 900 S. Stewart Rd. Ste. 13 representing Mr. Bauza was in favor of the request.

Mr. Jim Kroler of 718 Lakeview Dr. had a concern regarding if the developer would be paying back taxes for the new rezoning.

Councilman Plata moved to approve the rezoning and to adopt Ordinance No. 4427: Rezoning: A 0.577 acre tract of land out of Meadow Creek Country Club Phase I-B Subd., PUD (AO-P) to PUD (R-1). Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

ORDINANCE NO. 4427

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING OF A 0.577 ACRE TRACT OF LAND OUT OF MEADOW
COUNTRY CLUB PHASE I-B SUBDIVISION, FROM PUD (AO-P) TO PUD (R-1)

K. Rezoning: A 0.193 acre tract of land out of Lot C-2, Meadow Creek Country Club Phase I-B Subd., PUD (Common Area) to PUD (R-1), Olaguer Bauza, Adoption of Ordinance # 4428 approving 1.1K

On October 26, 2016 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located at the Meadow Way Drive and River Bend Drive intersection along the east side of River Bend Drive. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval of the PUD (R-1) zone.

Staff and City Manager recommended approval.

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

Mr. Julio Cerda of 900 S. Stewart Rd. Ste. 13 representing Mr. Bauza was in favor of the request.

Councilman Plata moved to approve the rezoning and to adopt Ordinance No. 4428: Rezoning: A 0.193 acre tract of land out of Lot C-2, Meadow Creek Country Club Phase I-B Subd., PUD (Common Area) to PUD (R-1). Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

ORDINANCE NO. 4428

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF A 0.193 ACRE TRACT OF LAND OUT OF LOT C-2, MEADOW CREEK COUNTRY CLUB PHASE I-B SUBDIVISION, FROM PUD (COMMON AREA) TO PUD (R-1)

- L. Rezoning: A 0.138 acre tract of land out of Lot 15-2, West Addition to Sharyland Subd., PUD (AO-P) to PUD (R-1), Olaguer Bauza, Adoption of Ordinance # 4429 approving 1.1L**

On October 26, 2016 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located 700' east of Circle Drive along the south side of Meadow View Drive. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval of the PUD (R-1) zone.

Staff and City Manager recommended approval.

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

Mr. Julio Cerda of 900 S. Stewart Rd. Ste. 13 representing Mr. Bauza was in favor of the request.

Councilman Plata moved to approve the rezoning and to adopt Ordinance No. 4429: Rezoning: A 0.138 acre tract of land out of Lot 15-2, West Addition to Sharyland Subd., PUD (AO-P) to PUD (R-1). Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

ORDINANCE NO. 4429

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF A 0.138 ACRE TRACT OF LAND OUT OF LOT 15-2, WEST ADDITION TO SHARYLAND SUBDIVISION, FROM PUD (AO-P) TO PUD (R-1)

2.0 Disposition of Minutes

2.1 City Council Meeting – October 24, 2016

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

3.0 Acknowledge Receipt of Minutes

3.1 Juvenile Justice and Delinquency Prevention Advisory Board – July 20, 2016

Zoning Board of Adjustments – September 21, 2016

Planning & Zoning Commission – October 12, 2016

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

4.0 Approvals and Authorizations

4.1 Preliminary & Final Plat Approval: Replat of Lots C1 thru C11, Taurus Estates No. 3 Subd., being a 1.64 acre tract of land being all of Lots C-1 thru C-11, Taurus Estates NO. 3 Subd., C-3,

**Developers: Norberto Salinas, President of 3 Diamonds Inc., Jose A. Torres & Jorge Adame, Janeth E. Munoz, Hilda Cantu, Adan Lopez II & Elizabeth Lopez, Sergio & Dinora S. Carranza, and Maria Isabel Aguilera,
Engineer: Quintanilla, Headley & Associates**

On November 7, 2016 the Planning and Zoning Commission held a Meeting to consider the Preliminary & Final Plat Approval for the Replat of Lots C1 thru C11, Taurus Estates No. 3 Subdivision. The proposed re-plat was located on the SW area of Inspiration Road and Mile 2 Road. The Board unanimously recommended approval as per Staff's recommendation.

