

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
DECEMBER 14, 2015 4:30 P.M.
MISSION CITY HALL**

PRESENT:

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

ABSENT:

ALSO PRESENT:

Kathy Olivarez, Progress Times
Tomas Villagomez
Jim & Beth Barnes
Luis A. Martinez
Louis Olson
Joe Sanchez
Fred Kurth
Jaime Gutierrez
Alejandro Alvarez
Jesus E. Garcia
Jorge Ancer
Juan Eliseo Gonzalez, Jr.

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Aida Lerma, Deputy City Manager
Randy Perez, Deputy City Manager
Elizabeth Hernandez, Executive Secretary
Danny Tijerina, Planning Director
Jaime Acevedo, Asst. Planning Director
Roberto Salinas, Public Works Director
Juan Pablo Terrazas, City Engineer
Noemi Munguia, HR Director
Joanne Longoria, CDBG Director
Eduardo Belmarez, Purchasing Director
Rene Lopez, Jr., Fire Chief
Robert Dominguez, Chief of Police
Mario Flores, Golf Course Director
Luduvico Martinez, B & G Club Director
Jesse Lerma, Civil Service Director
Mayra Rocha, Library Director
Roland Rodriguez, I. T. Director
Cesar Gutierrez, Sanitation Director
Luis Contreras, Museum Director
Ernie Zapata, Health Department

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:36 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. Tomas Tijerina – Thanksgiving Table at Renee’s

Aida Lerma, Deputy City Manager spoke on behalf of Tomas Tijerina thanked the Mayor and council and reported on a successful 10th Annual Thanksgiving Table at Renee’s event where over 2,000 plates were served.

4. Report from the Greater Mission Chamber of Commerce

George Meyers, CEO from the Greater Mission Chamber of Commerce reported on the chamber events that had recently taken place. He also advised Mayor and Council on upcoming events and invited the Council to the Holiday Social to be held on December 17, 2015 and advised the council of the 21st Annual Mission Health Fair to be held on January 10, 2015.

5. 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 5-0.

6. Citizens Participation

Rosalinda Olivarez spoke about the conditions at the city’s dog kennels.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

- A. Rezoning: A 0.088 acre tract of Lot 171, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to R-1T (Townhouse Residential), Jesus Enrique Garcia, Adoption of Ordinance # 4293 approving 1.1A**

On November 18, 2015 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located at the NW corner area of Laredo Blvd. and Dalobo Street. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval of the R-1T 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. 4293 Rezoning: A 0.088 acre tract of Lot 171, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to R-1T (Townhouse Residential), as recommended. Motion was seconded by Councilwoman Jessica Ortega-Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4293

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF A 0.088 ACRE TRACT OUT OF LOT 171, JOHN H. SHARY SUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO R-1T (TOWNHOUSE RESIDENTIAL)

B. Rezoning: A 2.00 acre tract of land out of the Unplatted Commercial Reserve of Cimarron Country Club Phase I, Section 1, AO-I (Agricultural Open Interim) to C-3 (General Business), Quiricho LTD, Adoption of Ordinance # 4294 approving 1.1B

On November 18, 2015 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located along the south side of U.S. Expressway 83 Frontage 800' west of Shary Road. There was no public opposition during the P&Z Mtg. 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 Plata moved to approve the rezoning and to adopt Ordinance No. 4294 Rezoning: A 2.00 acre tract of land out of the Unplatted Commercial Reserve of Cimarron Country Club Phase I, Section 1, AO-I (Agricultural Open Interim) to C-3 (General Business), as recommended. Motion was seconded by Councilwoman Jessica Ortega-Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4294

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING OF A 2.00 ACRE TRACT OF LAND OUT OF THE
UNPLATTED COMMERCIAL RESERVE OF CIMARRON COUNTRY CLUB PHASE I,
SECTION 1, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO C-3 (GENERAL
BUSINESS)

C. Rezoning: A 0.57 acre tract of land out of Lot 244, John H. Shary Subdivision & Lots 1-3, Boriquen Subdivision, C-1 (Office Building) to C-2 (Neighborhood Commercial), Maria Dalia Ancer, Adoption of Ordinance # 4295 approving 1.1C

On November 18, 2015 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located along the west side of Shary Road between Summer Breeze and 22nd Street. There was public opposition during the P&Z Meeting and the concerns voiced were in regards to a C-2 zone being too much for this area. The Board recommended 3-2 to deny the C-2 request.

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. 4295 Rezoning: A 0.57 acre tract of land out of Lot 244, John H. Shary Subdivision & Lots 1-3, Boriquen Subdivision, C-1 (Office Building) to C-2 (Neighborhood Commercial), as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4295

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF A 0.57 ACRE TRACT OF LAND OUT OF LOT 244, JOHN H. SHARY SUBDIVISION & LOTS 1-3, BORIQUEN SUBDIVISION, FROM C-1 (OFFICE BUILDING) TO C-2 (NEIGHBORHOOD COMMERCIAL)

D. Rezoning: Lot 43, Ala Blanca Subdivision Unit No. 2, R-1 (Single Family Residential) to R-2 (Duplex-Fourplex Residential), Francisco Paz, Adoption of Ordinance # _____ approving 1.1D

On November 18, 2015 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located along the west side of Frontage Road between US Expressway 83 and Business 83. There was public opposition during the P&Z Meeting and the concerns voiced were in regards to lot been too small for apartments, lack of parking, safety. The Board unanimously recommended denial of the R-2 zone.

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 Norie Gonzalez Gara moved to deny the Rezoning: Lot 43, Ala Blanca Subdivision Unit No. 2, R-1 (Single Family Residential) to R-2 (Duplex-Fourplex Residential). Motion was seconded by Councilman Plata and denied unanimously 5-0.

E. Rezoning: Lot 2A, Tangerine Subdivision No. 1, R-2 (Duplex-Fourplex Residential) to R-3 (Multi-Family Residential), Juan C. Del Angel, Adoption of Ordinance # 4296 approving 1.1E

On November 18, 2015 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The property was located along the west side of Highland Park Avenue between 12th Street and Bryce Drive. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval of the R-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.

Mayor Pro Tem Garza moved to approve the rezoning and to adopt Ordinance No. 4296 Rezoning: Lot 2A, Tangerine Subdivision No. 1, R-2 (Duplex-Fourplex Residential) to R-3 (Multi-Family Residential), as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4296

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF LOT 2A, TANGERINE SUBDIVISION NO. 1, FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL) TO R-3 (MULTI-FAMILY RESIDENTIAL)

F. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – La Dueña Restaurant, 2005 W. Mile 3 Road, Suites 1600 & 1700, Lot 7, Block 4, Taurus Estates #9 Subdivision Phase I, C-3, Luis & Marcela Martinez, Adoption of Ordinance # 4297 approving 1.1F

On November 18, 2015 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The property was located 150' east of Magdalena Street along the south side of 3 Mile (FM 1924). There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval for 1 year.

Staff Recommendation: Approval for 1 year, waiver of the 300' separation requirement from residential homes.

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. 4297 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – La Dueña Restaurant, 2005 W. Mile 3 Road, Suites 1600 & 1700, Lot 7, Block 4, Taurus Estates #9 Subdivision Phase I, C-3, as recommended by staff. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4297

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – LA DUEÑA RESTAURANT, 2005 W. MILE 3 ROAD, SUITES 1600 & 1700, BEING LOT 7, BLOCK 4, TAURUS ESTATES #9 SUBDIVISION PHASE I

G. Conditional Use Permit: Manufacturing and Re-packaging of Chicharrones, Mexican Candies, etc. in a C-3 Zone, 3013 N. Inspiration Road, Suites C, Lot C-3, Taurus Estates #3 Subdivision, C-3, Alejandro Morales, Adoption of Ordinance # 4298 approving 1.1G

On November 18, 2015 the Planning and Zoning Commission held a Public Hearing to consider the conditional use permit. The subject site was located within an existing commercial plaza approximately 800' south of Mile 2 along the west side of Inspiration Road. 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.

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 cup and to adopt Ordinance No. 4298 Conditional Use Permit: Manufacturing and Re-packaging of Chicharrones, Mexican Candies, etc. in a C-3 Zone, 3013 N. Inspiration Road, Suites C, Lot C-3, Taurus Estates #3 Subdivision, C-3, as recommended by staff. Motion was seconded by Councilwoman Ochoa and approved 4-0 with Mayor Salinas abstaining from voting since he owned this property.

ORDINANCE NO. 4298

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE MANUFACTURING & RE-PACKAGING OF CHICHARRONES, MEXICAN CANDIES, ETC. IN A C-3 ZONE, 3013 N. INSPIRATION ROAD, STE. C, BEING LOT C-3, TAURUS ESTATES 3 SUBDIVISION

2.0 Disposition of Minutes

2.1 City Council Meeting – November 23, 2015

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

3.0 Acknowledge Receipt of Minutes

3.1 Mission Economic Development Corporation - Special Meeting – October 6, 2015 & Regular Meeting – November 17, 2015

Citizen’s Advisory Committee – October 20, 2015

Planning and Zoning Commission – October 14, 2015

Civil Service Commission – October 7, 2015

Parks & Recreation – October 14, 2015

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

4.0 Approvals and Authorizations

4.1 Homestead Exemption Variance: A 0.088 acre tract out of Lot 171, John H. Shary Subdivision, AO-I (R-1T proposed), Jesus Enrique Garcia

On November 18, 2015 the Planning and Zoning Commission held a Public Hearing to consider this homestead exemption variance request. The property was located along the east side of Laredo Blvd. between Santa Rosa and Dalobo Street. The Board unanimously recommended approval as per staff’s recommendation.

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

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Homestead Exemption Variance: A 0.088 acre tract out of Lot 171, John H. Shary Subdivision, AO-I (R-1T proposed), as recommended by staff. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**4.2 Preliminary Plat Approval: Sommerset Court Estates, A 9.21 acre tract of land out of La Grange tract of Lot 282, John H. Shary Subdivision, R-1A,
Developer: San Mateo Investment, LLC,
Engineer: Quintanilla, Headley & Associates**

On November 18, 2015 the Planning and Zoning Commission convened and approved the Preliminary and Final Plat for Sommerset Court Estates Subdivision. The proposed subdivision was located on the west side of Glasscock Road approximately 300' south of 2 Mile. The P&Z board unanimously recommended approval as per Staff's recommendation.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Preliminary Plat Approval: Sommerset Court Estates, A 9.21 acre tract of land out of La Grange tract of Lot 282, John H. Shary Subdivision, R-1A, Developer: San Mateo Investment, LLC, Engineer: Quintanilla, Headley & Associates, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.3 Final Plat Approval: Del Oro Subdivision Unit No. 3, A 10.891 acre tract of land out of the South End of Porcion 52, PUD,
Developer: Rhodes Enterprises, Inc.,
Engineer: Melden & Hunt, Inc.**

On April 27, 2015 the City Council convened and approved the Preliminary Plat for Del Oro Subdivision Unit No. 3. The proposed subdivision was located approximately ¾ mile East of Schuerbach Road on Mile 1 South. The City Council unanimously recommended approval as per Staff's recommendation.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Final Plat Approval: Del Oro Subdivision Unit No. 3, A 10.891 acre tract of land out of the South End of Porcion 52, PUD, Developer: Rhodes Enterprises, Inc., Engineer: Melden & Hunt, Inc., as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**4.4 Final Plat Approval: Tanglewood at Bentsen Palm Phase II, A 6.135 acre tract of land out of the South end of Porciones 50 & 51 out of Lot 14, Del Monte Irrigation & Construction Co., PUD,
Developer: Rhodes Enterprises, Inc.
Engineer: Melden & Hunt, Inc.**

On April 27, 2015 the City Council convened and approved the Preliminary Plat for Tanglewood at Bentsen Palm Phase II. The proposed subdivision was located approximately ¾ mile East of Bentsen Palm Drive along the North side of Military Parkway. The City Council unanimously recommended approval as per Staff's recommendation.

Staff and City Manager recommended approval.

Minutes, 12/14/15 pg. 8

Councilman Plata moved to approve the Final Plat Approval: Tanglewood at Bentsen Palm Phase II, A 6.135 acre tract of land out of the South end of Porciones 50 & 51 out of Lot 14, Del Monte Irrigation & Construction Co., PUD, Developer: Rhodes Enterprises, Inc. Engineer: Melden & Hunt, Inc., as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.5 Cancel 2nd December regular City Council meeting scheduled for December 28, 2015

The office of the City Manager was requesting the cancellation of the second regular City Council meeting scheduled for December 28, 2015 due to agenda posting falling during the Christmas Holidays.

A special meeting would be held if the need arises.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to approve to cancel 2nd December regular City Council meeting scheduled for December 28, 2015, as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.6 Authorization to Purchase Equipment via state Approved Contract for Bryan Rd. Underpass Lighting

Staff was seeking authorization to purchase equipment via state approved cooperative contract from Bush Supply Co. for Bryan Road underpass lighting. Funds for this purchase would be provided by Mission Economic Development Corporation as part of their Mission Corridors Infrastructure Fund.

Staff Recommendation: Authorization to purchase via state approved Buy Board contract 501-15 .

City Manager recommended approval.

Councilman Plata moved to authorize to Purchase Equipment via state Approved Contract for Bryan Rd. Underpass Lighting from Bush Supply Co. Buy Board contract 501-15, as recommended by staff. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.7 Authorization to award bid for the construction of an access road

On October 12, 2015 City Council gave authorization to solicit bids for the construction of a 30' curb & gutter pavement access road for future development in the vicinity of the Neighborhood Walmart North of Business 83. The City of Mission had accepted and opened ten (10) bid responses for this project. Staff was recommending awarding bid to RDH Site and Concrete , LLC who was lowest responsible bidder meeting all specifications in the amount \$92,000.

Staff Recommendation: Award Bid to RDH Site and Concrete, LLC.

City Manager recommended approval.

Mayor Pro Tem Garza moved to award bid to RDH Site and Concrete, LLC. for the construction of an access road, as recommended by staff. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.8 Budget Amendments: PD State Sharing Fund, PD Federal Sharing Fund, and Park Dedication Fund

Deputy City Manager Randy Perez presented the budget amendments BA-2016-11 thru BA-2016-13 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve budget amendments BA-2016-11 thru BA-2016-13, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.9 October 2015 Financial Statements

Deputy City Manager Perez presented the October 2015 Financial Statements to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the October 2015 Financial Statements, as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.10 Tax Collections Report – October, 2015

Deputy City Manager Perez presented the Tax Collections Report – October, 2015 to the City Council for approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Tax Collections Report – October, 2015, as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.11 Tax Collections Report – November, 2015

Deputy City Manager Perez presented the Tax Collections Report – November, 2015 to the City Council for approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Tax Collections Report – November, 2015, as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.12 Authorization to enter into a maintenance agreement with Yoka Power Inc., a sole source vendor for our two (2) Uninterrupted Power Supply Systems

The Mission Police Department was requesting authorization to enter into a maintenance agreement with Yoka Power Inc., a sole source vendor for our two (2) Uninterrupted Power Supply Systems. The UPS Systems were designed to maintain constant electrical power to all

critical infrastructure (Police/Fire 800 MHZ Trunking Radio System, IBM main server, New World Software modules, ICS telephone system, Firewalls, and Microwave links, etc.) when there was any form of electrical power interruption. The total amount of the maintenance agreement was \$12,462.00 for a period of one year. Staff recommended approval.

Staff Recommendation: Authorize the maintenance agreement with Yoka Power Inc., a sole source vendor for our two (2) Uninterrupted Power Supply Systems.

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize to enter into a maintenance agreement with Yoka Power Inc., as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.13 Authorization to purchase SWAT Tactical Helmets, Communication Headsets and related accessories via a sole source vendor

The City of Mission Police Department was requesting authorization to purchase SWAT Tactical Helmets, Communication Headsets and related accessories via a sole source vendor, being Atlantic Signal. The new Tactical Helmets and Communications Headsets would be provided to our SWAT Team Officers for personal protection and one to one communication during SWAT Operations. Our current helmets were very old and have no inner protection layers. The new helmets were ergonomic engineered with appropriate padding, ear protection and with a communication system. The total expenditure for thirteen (13) helmets was \$ \$34,107.40. The 2015 State of Texas Homeland Security Grant Program would cover a total of \$19,600.00 of the purchase, the additional \$14,507.40 would be paid through our Federal Drug Forfeiture Account.

Staff Recommendation: Authorize the purchase of SWAT Tactical Helmets, Communication Headsets and related accessories via a sole source vendor, being Atlantic Signal.

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize to purchase SWAT Tactical Helmets, Communication Headsets and related accessories from Atlantic Signal, as recommended. Motion was seconded by Mayor Pro tem Garza and approved unanimously 5-0.

4.14 Authorization to Execute First One-Year Renewal Option for Pre-Employment Screenings

On 10/27/2014, the City of Mission entered into a contractual agreement with The Center of Industrial Rehabilitation Services for pre-employment screening services. Pre-employment screenings included urine drug screening, medical physical and pre-placement screening for potential hires. The contract terms were for one year with two one-year renewal options. There would be no increase in rates for this first one-year renewal. Staff was recommending authorization to execute first one-year renewal.

Staff Recommendation: Authorization to execute first one-year renewal option with The Center of Industrial Rehabilitation Services.

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize to Execute First One-Year Renewal Option for Pre-Employment Screenings with The Center of Industrial Rehabilitation Services, as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.15 Authorization to Purchase Vehicle via State Approved Contract for the Public Works Department

Staff was seeking authorization to purchase vehicle via state approved cooperative contracts for Capital Outlay Equipment for Health Department. There was an itemized equipment list with the actual cost and their respective contract number.

Staff Recommendation: Authorization to purchase via state approved Buy Board contracts 430-13.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to purchase vehicle via State Approved Contract for the Public Works Department, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.16 Authorization to Execute First One Year Renewal Option for Cold Water Meters with Badger Meter, Inc.

The contract terms would be for one year with two one-year renewal options, based on 0% Increase in Price. Staff was seeking authorization to extend contract for the first one year renewal option with Badger Meter, Inc. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one year base term. (January 2016-December 2016)

Staff Recommendation: Extend Contract for the First Year Renewal Option with Badger Meter, Inc.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to Execute First One Year Renewal Option for Cold Water Meters with Badger Meter, Inc., as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.17 Approval of purchase Micro-Solve and Odor-Solve for Sanitary Sewer Lift Stations and Wastewater Treatment Plant from a sole source vendor

Staff was recommending the purchase of Micro-Solve and Odor-Solve from Evergreen Southwest, a sole source vendor. Pursuant to Texas Local Government Code Section 252.022 General Exemptions (7) a procurement of items that were 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;

Chemicals would be used for Sanitary Sewer Lift stations throughout the City, including the Waste Water Treatment plant Main Lift Station. There was a sole source letter from the manufacturer, Bio-Tech Industries Inc., granting the rights for distribution by Evergreen

Southwest to sell and market the products and an official quote for the acquisition for both chemicals. The product acts on grease by liquefying the solids into a condition that prevents the grease from building up on the walls, thus improving the overall efficiency of the waste flow. It's a non-water-soluble-based solution containing a proven combination of de-mulsifiers, corrosion inhibitors, and organic compounds.

Staff Recommendation: Purchase of Micro-Solve and Odor-Solve from a sole source vendor.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve to purchase Micro-Solve and Odor-Solve for Sanitary Sewer Lift Stations and Wastewater Treatment Plant from Evergreen Southwest, as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.18 Authorization to execute First One Year Renewal Option for Electrical Repair & Maintenance Services with Saenz Brothers Construction, LLC

The contract terms would be for one year with two one-year renewal options, based on 0% Increase in Price. Staff was seeking authorization to extend contract for the first one year renewal option with Saenz Brothers Construction, LLC. (December 2015-November 2016)

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

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to execute First One Year Renewal Option for Electrical Repair & Maintenance Services with Saenz Brothers Construction, LLC, as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.19 Authorization to award bid for Sodium Chlorite for the North and South Water Treatment Plants

The City of Mission had accepted and opened two (2) bid responses for Sodium Chlorite. Staff recommended awarding Bid to International Dioxide, Inc. who was the lowest responsible bidder meeting all specifications. Recommendation was based solely on estimated quantities and orders will be placed on an as needed basis throughout the one year base term.

Staff Recommendation: Authorization to award bid to International Dioxide, Inc.

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize to award bid for Sodium Chlorite for the North and South Water Treatment Plants to International Dioxide, Inc., as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.20 Authorization to Execute First One Year Renewal Option for Waterline Maintenance Supply with Ferguson Waterworks

The contract terms would be for one year with two one-year renewal options, based on 0% Increase in Price. Staff was seeking authorization to extend contract for the first one year renewal

Minutes, 12/14/15 pg. 13

option with Ferguson Waterworks. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one year base term. (January 2016-December 2016)

Staff Recommendation: Extend Contract for the First Year Renewal Option with Ferguson Waterworks.

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize t to Execute First One Year Renewal Option for Waterline Maintenance Supply with Ferguson Waterworks, as recommended. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

4.21 Interlocal Agreement between the City of Mission and County of Hidalgo for Rural Emergency Services

The Mission Fire Department was seeking authorization to renew the Interlocal Agreement with the County of Hidalgo for Rural Emergency Services in the unincorporated areas. The Agreement was to commence on January 1, 2016 and terminate on January 1, 2019. Hidalgo County Commissioners Court approved the Interlocal at their December 1, 2015 meeting.

Staff Recommendation: Approval of Interlocal Agreement Renewal.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the Interlocal Agreement between the City of Mission and County of Hidalgo for Rural Emergency Services, as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.22 Authorization to Cancel Bid for A-One Insulation for 118 Oblate Avenue

On July 13, 2015 City Council authorized staff to solicit bids for three (3) reconstruction projects and one (1) rehabilitation project. The City of Mission had accepted and opened three (3) bid responses for these four (4) homes. Three projects had been awarded. There was one project that was not able to obtain title clearance. Staff recommended to cancel bid submitted by A One Insulation for 118 Oblate Avenue.

Staff Recommendation: Cancel Bid for A One Insulation.

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize to cancel bid for A-One Insulation for 118 Oblate Avenue, as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.23 Authorization to purchase tires from Michelin TX Smart Buy Contract 15-23V02 via Tire Centers for Sanitation Dept.

Authorization to purchase tires from Michelin TX Smart Buy Contract 15-23V02 via Tire Centers for Sanitation Department for fiscal year 2015-2016.

Minutes, 12/14/15 pg. 14

Staff Recommendation: Authorization to purchase tires via TX Smart Buy Contract.

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize to purchase tires from Michelin TX Smart Buy Contract 15-23V02 via Tire Centers for Sanitation Dept., as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.24 Change Order #1 for FR Green Thumb Landscaping for Irrigation Improvements for Bannworth, Jaycee and Nell Tolle Parks

During the irrigation installation at Jaycee Park there were no plans indicating the whereabouts of the existing irrigation lines to the two baseball fields. When encountering the irrigation and electrical wires to the valves it was discovered that most of the electrical wiring was in need of total replacement due to electrical shortages. Parks Staff and project architect felt it was cost effective to replace all electrical wires, main line and electrical valves in relation to the irrigation system at this time since the contractor is familiar with the new system.

The total amount of this Change Order was \$6,129.13 which would increase the total amount of the project from \$195,900.00 to \$202,029.13. Staff was respectfully requesting authorization for the Change Order which was under the 25% limit from original contract cost set by the Texas Governmental Code.

Staff Recommendation: Approval of Change Order # 1.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Change Order #1 for FR Green Thumb Landscaping for Irrigation Improvements for Bannworth, Jaycee and Nell Tolle Parks, as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

5.0 Unfinished Business

None

6.0 Routine Matters

6.1 City Manager's Comments

City Manager Garza wished everyone a Merry Christmas and a Happy New Year. He announced that City Hall would be closed on December 24th and 25th for Christmas Holiday and invited the Council to the Mission Police Department/Crime stoppers Toy Drive to be held on Friday, December 18 at 1 p.m.

6.2 Mayor's Comments

None

Mayor Salinas asked Council to go into Executive Session pursuant to V.T.C.A. Gov. Code Sec. 551.001 under "Consultation with Attorney".

At 5:30 p.m., Councilman O'cana moved to convene into executive session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

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

7.1 Consultation with Attorney Sec. 551.071

- A. Discussion for the purpose of facilitating legal advice in reference to a Memorandum of Understanding with Mission Consolidated Independent School District regarding the North Side Swimming Pool.**

7.2 Deliberations about Real Property Sec. 551.072

- A. Consideration of the use of eminent domain, to include negotiating acquisition, on behalf of the State of Texas, to acquire a .077 of one acre tract, situated in the City of Mission, Hidalgo County, Texas, out of Lot 28-5, West Addition to Sharyland, as recorded in Volume 1, Page 56, of Map Records, Hidalgo County, Texas and being out of a called 13.14 acre tract of land as described in Document No. 842604, for the public purpose of construction or improvement of 2 Mile Rd, and to resolve or acquire any necessary right of ways related to this project.**
- B. Consideration of the use of eminent domain, on behalf of the State of Texas, to acquire a .022 of one acre tract of land (956 sq. ft.) parcel of land situated in Hidalgo County, Texas, and also being a part or portion of a certain 5.00 acre tract out of Lot 27-1, West Addition to Sharyland Subdivision, according to the plat or map thereof recorded in Volume 1, page 56, 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.**
- C. Consideration of the use of eminent domain, on behalf of the State of Texas, to acquire a .025 of one acre tract of land (1090 sq. ft.) parcel of land situated in Hidalgo County, Texas, and also being a part or portion of Lot 5, BASHAM SUBDIVISION UNIT No. 6, according to the plat or map 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.**
- D. Consideration of the use of eminent domain, on behalf of the State of Texas, to acquire a .012 of one acre tract of land (542 sq. ft.) parcel of land situated in Hidalgo County, Texas, and also being a part or portion of a certain 1.268 acre tract out of Lot 22-1, West Addition to Sharyland Subdivision, according to the plat or map thereof recorded in Volume 1, page 56, 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.**
- E. Consideration of the use of eminent domain, on behalf of the State of Texas, to acquire a .015 of one acre tract of land (654 sq. ft.) parcel of land situated in Hidalgo County, Texas, and also being a part or portion of Lot 9, Alex Cavazos Subdivision, according to the plat or map thereof recorded in Volume 22, 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.**

F. Consideration of Bids for Tax Resale for the following properties:

- 1. The West ½ of Lot 3, Dillard Subdivision, Hidalgo County, Texas as per Plat Recorded in Volume 931, Page 293, Deed Records, Hidalgo County, Texas (D4800-00-000-0003-00);**
- 2. All of Lot 13, Saint Ann Park Subdivision, an Addition to the City of Mission, Hidalgo County, Texas, According to the Map or Plat Recorded in Volume 1148, Page 573, Deed Records, Hidalgo County, Texas (S5550-00-000-0013-00);**
- 3. .40 Acre tract of land out of the North 6.89 acres of the South 13.78 acres, lying South and West of the Mission Main Canal, Lot 23-3, West Addition to Sharyland, Hidalgo County, Texas as per Map Recorded in Volume 1, Page 56, Map Records, Hidalgo County, Texas (Reg. Vol. 2098, Page 182, Official Records, Hidalgo County, Texas W0100-00-023-0003-19);**
- 4. Lot 131 Chaparral Heights Subdivision, City of Mission, Hidalgo County, Texas, as per Map Recorded in Volume 23, Page 127, Map Records, Hidalgo County, Texas (C4020-00-000-0131-00).**

G. Consideration of acquisition of property described as 29.48 Acre Tract of Lot 185, John H. Shary Subdivision, Mission, Hidalgo County Texas.

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

At 6:26 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

On item 7.1-A, Councilman O'cana moved to authorize Mayor to execute a Memorandum of Understanding with Mission Consolidated Independent School District regarding the North Side Swimming Pool, to reflect a reduction of the 2014-2015 invoice from \$137,440 to \$11,760 and the difference of \$125,680 to be transferred from the general fund, as per discussion in Executive Session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

On item 7.2-A, Councilman Plata moved to authorize City Manager, City Attorney or outside designated counsel the use of eminent domain, on behalf of the State of Texas, to acquire a .077 of one acre tract, situated in the City of Mission, Hidalgo County, Texas, out of Lot 28-5, West Addition to Sharyland, as recorded in Volume 1, Page 56, of Map Records, Hidalgo County, Texas and being out of a called 13.14 acre tract of land as described in Document No. 842604, for the public purpose of construction or improvement of 2 Mile Rd, and to resolve or acquire any necessary right of ways related to this project, and further authorize any budgetary amendments, not to exceed \$18,000, necessary to effectuate the purchase. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

On item 7.2-B, Councilman Plata moved to authorize City Manager, City Attorney or outside designated counsel the use of eminent domain, on behalf of the State of Texas, to acquire a .022 of one acre tract of land (956 sq. ft.) parcel of land situated in Hidalgo County, Texas, and also being a part or portion of a certain 5.00 acre tract out of Lot 27-1, West Addition to Sharyland Subdivision, according to the plat or map thereof recorded in Volume 1, page 56, 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. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

On item 7.2-C, Councilman Plata moved to authorize City Manager, City Attorney or outside designated counsel the use of eminent domain, on behalf of the State of Texas, to acquire a .025 of one acre tract of land (1090 sq. ft.) parcel of land situated in Hidalgo County, Texas, and also

being a part or portion of Lot 5, BASHAM SUBDIVISION UNIT No. 6, according to the plat or map 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. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

On item 7.2-D, Councilwoman Ochoa moved to authorize City Manager, City Attorney or outside designated counsel the use of eminent domain, on behalf of the State of Texas, to acquire a .012 of one acre tract of land (542 sq. ft.) parcel of land situated in Hidalgo County, Texas, and also being a part or portion of a certain 1.268 acre tract out of Lot 22-1, West Addition to Sharyland Subdivision, according to the plat or map thereof recorded in Volume 1, page 56, 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. Motion was seconded by Councilman Plata and approved unanimously 5-0.

On item 7.2-E, Councilman Plata moved to authorize City Manager, City Attorney or outside designated counsel the use of eminent domain, on behalf of the State of Texas, to acquire a .015 of one acre tract of land (654 sq. ft.) parcel of land situated in Hidalgo County, Texas, and also being a part or portion of Lot 9, Alex Cavazos Subdivision, according to the plat or map thereof recorded in Volume 22, 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. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

On item 7.2-F, Mayor Pro Tem Garza moved to approve Resolution No. 1423 accepting all bids as submitted and further authorize Mayor to execute all tax resale deeds conveying the approved properties. Motion was seconded by Councilman Plata and approved unanimously 5-0.

On item 7.2-G, Councilman O'cana moved to authorize Mayor and City Manager to execute any and all documents necessary to effectuate the purchase of the property described as 29.48 Acre Tract of Lot 185, John H. Shary Subdivision, Mission, Hidalgo County Texas, subject to the parameters set in Executive Session, and said acquisition being for the public purpose of promoting tourism and economic development. Motion was seconded by Councilman Plata and approved unanimously 5-0.

8.0 Adjournment

At 6:32 p.m., Councilman Plaa moved for adjournment. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary