

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
OCTOBER 08, 2018 5:30 P.M.
MISSION CITY HALL**

PRESENT:

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

ALSO PRESENT:

Jamie Treviño, Progress Times
Cristina Ordaz, sign language interpreter
Jehu Cabrera, sign language interpreter
Gabriel Peña
Charlie Mischel
Kyle Elliott
Roxanne Mendez
Jorge L. Cisneros
Ricardo Rivera
Carlos Ruiz
Erik Meza
Gilbert Vera
Irma Flores Lopez
Hilda Flores
Andrea Garza
Nora Tellez
Ramiro Garza
Richard A. Garza
Alex Moreno, Jr.
Victor Treviño
Dr. Sonia M. Treviño
Norma Sanchez
Fred Kurth
Dee Rendon
Victor H. Alonzo
Yvonne Perez
Domingo De La Garza
Miguel Delgado
Mauro Reyna
Jim & Beth Barnes
Macarena Peña

ABSENT:

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
Ezeiza Garcia, Asst. Finance Director
Jaime Acevedo, Planning Director
Virgil Gonzalez, Asst. Planning Director
Noemi Munguia, HR Director
Robert Hinojosa, Risk Manager
Eduardo Belmarez, Purchasing Director
Roland Rodriguez, I. T. Director
Mario Marentes, I.T. Department
Humberto Garcia, Media Relations
Juan Pablo Terrazas, City Engineer
Roberto Salinas, Public Works Director
Jesse Lerma, Civil Service Director
Gilbert Sanchez, Fire Chief
James Cardoza, Emergency Mngmnt. Coord.
Robert Dominguez, Chief of Police
Joanne Longoria, CDBG Director
Mario Flores, Golf Course Director
Juan Arevalo, Boys & Girls Club Director
Brad Bentsen, Parks & Recreation Director
Mayra Rocha, Library Director
Belinda Garza, Library Manager
Cynthia Lopez, Museum Director
Cesar Gutierrez, Sanitation Director
Alex Meade, MEDC Chief Exec. Officer
JC Avila, Fleet Maintenance Director
Ernie Zapata, Health Dept. Supervisor
Adela Ortega, Food Pantry Manager
Joel Chapa, Jr., Police Officer

1. Call to order

With a quorum being present, Mayor Dr. Armando O'caña called the meeting to order at 5:31 p.m.

2. Invocation and Pledge Allegiance

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

3. Proclamation – National Feral Cat Day

City Secretary Anna Carrillo read the Proclamation – National Feral Cat Day.

Mayor Pro Tem Norie Gonzalez Garza moved to approve the Proclamation – National Feral Cat Day. Motion was seconded by Councilman Ruben Plata and approved unanimously 4-0.

At 5:37 p.m., Councilwoman Jessica Ortega-Ochoa joined the meeting.

4. Proclamation – 95th Anniversary-Catholic Daughters of the Americas

City Secretary Carrillo read the Proclamation – 95th Anniversary-Catholic Daughters of the Americas.

Councilman Plata moved to approve the Proclamation – 95th Anniversary-Catholic Daughters of the Americas. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

5. Mission Pink Presentation - Paola Lopez, Mission Regional Med. Center

Paola Lopez of the Mission Regional Med. Center invited the Mayor and Council to the 9th Annual Mission Pink Walk to be held on Saturday, October 20 at 8 a.m.

6. Report from the Greater Mission Chamber of Commerce

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

7. Departmental Reports

Mayor Pro Tem Garza moved to approve the departmental reports as presented. Motion was seconded by Councilman Plata and approved unanimously 5-0.

8. Citizens Participation

Irma Flores Lopez one of the original members of the National Night Out Committee in 1996 thanked the Mayor and Council for recognizing the committee at the 2018 National Night Out Event.

Irma Flores Lopez of 1201 Keralum recommended the need for term limits for the Mayor and Council.

Macarena Pena representing the National Federation of the Blind invited the Council to the White Cane Walk which would be taking place on Saturday, October 27 from 12- 3 p.m. at the Mission Parks and Recreation Center.

Janie Melendez member of the OWLS requested for Mayor O'caña to step down from his position and allow the Mayor Pro Tem to conduct the meetings until a new election can be conducted or final ruling from the Appellate Court.

Norma Cavazos of 2301 N. Bryan Road asked Mayor O'caña to continue to serve until appeal is heard.

Andrea Garza Gonzalez who owns property at 222 Holland Ave. spoke regarding the drainage issues and asked Mayor O'caña to stay in his position.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

A. Rezoning: All of Lot 1, Bodine Subdivision No. One, R-1 (Single Family Residential) to C-3 (General Business), Dr. Norma L. Cavazos, Adoption of Ordinance # 4706 approving 1.1A

On September 26, 2018 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located on the NW corner of E. Griffin Parkway (F.M. 495) and 270' frontage to Bryan Road. There was public opposition during the P&Z Meeting. The Board unanimously denied the rezoning.

Staff City Manager recommended denial of C-3.

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

Leslie Eichelberger of 2310 Warjebo Trail spoke against the request. Her concerns included the increase in traffic and the safety of the neighborhood.

Pat and Yolanda B. McCordy of 1521 E. Griffin Parkway spoke against the request and stated that allowing a C-3 would have a serious impact on the value on their property. Their concerns also included safety, traffic increase and having delivery trucks coming in and out blocking the driveway.

Ruben Arcuate of 2301 N. Bryan spoke in favor of the request. He stated that there won't be any more on any less traffic whether it is a C-2 or a C-3.

Patricia Ramirez of 2105 Magnolia St. spoke in favor of the request. She stated that this would benefit the city in terms of business, generating revenue and creating new jobs.

Dr. Norma Cavazos Salas owner of the property spoke in favor of the request. She said that she moved into this property about 22 years ago and had approached the council in the past to request a rezoning then, but understood that Mission wasn't ready for the change. She was asking for consideration of rezoning her property and felt that a denial would be discriminating. She advised the council that she was willing to work with them and was open to suggestions and requirements.

Richard A. Garza, Real Estate Broker representing the applicant spoke in favor of the request. He presented board examples with images that showed differences in taxable values, population and traffic count at the site location.

Marcela Arredondo, Cynthia Cavazos Gonzalez, Gabriela Salas, Ramiro Garza, Charlie Quintanilla, Crystal Mancias, Armando San Roman, Ivan Mendoza, Eric Sanchez, and Mary Ann Martin, were among others that spoke in favor of the request.

Councilman Martinez asked Real Estate Broker Mr. Garza to give a perspective of the types of businesses that would fit this location. Mr. Garza listed the businesses which included national pharmacy stores, Whataburger, Chick-fil-A, Starbucks, and many other fast food franchise restaurants. Councilman Martinez said he didn't have a problem with it been commercial but did have a problem with it been late hours.

Mayor Pro Tem Garza explained that once they approved any zoning they don't have to come back before the council to get approval on the type of business that's going to be there because of the allowable uses that comes with the zoning. She asked staff to give a synopsis of the type of business that would be allowed in a C-2 zoned. Mr. Acevedo explained that this would include commercial plaza, dry cleaners, piano lessons, beauty shops, nail salons and restaurants with a conditional use permit. Mayor Pro Tem Garza asked if the applicant would be ok with a C-2. Applicant Dr. Cavazos said she would be comfortable with a C-2.

After much deliberation Mayor Pro Tem Garza moved to approve the rezoning and to adopt Ordinance No. 4706 Rezoning: All of Lot 1, Bodine Subdivision No. One, R-1 (Single Family Residential) to C-2 (General Business). Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4706

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING OF ALL OF LOT 1, BODINE SUBDIVISION NO. ONE, (R-1)
SINGLE FAMILY RESIDENTIAL TO (C-2) NEIGHBORHOOD COMMERCIAL

B. Conditional Use Permit: Drive-Thru Service Window – Brick Fire Pizza & More, 704 E. Griffin Parkway, Ste. 130, 1.24 acre tract out of Lot 24-8, West Addition to Sharyland Subdivision, C-3, Brick Fire Pizza & More, LLC c/o Steven Alaniz, Adoption of Ordinance # 4707 approving 1.1B

On September 26, 2018 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located within a commercial plaza between Mayberry Avenue and Augusta along the south side of E. Griffin Parkway. There was no public opposition during the P&Z Meeting. The Board unanimously approved the conditional use permit.

Staff Recommendation: 1) A 1 year approval for re-evaluation; 2) CUP was not transferable to others; 3) Continued compliance with Building, Fire, Sign, and Health Codes.

City Manager recommended approval.

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

There were no comments.

Councilwoman Ochoa moved to approve the cup and to adopt Ordinance No. 4707 Conditional Use Permit: Drive-Thru Service Window – Brick Fire Pizza & More, 704 E. Griffin Parkway, Ste. 130, 1.24 acre tract out of Lot 24-8, West Addition to Sharyland Subdivision, C-3, Brick Fire Pizza & More, LLC. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4707

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU SERVICE WINDOW – BRICK FIRE PIZZA & MORE, 704 E. GRIFFIN PARKWAY, STE. 130, A 1.24 ACRE TRACT OUT OF LOT 24-8, WEST ADDITION TO SHARYLAND SUBDIVISION

C. Conditional Use Permit: The Installation of a 100' Monopole Wireless Communications Facility with Associated Group Equipment for T-Mobile, A 3.29 Ac. tract of land out of the Unplatted Commercial Reserve of Cimarron Country Club Phase 1, Section 1, C-3, APC Towers, LLC, c/o T-Mobile, Adoption of Ordinance # _____ approving 1.1C

On September 26, 2018 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located at the SW corner of J.R. Drive and US Expressway 83 frontage just south of Treme Subdivision. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval subject to moving away from Cimarron Drive.

Staff Recommendation: 1) Life of Use approval, 2) Must install an 8' opaque fence around the lease area, 2) Must allow for co-location by others and, 3) CUP shall not be transferable to others.

City Manager recommended approval.

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

City Manager Garza explained that his recommendation was based on his understanding that it was going to be shift over the NW and staff now received a letter that it would be NE. He said that the concerns that he had were on any future development that the owner might want to do and that it would be right next to a public road way that leads to the restaurant along the frontage road. He said he would want to see a clearer foundation of what they were doing.

Charlie Mischel, representing the applicant spoke in favor of the request. He talked about the issue of the tower collapsing within itself versus falling over since the placement would also be about 100' form the nearest road. Mr. Mischel explained the specifics identifying statistics of cell phone usage in the area.

Representative from T-Mobile explained the environmental process that would have to be restarted and would take about three to six months if the tower had to be moved to the NE area. He explained that with T-Mobile's coverage gap in this area this was one of the top priority sites.

David Oros another representative explained that the main coverage objective was a lot of the commercial properties to the East which included Wal-Mart, Tinseltown, HEB would have less coverage if the tower was to be moved to the west.

After much deliberation Mayor Pro Tem Garza moved to table the item Conditional Use Permit: The Installation of a 100' Monopole Wireless Communications Facility with Associated Group Equipment for T-Mobile, A 3.29 Ac. tract of land out of the Unplatted Commercial Reserve of Cimarron Country Club Phase 1, Section 1, C-3, APC Towers, LLC. Motion was seconded by Councilman Plata and approved 3-2 with Councilwoman Ochoa and Mayor O'caña voting against tabling the item.

D. Conditional Use Permit: Drive-Thru Service Window to 24 Hours a Day, 7 Days a Week – Snowball Express, 1712 W. Griffin Parkway, Lot 22, Block 4, Oakwood Estates Subdivision, C-3, Adoption of Ordinance # _____ approving 1.1D

On September 26, 2018 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request for hours of operation to be 24 hours a day, 7 days a week. The subject site was located approximately 64' west of Kristi Lane along the north side of Griffin Parkway. There was public opposition during the P&Z Meeting. The Board unanimously recommended denial.

Staff and City Manager recommended denial of the request for extended hours past 10:00 p.m.

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

Attorney Alex Moreno representing the owner spoke in favor of the request. He explained how his client had complied with all the conditions the city had imposed except the hours. He mentioned that his client closes the drive-thru windows at 10:00 p.m.; however customers park their cars and pickup orders using the windows. Mr. Moreno mentioned that his client wanted his business to be treated like Whataburger, McDonald's or Stars restaurant in being allowed to operate on a 24 hours daily basis.

Laura Camacho manager of the business spoke in favor of the request.

Councilman Martinez asked Chief of Police Robert Dominguez what the amount of nuisance calls was from that location. Chief Dominguez answered that there were about eight calls that included citations for incidents past 10:00 p.m.

After much deliberation Councilman Gus Martinez moved to deny the item Conditional Use Permit: Drive-Thru Service Window to 24 Hours a Day, 7 Days a Week – Snowball Express, 1712 W. Griffin Parkway, Lot 22, Block 4, Oakwood Estates Subdivision, C-3. Motion was seconded by Councilman Plata and denied unanimously 5-0.

E. Conditional Use Permit: For Four Drive-Thru Service Windows to 24 Hours a Day, 7 Days a Week – Snowball Express, 3124 N. Mayberry Road, Being 1.27 acres of land out of the West 210" of the North 223" of Lot 28-9, West Addition to Sharyland Subdivision, C-2, Adoption of Ordinance # 4708 approving 1.1E

On September 26, 2018 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request for hours of operation to be 24 hours a day, 7 days a week. The subject site was located at the SE corner of Mayberry Road and E. 2 Mile Road. There was public opposition during the P&Z Meeting. The Board unanimously recommended denial.

Staff and City Manager recommended denial of the request for extended hours past 10:00 p.m.

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

Attorney Moreno representing the owner spoke in favor of the request.

Councilman Martinez recommended a 90-day period for hours of operation during Fridays and Saturdays to cease at 12 a.m.

Councilman Martinez moved to approve the cup and to adopt Ordinance No. 4708 Conditional Use Permit: Drive-Thru Service Window to a 90-day period for hours of operation during Fridays and Saturdays to cease at 12 a.m. – Snowball Express, 1712 W. Griffin Parkway, Lot 22, Block 4, Oakwood Estates Subdivision, C-3. Motion was seconded by Councilman Plata and approved 4-1 with Councilwoman Ochoa voting against the request.

ORDINANCE NO. 4708

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR FOUR DRIVE-THRU SERVICE WINDOWS – SNOWBALL EXPRESS #2, 3124 N. MAYBERRY ROAD, BEING 1.27 ACRES OF LAND OUT OF THE WEST 310' OF THE NORTH 223' OF LOT 28-9, WEST ADDITION TO SHARYLAND SUBDIVISION

At 7:46 p.m., Mayor O'caña continued on to item 3.2 of the agenda.

2.0 Consent Agenda

(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately. The City Council May Take Various Actions; Including But Not Limited To Rescheduling An Item In Its Entirety For A Future Date Or Time. The City Council May Elect To Go Into Executive Session On Any Item Whether Or Not Such Item Is Posted As An Executive Session Item At Any Time During The Meeting When Authorized By The Provisions Of The Open Meetings Act)

2.1 Approval of Minutes

City Council Meeting – September 24, 2018

2.2 Acknowledge Receipt of Minutes

Speer Memorial Library – August 21, 2018

Boys & Girls Club of Mission – September 4, 2018

Juvenile Justice and Delinquency Prevention Board – February 15, 2018

Animal Rescue and Adoption Advisory Board – September 12, 2018

2.3 Approval of Resolution No. 1575 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 Sharyland High School Homecoming Parade

The parade was scheduled for October 25, 2018. It would commence at the 100 block S. Shary Road and occupy both northbound lanes of travel. It would continue by crossing U.S. Business Highway 83 and proceed northbound to the 1200 block of Shary Road. The Mission Police Department would be responsible for securing the Sharyland High School Homecoming Parade route to ensure the safety of both motorists and pedestrians alike.

2.4 Approval of Agreement between Mission Consolidated Independent School District and the Boys & Girls Club Mission Sports Program

The Boys & Girls Club Mission had partnered with Mission CISD to have sports and tournament activities on MCISD campuses. Eligible students to participate were in grades 3rd, 4th, 5th and 6th grade. The activities offered were volleyball, flag football, cross country, basketball, soccer and track. The activities would continue throughout the school year. Each elementary and 6th

grade middle schools would follow the guidelines set forth by the Boys & Girls Club Mission. Mission CISD PE teachers would promote participation, register students, recruit volunteer coaches, and coordinate practices and secure facilities for game and practices.

2.5 Authorization to enter into a maintenance agreement with Tyler Technologies, a sole source vendor for maintenance on the departments' electronic ticket writers, ticket writer printers, traffic accident eCrash module and our interface to Mission Municipal Court

The City of Mission Police Department utilized the aforementioned devices for the purpose of issuing traffic citations and to complete traffic accidents reports that were then sent electronically to the Texas Department of Transportation as required by state law. Additionally, the maintenance agreement also covered the connectivity between our electronic devices and our Municipal Court electronic citation software. The total amount of the yearly contract was \$13,295.80.

Mayor O'caña asked the council if they had any comments or concerns for or against the consent agenda items.

There were no comments.

Mayor Pro Tem Garza moved to approve the consent agenda items 2.1 thru 2.5. Motion was seconded by Councilwoman Ochoa and approved 5-0.

At 8:02 p.m., Mayor O'cana stepped out.

3.0 Approvals and Authorizations

3.1 Preliminary Plat Approval: Camino De Abram Subdivision Phase II, A 58.65 Acre Tract of Land Situated in Nicolas Zamora Survey, A -76, Porcion 48, Rural ETJ, Developer: Everman Development, Inc. Engineer: South Texas Infrastructure Group

On September 26, 2018 the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Camino De Abram Subdivision Phase II. The proposed subdivision was located at the NE corner of 3 Mile Road and Abram Road. There was no public opposition at the 9/26/18 P&Z meeting. The P&Z Board unanimously approved the subdivision plat as per Staff's recommendation.

Staff Recommendation: Approval subject to: 1) Must meet the Model Subdivision Rules, 2) Comply with the street alignment policy, and 3) Comply with comments from the County Planning Department.

City Manager recommended approval.

Councilman Martinez moved to approve the Preliminary Plat Approval: Camino De Abram Subdivision Phase II, A 58.65 Acre Tract of Land Situated in Nicolas Zamora Survey, A -76, Porcion 48.). Motion was seconded by Councilman Plata and approved unanimously 4-0.

3.2 Board Appointments: Mission Rail Bridge Advisory Committee, Mission Economic Development Corporation and Mission Historical Preservation Commission

Mayor O'caña was recommending the following appointments:

Mission Rail Bridge Advisory Board: Jesus Guerra, Jose M. Garza, Keith Patridge, Vicente Morales, and Councilwoman Jessica Ochoa. Mayor Ocaña and City Manager Martin Garza would serve in their respective positions.

Mr. Guerra and Mr. Garza would be appointed for a one year, term to expire December 31, 2019. Mr. Patridge, Mr. Morales and Council position would be appointed for two years, term to expire December 31, 2020.

Mission Economic Development Corporation: Appoint Sonia Trevino to replace Linda Requeñez who resigned term to expire December 31, 2018.

Mission Historic Preservation Committee: Appoint Hollis Rutledge, Carlos Garcia, and Adela Ortega terms to expire December 31, 2020 and Julie Saenz term to expire December 31, 2021.

Staff and City Manager recommended approval.

Mayor O'caña stated that for the record the Mission Rail Bridge was an action board and the Mission Historical Preservation was a commission board and not an advisory board.

Councilwoman Ochoa moved to approve the Board Appointments as recommended by Mayor O'caña: Mission Rail Bridge Advisory Committee, Mission Economic Development Corporation and Mission Historical Preservation Commission. Motion was seconded by Councilman Martinez and approved unanimously 5-0.

At 8:01 p.m., Mayor O'caña requested to continue with item 2.1 of the agenda.

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

At 8:04 p.m., Mayor O'caña rejoined the meeting and Councilman Martinez stepped out.

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

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to authorize to award bid for Sodium Chlorite for North and South Water Treatment Plants to Evoqua Water Technologies, as per staff's recommendation. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

3.4 Authorization to award bid for Liquid Ammonium Sulfate for the North and South Water Treatment Plants

The City of Mission had accepted and opened four (4) bid responses for Liquid Ammonium Sulfate Chemical. Staff recommended award to Chemtrade Chemicals US LLC, who was the lowest responsible bidder meeting all specifications. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one year base term.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to award bid for Liquid Ammonium Sulfate for the North and South Water Treatment Plants to Chemtrade Chemicals US LLC, as per staff's recommendation. Motion was seconded by Councilman Plata and approved unanimously 4-0.

At 8:06 p.m., Councilman Martinez rejoined the meeting.

3.5 Authorization to award bid for Storm Drainage Inlets, Manholes and Reinforce Concrete Pipe for Streets & Drainage Departments

The City of Mission had accepted and opened two (2) bid responses for Storm Drainage Inlets, manholes and reinforce concrete pipe for Streets & Drainage Department. Staff recommended award to Core & Main LP, 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 and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to award bid for Storm Drainage Inlets, Manholes and Reinforce Concrete Pipe for Streets & Drainage Departments to Core & Main LP, as per staff's recommendation. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.6 Authorization to terminate contract between the City of Mission and Jorge L. Cisneros

The City of Mission Police Department was requesting authorization to terminate the contract between the City of Mission and Jorge L. Cisneros. The current contract was in effect until February 28, 2019. The termination of the contract as for the purpose of clarification of services and the addition of an indemnity clause on a new contract. A new contract with Mr. Jorge L. Cisneros would be requested under his company name; Safe Track, LLC, dba Safe Global Services.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to terminate contract between the City of Mission and Jorge L. Cisneros. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.7 Authorization to enter into a contract between the City of Mission and Safe Track, LLC, dba Safe Global Services to provide professional services

Safe Track, LLC, dba Safe Global Services would be retained for the specific purpose of providing security measures along the Mission, Texas and Mexico border. Safe Track, LLC, dba Safe Global Services would provide a number of security /intelligence services to the City of Mission as it related to our proximity to the U.S./Mexican border and the need to be aware of any potential threats to our International Bridge, our border and or our community. The total amount for the yearly contract was \$20,400.00. Staff was respectfully requesting authorization to enter into contract for the 2018-2019 fiscal year.

Staff Recommendation: Authorize the contract between the City of Mission and Safe Track, LLC, dba Safe Global Services to provide consultation related to security measures along the Mission, Texas and Mexican Border.

City Manager recommended approval.

Councilman Plata moved to authorize to enter into a contract between the City of Mission and Safe Track, LLC, dba Safe Global Services to provide professional services. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

3.8 Authorization to accept and approve the replacement parts and labor for the water fountain at Mission Event Center

Staff was seeking authorization to accept and approve the system proposal to repair and replace components for the water fountain at the Mission Event Center provided to us by Delta Fountains Architectural & Floating Fountains, the original equipment manufacturer.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to accept and approve the replacement parts and labor for the water fountain at Mission Event Center from Delta Fountains Architectural & Floating Fountains. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.9 Authorization to purchase beer, wine and liquor for resale at the Mission Event Center

Staff was requesting to purchase beer, wine & liquor for resale at the Mission Event Center from the following vendors. Glazer's Beer and Beverage, L&F Distributors, Holiday Wine & Liquor and Feldman's Market Center in an amount not to exceed \$55,000 thru September 30, 2019.

City Manager recommended approval.

Councilman Plata moved to authorize to purchase beer, wine and liquor for resale at the Mission Event Center from Glazer's Beer and Beverage, L&F Distributors, Holiday Wine & Liquor and Feldman's Market Center, as per staff's recommendation. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

3.10 Authorization to solicit proposals for an audit on City of Mission finances, fixed assets, vehicles, equipment and general inventory

Staff was requesting to solicit proposals to conduct an audit to get a more detailed account of the City's current inventory.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to authorize to solicit proposals for an audit on City of Mission finances, fixed assets, vehicles, equipment and general inventory. Motion was seconded by Councilman Martinez and approved unanimously 5-0.

3.11 Authorization to retract donation of vehicles to Sister Cities & sell via online auction

The City of Mission had surplus and donated vehicles and equipment to Sister Cities in prior years. There were remaining vehicles that were not transferred to the Sister Cities. Staff was requesting to retract the donation of these vehicles to the Sister Cities and sell via online auction.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to retract donation of vehicles to Sister Cities & sell via online auction Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.12 Budget Amendment – Hotel Motel

Finance Director Angie Vela presented budget amendment BA–19-01 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Martinez moved to approve the budget amendment BA–19-01. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

3.13 Authorization to allow Mayor and City Manager to notify Texas Water Development Board of intent to proceed with funding the Northwest EDAP Project

The Texas Water Development had reviewed and ranked the applications that were received for the EDAP funds. Their preliminary review of the City of Mission’s application indicated that the City was eligible and in line to receive \$2,552,000 in EDAP grant and \$2,252,000 in EDAP loan. TWDB was requesting for the City to advise them if the City was interested in continuing to pursue this funding. TWDB would present all EDAP-funded projects to the Board for their consideration on December 13, 2018.

Staff Recommendation: Seek direction from City Council.

City Manager recommended approval.

Councilman Plata moved to authorize Mayor and City Manager to notify Texas Water Development Board of intent to proceed with funding the Northwest EDAP Project. Motion was seconded by Councilwoman Ochoa and approved 4-0, with Mayor Pro Tem Garza abstaining because her property is in that area.

3.14 Approval of Professional Services Agreement with Hollis Rutledge & Associates

Approval was being requested to enter into Professional Services Agreement with Hollis Rutledge & Associates. Consultant was to provide consultation services regarding state and federal relations relating to the City of Mission and economic development activities, including but not limited to researching, developing, writing, obtaining, and administering grants on behalf of the City of Mission Police and Fire Departments.

The term of the Agreement was from October 1, 2018 through September 30, 2019 in the amount of \$4,000 per month.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Professional Services Agreement with Hollis Rutledge & Associates. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

3.15 Authorization to award bid for Security Guard Services

The City of Mission City Council authorized staff to solicit bids for Security Guard Services for buildings throughout the city on an as needed basis. The City of Mission had accepted and

opened nine (9) bids for security guard services. Staff recommended awarding bid to MLG Protection Services who submitted fair and reasonable pricing and who was the lowest responsible bidder meeting the scope of services.

Staff and City Manager recommended approval.

Councilman Plata moved to approve to award bid for Security Guard Services to MLG Protection Services, as per staff's recommendation. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

At 8:24 p.m., Mayor O'caña requested to go on to item 4.1 of the agenda.

**3.16 Authorization to negotiate and enter into contract for Prosecution Services with Carlos Ortegon
(City Attorney may ask City Council to go into executive session on this item under the "Consultation with Attorney" exception before considering this matter in open session)**

Carlos Ortegon had provided prosecution services since 2014. This contract would clarify the scope of work and other contractual terms and extend the term of the contract until October 1, 2019.

Staff and City Manager recommended approval.

Councilman Martinez moved to authorize the City Manager to negotiate and enter into contract for Prosecution Services with Carlos Ortegon within the parameters discussed in executive session. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0, and continued on to items listed on 6.0.

Mayor Pro Tem Garza moved to remove from table item 4.1. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.0 Unfinished Business

4.1 Interlocal Agreement between the City of Mission and the City of Penitas

The Penitas Police Department was in need of obtaining services for the temporary housing and detention of prisoners awaiting arraignment. The Mission Police Department agreed to make use of their holding cells for prisoners of the Penitas Police Department subject to the availability of space based on the facilities capacity. The temporary housing of prisoners would be at a cost of \$54.00 per prisoner per day. The cost included detention, transportation and meal costs. Term of the Agreement was for one year commencing on October 1, 2018 and ending at midnight on September 30, 2019.

Staff and City Manager recommended approval.

Councilman Martinez moved to approve the Interlocal Agreement between the City of Mission and the City of Penitas. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

5.0 Routine Matters

5.1 City Manager's Comments

City Manager Garza congratulated the Mission Police Department, Mission Crime stoppers and staff for a successful 2018 National Night Out that was held at the recently renovated Leo Pena Placita Park.

5.2 Mayor's Comments

Mayor O'caña stated that Mission was moving forward and doing well. Mayor advised the public that the council would be attending the TML Conference in Dallas which would provide training opportunities for the Council.

5.3 City Council Comments

Councilman Martinez had no comments.

Mayor Pro Tem Garza had no comments.

Councilman Plata had no comments.

Councilwoman Ochoa congratulated Kelsie Villalobos from Mims Elementary for being successful in her election for City Council, Place 1 for Mustangville. Councilwoman Ochoa said that politics needed to be set aside and we needed to take a stand against bullying.

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

At 8:30 p.m., Councilman Plata moved to convene into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001 for items 3.16, 6.1-A and 6.2-A. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

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

6.1 Consultation with Attorney Sec. 551.071

Personnel matters. Texas Gov't Code §551.074

A. Deliberation and possible action regarding employment agreement with Associate Municipal Court Judge (Mauro Reyna)

6.2 Consultation with Attorney Sec. 551.071

Deliberations about Real Property Sec. 551.072

A. Deliberation regarding U.S. Customs and Border Protection request for access to City of Mission real property along levee Rd.

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

At 9:13 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0, and continued on to item 3.16.

On item 6.1-A, no action was taken.

On item 6.2-A, no action was taken.

7.0 Adjournment

At 9:15 p.m., Councilman Martinez moved for adjournment. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

Dr. Armando O'caña, Mayor

ATTEST:

Anna Carrillo, City Secretary