An Affidavit of Substantial Interest in a Business Entity was signed by Mayor Salinas and filed with the City Secretary. Therefore, Councilman Plata presided over this item.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the Preliminary & Final Plat Approval: Replat of Lots C1 thru C11, Taurus Estates No. 3 Subd., being a 1.64 acre tract of land being all of Lots C-1 thru C-11, Taurus Estates NO. 3 Subd., C-3, Developers: Norberto Salinas, President of 3 Diamonds Inc., Jose A. Torres & Jorge Adame, Janeth E. Munoz, Hilda Cantu, Adan Lopez II & Elizabeth Lopez, Sergio & Dinora S. Carranza, and Maria Isabel Aguilera, Engineer: Quintanilla, Headley & Associates. Motion was seconded by Councilwoman Ochoa and approved unanimously 3-0 with Mayor Salinas abstaining from voting or deliberating.

4.2 Final Plat Approval: Stewart Gardens North Subd. a 2.93 acres out of Lot 271, John H. Shary Subd., R-1A, Developer: Michael Broughton, Engineer: Javier Hinojosa Engineering

On August 8, 2016 the City Council held a Public Hearing to consider the Preliminary Plat Approval for Stewart Gardens North Subdivision. The proposed subdivision was located approximately ½ mile north of Griffin Parkway (F.M. 495) along the east side of Stewart Road. The City Council unanimously recommended approval as per Staff's recommendation.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the Final Plat Approval: Stewart Gardens North Subd. a 2.93 acres out of Lot 271, John H. Shary Subd., R-1A, Developer: Michael Broughton, Engineer: Javier Hinojosa Engineering. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.3 Request by Payne Motors, LLC to 'Open Cut' Glasscock Road for Sanitary Sewer Service on a 1.0 acre out of the North 10 acres of the South 16.97 acres of Lot 172, John H. Shary Subd.

Payne Motors, LLC had filed a subdivision plat for a new car dealership at the above site. However, the 8" sewer line was located in the center of Glasscock Road. The applicant was

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proposing a manhole on the existing sanitary line with an extension of 8-inch sanitary line to the west side of Glasscock Road right-of-way. There were no other feasible alternatives to serving the site.

Staff Recommendation: No objection to request due to above circumstances subject to:
1) showing a detail of the cement stabilized embankment and compaction, 2) need to overlay 25' to each side of the trench, and 3) submit a traffic control plan.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the request by Payne Motors, LLC to 'Open Cut' Glasscock Road for Sanitary Sewer Service on a 1.0 acre out of the North 10 acres of the South 16.97 acres of Lot 172, John H. Shary Subd., as per staff's recommendations. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.4 Approval of Resolution # 1482 appointing a Representative to the Task Force and enter into Interlocal Agreement between the City of Mission and University of Texas Rio Grande Valley

Staff was seeking approval to approve Resolution appointing Juan de la Garza as the representative to the Task Force and enter into an Interlocal Agreement with the University of Texas Rio Grande Valley (UTRGV) for the Lower Rio Grande Valley Storm water Task Force. The Task Force supports the City in implementing StormWater Management Program by providing assistance with research and educational services and technical support with specific Best Management Practices. Also, this agreement entails participation in the regional task force which aids the City with compliance of TCEQ and federal EPA laws and regulations.

Staff Recommendation: Approval of Interlocal Agreement.

City Manager recommended approval.

Councilman O'cana moved to approve Resolution No. 1482 appointing a Representative to the Task Force and enter into Interlocal Agreement between the City of Mission and University of Texas Rio Grande Valley. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

RESOLUTION NO. 1482

A RESOLUTION OF THE CITY OF MISSION, TEXAS, APPOINTING REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO REGIONAL TASK FORCE, AND AUTHORIZING REPRESENTATIVE(S) TO IMPLEMENT AN INTERLOCAL AGREEMENT WITH THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY, AND AUTHORIZING TO MANAGE TASKS AUTHORIZED BY SAID INTERLOCAL ON BEHALF OF THE CITY OF MISSION. TASK FORCE IS FORMED TO RESPOND AND AID COMPLIANCE WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY PHASE II STORM WATER RULE

4.5 Authorization to Purchase Equipment via State Approved Contract for the Public Works Department

Staff was seeking authorization to purchase via state approved cooperative contracts for Capital Outlay Equipment for Water Distribution, Streets & Drainage Departments. Itemized equipment list was attached with the actual costs and their respective contract number.

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Staff Recommendation: Authorization to purchase (1)F350-Utility Truck, (1)F750 Dump Truck, 4 ton Asphalt Hot Box, SM300 Sweeper, (2)F150 Trucks, and (4)Chevrolet 1500 Trucks, via state approved Buy Board contracts 430-13, HGAC Contracts SM 10-16 & HT-069-14, and NJPA Contract #113012-FRM

City Manager recommended approval.

Councilman O'cana moved to authorize to purchase (1)F350-Utility Truck, (1)F750 Dump Truck, 4 ton Asphalt Hot Box, SM300 Sweeper, (2)F150 Trucks, and (4)Chevrolet 1500 Trucks, via state approved Buy Board contracts 430-13, HGAC Contracts SM 10-16 & HT-069-14, and NJPA Contract #113012-FRM via State Approved Contract for the Public Works Department. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.6 Authorization to Execute First-One Year Renewal Option for Corrosion Inhibitor for the North and South Water Treatment Plants

On October 12, 2015, the City of Mission entered into a Contract with Chemtrade Chemicals US, LLC. The contract terms were for one year with two one-year renewal options based on 5% increase in price, however, for this renewal Chemtrade Chemicals US had opted not to increase price. Staff was seeking authorization to extend contract for the first one year renewal option. This agreement would extend Bid No 16-002-10-01 from October 26, 2016 to October 25, 2017.

Staff Recommendation: Authorization to extend contract for First-year renewal option with Chemtrade Chemicals US, LLC

City Manager recommended approval.

Councilman O'cana moved to authorize to Execute First-One Year Renewal Option for Corrosion Inhibitor for the North and South Water Treatment Plants. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.7 Authorization to execute Second & Final One Year Renewal Option for Electrical Repairs & Maintenance Services with Saenz Brothers Construction, LLC

The contract terms were for one year with two one-year renewal options, based on 0% Increase in Price. Staff was seeking authorization to extend contract for the Second & Final one year renewal option with Saenz Brothers Construction, LLC. (December 2016-November 2017)

Staff Recommendation: Authorization to Extend Contract for Second & Final year renewal option with Saenz Brothers Construction, LLC.

City Manager recommended approval.

Councilman O'cana moved to authorize to execute Second & Final One Year Renewal Option for Electrical Repairs & Maintenance Services with Saenz Brothers Construction, LLC. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.8 Approval to Purchase Equipment Parts for Vactor Truck from sole source vendor

Staff was recommending the purchase of Vacuum Truck Equipment Parts from Kinloch Equipment & Supply, Inc, a sole source vendor. Pursuant to Texas Local Government Code Section 252.022 General Exemptions(7) a procurement of items that are available from only one source, including: (A) items that were available from only one source because of patents, copyrights, secret processes, or natural monopolies and (D) captive replacement parts or components for equipment;

New equipment parts would replace malfunctioning vacuum truck components due to daily wear and tear of equipment. Vacuum "Vactor" truck was purchase from the same vendor in 2011. Attached was a sole source letter from Equipment Manufacturer Environmental Products Group, stating that Kinloch Equipment & Supply Company Inc, is the authorized "Vactor" Equipment distributor.

Staff Recommendation: Authorization to purchase Equipment Parts from Kinloch Equipment & Supply Company, Inc.

City Manager recommended approval.

Councilman Plata moved to approve to Purchase Equipment Parts for Vactor Truck from sole source vendor. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.9 Authorization to Execute First-One Year Renewal Option for Liquid Ammonium Sulfate for the North and South Water Treatment Plants

On October 12, 2015, the City of Mission entered into a Contract with Brenntag Southwest, Inc. The contract terms were for one year with two one-year renewal options based on 5% increase in price, however, for this renewal Brenntag Southwest, Inc had opted not to increase price. Staff was seeking authorization to extend contract for the first one year renewal option. This agreement would extend Bid No 16-002-10-01 from November 1st to October 31st, 2017.

Staff Recommendation: Authorization to award Bid to Brenntag Southwest, Inc.

City Manager recommended approval.

Councilwoman Ochoa moved to authorize to Execute First-One Year Renewal Option for Liquid Ammonium Sulfate for the North and South Water Treatment Plants. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.10 Authorize Mayor to execute a Second Amendment to Reimbursement Agreement between Mission Redevelopment Authority, Reinvestment Zone Number One and City of Mission

Authorize Mayor to execute a Second Amendment to Reimbursement Agreement between Mission Redevelopment Authority, Reinvestment Zone Number One and City of Mission. The second amendment agreement was related to the Bensten Palm Development Lift Station Project and was necessary due to unforeseen circumstances.

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The Board of Directors of the Mission Redevelopment Authority approved the Second amendment to reimbursement agreement at their October 25, 2016 meeting.

Attached was the proposed second amendment to reimbursement agreement.

Mr. Daniel Silva, Executive Director of the MRA was present at the meeting to answer any questions City Council members may have had.

Staff Recommendation: Approval of Second Amendment to Reimbursement Agreement.

City Manager recommended approval.

Councilman Plata moved to authorize Mayor to execute a Second Amendment to Reimbursement Agreement between Mission Redevelopment Authority, Reinvestment Zone Number One and City of Mission. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.11 Authorization to solicit bids for Boys and Girls Club Gym Floor (Main Location Gym 2)

Staff was seeking authorization to solicit bids for Gym Floor located at the Boys & Girls Club main location. Existing gym floor had exceeded the manufacturer's life expectancy; hence gym floor had deteriorated creating a safety concern for the Boys & Girls Club. The City would be paying \$21,000 of the cost and the remainder would be paid from the Boys and Girls Club 501c3.

Staff Recommendation: Solicit bids for Boys and Girls Club gym floor.

City Manager recommended approval.

Councilman O'cana moved to authorize to solicit bids for Boys and Girls Club Gym Floor (Main Location Gym 2). Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.12 Authorization to purchase via State Approved Contract from Baker & Taylor for Library Material (books & media)

Speer Memorial Library was seeking authorization to purchase via State approved contract library material (books and media) from Baker & Taylor. Library material would be made available to all patrons to use and check out for educational and cultural purposes. This material would be purchased from the Library's General Fund. Baker & Taylor was on the State Co Op's 715-M2 Publications, Audiovisual Materials, Books and Cataloging Services contract.

Staff Recommendation: Authorization to purchase from Baker & Taylor.

City Manager recommended approval.

Councilman O'cana moved to authorize to purchase via State Approved Contract from Baker & Taylor for Library Material (books & media). Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.13 Authorization to purchase via a State of Texas DIR Contract from Verizon for Mobile Broadband

Speer Memorial Library was seeking authorization to purchase via State Approved DIR-TSO-3415 Contract for 4G Mobile Broadband devices from Verizon. Mobile hotspots would be made available to all Mission residents to use and check out for education, job search, and cultural purposes. The devices and Wi-Fi services would be acquired from the Library's General Fund.

Staff Recommendation: Authorization to purchase from Verizon.

City Manager recommended approval.

Councilman O'cana moved to authorize to purchase via a State of Texas DIR Contract from Verizon for Mobile Broadband. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.14 Authorization to purchase via State Approved Contract from Ingram Library Services, Inc for Library Material (books & media)

Speer Memorial Library was seeking authorization to purchase via State approved contract library material (books and media) from Ingram Library Services, Inc. Library material would be made available to all patrons to use and check out for educational and cultural purposes. This material would be purchased from the Library's General Fund. Ingram is on the State Co Op's 715-M2 Publications, Audiovisual Materials, Books and Cataloging Services contract.

Staff Recommendation: Authorization to purchase from Ingram Library Services, Inc.

City Manager recommended approval.

Councilman O'cana moved to authorize t to purchase via State Approved Contract from Ingram Library Services, Inc for Library Material (books & media). Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.15 Authorization to purchase Colorado Time System LED scoreboard for Bannworth Pool via State Approved BuyBoard Contract

Staff was seeking authorization to purchase LED scoreboard for Bannworth Pool from Colorado Time Systems via State Approved BuyBoard Contract # 502-16. Acquisition included a Sponsor Panel Frame for Artwork and installation.

Staff Recommendation: Authorization to purchase items from Colorado Time Systems via Buyboard Contract # 502-16.

City Manager recommended approval.

Councilman Plata moved to authorize t to purchase to purchase Colorado Time System LED scoreboard for Bannworth Pool via State Approved BuyBoard Contract. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.16 Authorization to purchase via State Approved Buy Board Contract for Chemicals, Muriatic Acid Feeder Systems, and Integrated Electronic Systems for the three Parks and Recreation Swimming Pools

The City of Mission currently was in a contract with Aquatic Commercial Solutions, Inc., for the purchase of Chemicals, Acid Feeder Systems, and Integrated Electronic Systems (IES) for our two swimming pools and splash pad, to monitor and control the ph level and chlorine concentrations. The contract was up for renewal and staff was seeking authorization to purchase via State Approved Buy Board Contract #451-14. The annual amount spent for chemicals for both swimming pools and splash pad was approximately \$45,000.00.

Staff Recommendation: Authorization to approve contract with Aquatic Commercial Solutions.

City Manager recommended approval.

Councilman Plata moved to authorize to purchase via State Approved Buy Board Contract for Chemicals, Muriatic Acid Feeder Systems, and Integrated Electronic Systems for the three Parks and Recreation Swimming Pools. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.17 Authorization to reject and re-solicit bids for mowing and weed removal, tree trimming and removal of litter and debris from City Easements and Rights of Way

City Council authorized staff to solicit bids for mowing and litter / debris removal on City Easements and Rights of Way. The City of Mission had received a total of four (4) bid responses. Rodz Lawn Care and Condes Landscaping were found nonresponsive due to failure to submit bid bond. Based on price comparison with existing budget and historical price comparison pricing was determined not to be fair and reasonable, therefore staff was seeking authorization to reject and resolicit for bids.

Staff Recommendation: Authorization to reject and re-solicit bids.

City Manager recommended approval.

Councilman O'cana moved to authorize to reject and re-solicit bids for mowing and weed removal, tree trimming and removal of litter and debris from City Easements and Rights of Way. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.18 Authorize Staff to Engage Chanin Engineering, LLC for Professional Engineering Services for La Placita Park renovation project

Staff was seeking authorization to engage Chanin Engineering, LLC to prepare plans and specifications to solicit bids for the renovation improvements for La Placita Park. Chanin Engineering, LLC would conduct Construction Administration, Inspection of the Project, Structural Engineering, Architectural, and MEP Subconsultant Services.

Staff Recommendation: Engage Chanin Engineering, LLC for Professional Engineering Services.

City Manager recommended approval.

Councilman Plata moved to authorize Staff to Engage Chanin Engineering, LLC for Professional Engineering Services for La Placita Park renovation project. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.19 Authorization to rescind Ordinance No. 3170 and adopt a new Ordinance

No, 4430 prohibiting any vehicular Traffic from traveling through the 1700 block of Cummings Street between the hours of 7:30 a.m. and 5:30 p.m. during the time that Mission C.I.S.D. has school in session

The City of Mission Police Department was requesting authorization to rescind Ordinance No. 3170 and adopt an Ordinance prohibiting any vehicular traffic from traveling through the 1700 block of Cummings Street between the hours of 7:30 a.m. and 5:30 p.m. during the days that Mission Consolidated Independent School District had school in session. The Mission Police Department had received a request by the Mission C.I.S.D. to increase the morning hour closure from 9:00 a.m. to 7:30 a.m. due to traffic safety concerns involving Mission High School students crossing Cummings Street to attend to their designated classes located in portable building on the east side of Cummings Street. On November 10, 2016 the Traffic Safety Committee met and approved the request for the time change. It was the recommendation of the Traffic Safety Committee to adopt this ordinance. This request was being forwarded to you for your review and consideration.

Staff Recommendation: Staff was respectfully requesting to rescind Ordinance No. 3170 and adopt a new Ordinance prohibiting any vehicular traffic from traveling through the 1700 block of Cummings Street between the hours of 7:30 a.m. and 5:30 p.m. on the days that Mission C.I.S.D. had school in session.

City Manager recommended approval.

Councilman O'cana moved to authorize to rescind Ordinance No. 3170 and adopt a new Ordinance No, 4430 prohibiting any vehicular Traffic from traveling through the 1700 block of Cummings Street between the hours of 7:30 a.m. and 5:30 p.m. during the time that Mission C.I.S.D. has school in session. Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 4430

AN ORDINANCE OF THE CITY OF MISSION, TEXAS, RESCINDING ORDINANCE 3170, SECTION 1 AND ADOPTING ORDINANCE NO. 4430 PROVIDING FOR TRAFFIC CONTROL AS FOLLOWS: NO VEHICLE SHALL PROCEED THROUGH THE 1700 BLOCK OF CUMMINGS STREET BETWEEN THE HOURS OF 7:30 A.M. TO 5:30 P.M. DURING THE TIME THAT MISSION CONSOLIDATED INDEPENDENT SCHOOL DISTRICT HAS SCHOOL IN SESSION; PROVIDING FOR INSTALLATION OF SAID SIGNAGE THEREOF AND MAKING PROVISIONS OF THE STATE TRANSPORTATION CODE AND TRAFFIC ORDINANCES OF THE CITY OF MISSION IN REGARD TO PENALTY FOR VIOLATION APPLICABLE THERETO:

4.20 Authorization to award bid for janitorial services for the Center for Education and Economic Development (CEED) building, 801 N. Bryan Road, Mission, Texas 78572

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On August 22, 2016, City Council authorized staff to solicit proposals for janitorial services for the new Center for Education and Economic Development building, located at 801 N. Bryan Road, Mission, Texas.

The City of Mission received eight (8) proposals. Concor USA and APEX Limited were found nonresponsive for failing to acknowledge Conflict of Interest Form. Staff evaluated six (6) proposals and found Green Cleaning Services acceptable in accordance with the evaluation criteria offering the best value both technical and price. Cost for the service would be in the amount of \$109,332.84 annually.

Staff Recommendation: Award contract to Green Cleaning Services.

City Manager recommended approval.

Councilman O'cana moved to authorize to award bid for janitorial services for the Center for Education and Economic Development (CEED) building, 801 N. Bryan Road, Mission, Texas 78572. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4.21 Acceptance of Quarterly Report of Investments for the Quarter ending September 30, 2016 and Interest Earned for Twelve Months Ending September 30, 2016

Acceptance of quarterly report required by the Public Funds Investment Act Section 2256.023 of the Texas Government Code on the total investments for the quarter ending September 30, 2016. The total increases to investment balances for the period were \$1,982.32 and total decreases were \$800,000.00, leaving a total of \$15,355,887.35 in outstanding investments for the quarter ending September 30, 2016. The total interest earned on all funds year to date was \$206,346.32

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the acceptance of Quarterly Report of Investments for the Quarter ending September 30, 2016 and Interest Earned for Twelve Months Ending September 30, 2016. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

4.22 Budget Amendments: General Fund

Finance Director Vela presented the budget amendments BA-17-07 to BA-17-07 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve budget amendments BA-17-07 to BA-17-07 as recommended. Motion was seconded by Councilman Plata and approved unanimously 4-0.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

None

6.2 Mayor's Comments

None

Mayor Salinas asked Council to go into Executive Session.

At 6:18 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 Councilman Plata and approved unanimously 4-0.

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

7.1 Consultation with Attorney- Texas Gov't Code §551.071 (2)

A. Consultation with attorney regarding legal rights and duties related to culvert crossing at Edinburg Main Canal.

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

At 6:38 p.m. Councilman O'cana moved to reconvene in open session. Motion was seconded by Councilman Plata and approved unanimously 4-0.

On item 7.1-A, Councilman O'cana moved to authorize city manager and city attorney to attempt to reach a resolution with Hidalgo County Irrigation District #1 regarding main canal leaks into culvert crossing located ¼ mile E of Stewart Rd, and if unable to reach resolution, to take any legal action necessary for the preservation of real and personal property of the surrounding area. Motion was seconded by Councilman Plata and approved unanimously 4-0.

8.0 Adjournment

At 6:40 p.m. Councilman O'cana moved for adjournment. Motion was seconded by Councilman Plata and approved unanimously 4-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary